PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 306

HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1997–98

COMPRISING PERIOD
9 February—19 February 1998

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9 February 1998

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 306**

THIRTEENTH VOLUME OF SESSION 1997–98

House of Commons

Monday 9 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

Joint Military Action (United States)

3. **Mr. Cohen:** When he last met his United States counterpart to discuss procedures for joint military action. [26097]

The Secretary of State for Defence (Mr. George Robertson): I met United States Defence Secretary Cohen at a long-standing engagement in Germany this weekend. We discussed a number of issues, including the situation in Iraq and Bosnia.

Mr. Cohen: Were the following two questions discussed? First, why is a war that kills hundreds, perhaps thousands, of innocent Iraqis morally worth while? Secondly, is a war that leaves Saddam Hussein in place, perhaps to cause more trouble later, morally worth the life of a single British or American soldier?

Mr. Robertson: First, I apologise for the absence of my hon. Friend the Minister for the Armed Forces who cannot be here because he underwent a small operation on Friday; he is now at home and recovering well.

All that we ask of Saddam Hussein and the Iraqi regime is that they comply fully with the United Nations Security Council resolutions that they accepted at the end of the Gulf war. We simply want them to allow unconditional, unrestricted access by the weapons inspectors to sites that they think may have information about—or actual—weapons of mass destruction. Force is simply there as an option of last resort—and an option of last resort without which it is quite clear that Saddam would not be interested in complying with his international obligations. If there is a confrontation it is not between Great Britain and the United States and Iraq but between Iraq and the United Nations, and it is the UN's credibility that is now at stake.

Mr. Wilkinson: What are the exact arrangements for defining the rules of engagement of British troops in the Iraqi theatre, and what are the command and control arrangements? Would British forces in that theatre come directly under the command of an American general officer or flag officer, or would the British take their orders directly from Northwood?

Mr. Robertson: As the hon. Gentleman would predict, and as I know he will accept is reasonable, I have no intention of being drawn into any details about military action that might have to be taken if all the diplomatic options were exhausted. The use of force and the deployment of our forces in the Gulf today are simply the mechanisms by which we hope Saddam will realise that he must comply with the United Nations Security Council resolutions. The arrangements for that force, if that force has to be used, will not be speculated on from the Dispatch Box. Saddam Hussein and the Iraqi regime should be left under no illusions that if we have to deploy, there will be a fairly firm response to what he is doing.

Mr. Winnick: Does my right hon. Friend agree that, if military action is to be used in the near future, it is rather important to set out our objectives quite clearly? Every effort, however difficult, should be made to avoid civilian casualties which would not only be wrong in themselves but would give added political ammunition to

the murderous dictator in Iraq. Does my right hon. Friend further agree that, if we abandoned any threat of the use of military action, it would mean that Saddam Hussein had won a victory and that there would be no question of his allowing unrestricted access to weapons? If he knew that no action would be taken against him, why should he show any flexibility whatever?

Mr. Robertson: I strongly agree with my hon. Friend: he is absolutely right. The aim of any military action that we took if diplomacy were to fail, would be to oblige Saddam to comply with UN Security Council resolutions. Not just the safety, security and stability of Saddam's neighbours in the middle east—a volatile and important part of the world—but the credibility of the United Nations are at stake. If that credibility were to be destroyed or undermined by a Saddam victory at this point, what future would there be for international world order?

In recent days, the House has already heard of some of the horrifying weapons that Saddam Hussein has used and may still have in hiding, but the House will wish to know that I am today making available new information on Iraq's chemical weapons capability at the time of the Gulf war. That concerns recently received intelligence that Iraq may have possessed large quantities of a chemical weapons agent known as Agent 15 since the 1980s. Agent 15 is a mental incapacitant, exposure to which is likely to lead to weakness, dizziness, disorientation and loss of co-ordination, among other symptoms. We remain of the view that there is no confirmed evidence of the use of chemical weapons by Iraq during the Gulf war, but I am making this public in line with our undertaking to Gulf veterans to make available any information that we possess that is of potential relevance to Gulf veterans' health issues.

Rather than read a full statement of that information now, I shall seek permission to have it published in the *Official Report*. In addition, copies will be available in the Vote Office and in the Library of the House this afternoon. My noble Friend the Minister for Defence Procurement is making similar arrangements in another place.

Mr. Martin Bell: Speaking as one who was in the front line last time, may I ask for the Secretary of State's personal assurance that no similar action will be contemplated without the same sort of coalition of opinion at home and support in the Arab world and in the United Nations at large?

Mr. Robertson: I assure the hon. Gentleman that there is complete unanimity in the UN Security Council and indeed among the widespread allies of this country and of the United States of America that what Saddam Hussein is doing at present is unacceptable, that he must comply with UN Security Council resolutions in relation to weapons of mass destruction, and that he must allow unrestricted, unfettered and immediate access by the United Nations Special Commission on Iraq weapons inspectors to all sites that they believe may be involved in the production or use of weapons of mass destruction. On that there is absolute unanimity. I agree with what Prince Sultan, Saudi Arabia's Minister of Defence and Civil Aviation, said yesterday:

"We say to Saddam Hussein to abide by the United Nations resolutions to protect his people and put an end to their seven-year-long suffering."

Mr. Dalyell: Who sold Agent 15 to the Iraqis?

Mr. Robertson: I do not know who sold Agent 15 to the Iraqis. My hon. Friend will have noticed that I became Secretary of State for Defence on 3 May last year, since when we have put in place a number of investigations and research projects into those elements that might have affected our veterans who fought in the Gulf war in 1990. What I am bothered about is that we now have information that, among all the other horrifying weapons that Saddam has used in the past, and among all the weapons that we know he had and may well have destroyed but is probably still hiding, is now another agent, Agent 15, the like of which should make most of us wonder why on earth there is any equivocation in forcing him to comply with his obligations.

Mr. Menzies Campbell: Does the Secretary of State accept that, if it had not been for joint military action in August 1990, the risk is that Saudi Arabia would have been invaded, and that, if it had not been for joint military action in January 1991, the likelihood is that Kuwait would still be occupied? Does he share my surprise that those who argue against the use of force or the threat of the use of force offer no alternative sanction by which to compel Saddam Hussein to accept the obligations in the relevant UN Security Council resolutions, which embody the terms of the peace settlement to which he agreed?

Mr. Robertson: I am not surprised at all. I cannot understand those who say that force was not required on the last occasion. I am absolutely certain that had we not been forced to use force during the Gulf war, Saddam Hussein would still be in possession of Kuwait and may well have extended his ambitions to many other countries in the region.

Ten years ago this year, I went to Diyarbaká and Mardin in Turkey, near the border with Iraq and Syria. I met some Kurdish citizens of Iraq who had crossed the border to flee the chemical bombs filled with sarin deadly gas which Saddam had rained down on the small town of Halabja. Their stories and their faces will live with me for ever.

If a man like Saddam could use such dreadful, horrifying weapons against his own people, I could not sleep comfortably at night knowing that he would retain that capability and threaten his neighbours and, indeed, the wider middle east.

Ms Abbott: The Secretary of State keeps calling the United Nations in aid when referring to the possibility of a military strike against Iraq. Is it not the case that there is no unanimity in the United Nations for a military strike, still less any support for it in the Arab world? Does not that give him pause for thought?

Mr. Robertson: There is total unanimity in the United Nations Security Council and in the Arab world that

Saddam must comply with the Security Council resolutions. There is total agreement among all states that he must allow the UNSCOM inspectors in, and that there must continue to be a regime of inspection to ensure that he does not hold weapons ready to be deployed against his neighbours in the first instance.

The route of diplomacy is still open—there is still time for Saddam to comply with the Security Council resolutions. However, as we move towards the point where diplomacy is seen to fail—if that is the case—I have no doubt that his neighbours and the wider world will recognise that there are few options left.

Sir George Young: We welcome the new information about nerve agents to which the Secretary of State referred, and join him in wishing a speedy recovery to the Minister for the Armed Forces following his operation.

Our armed forces face the possibility of conflict with Iraq. The right hon. Gentleman knows that the Opposition strongly support the Government's robust approach—even if all their supporters cannot. The responsibility for any action rests with Saddam Hussein. There is a principle at stake—the credibility of collective action against unacceptable dictatorship.

I want to ask the right hon. Gentleman about the interaction of the strategic defence review with the mobilisation that is under way. He must be anxious to ensure that there is no threat to the morale of our armed forces, and no distraction from the task in hand for officials and Ministers, through the strategic defence review. Will he assure the House that, if necessary, he will suspend the review until the crisis has passed?

Mr. Robertson: I welcome the right hon. Gentleman's good wishes for my hon. Friend the Minister for the Armed Forces. I also welcome his support for the credibility of military force as an option of last resort if diplomacy fails and we are not able to persuade Saddam Hussein to comply with the Security Council resolutions.

Morale among our forces is good. Despite what has happened to them over the years, and despite the current overstretch that they are feeling—and we are trying to deal with that—they are ready and willing to serve their country wherever they are sent. Those who serve on Invincible, Nottingham and Coventry, on the Royal Fleet Auxiliary vessels and in the RAF Tornados being deployed from Bruggen today have a determination and dedication to uphold the international rule of law.

The strategic defence review is designed to build on our current experience and that which we have gained over the past few years, so that we can configure our armed forces better to deal with the problems and the risks that they might face. That is being done in a more open and consensual way than has been the case in any previous defence review. That adds to the sense of spirit that is displayed every day by the armed forces of the Crown, in which I have such great pride.

Ms Squire: Does my right hon. Friend agree that not only the credibility of the United Nations but possibly its future role, particularly in world peacekeeping, is being called into question by Saddam Hussein's behaviour? Does he agree that Saddam Hussein's continued defiance of the Security Council resolutions will only encourage other dictators to behave in the same fashion and to follow Hussein's example—by placing more importance on the building of presidential palaces than on the welfare of their people or on world peace?

Mr. Robertson: My hon. Friend speaks with power and she speaks rightly of the situation. There is something tragically ironic in the fact that Saddam is willing to use his people—especially children—as propaganda tools, showing off their misery to the world, whereas, since the end of the Gulf war, he has spent $1 billion in building a reputed 45 presidential palaces. Children are being allowed to starve when he could buy food by selling oil, and his people are denied medications and medical treatment when he could import as many medical supplies as he wanted. He pretends that the outside world, rather than his own desperate regime, is the enemy of his people.

Following is the information:

Iraq has still not fully disclosed the extent of its programme to acquire chemical and biological weapons: it has consistently sought to obstruct the United Nations Special Commission (UNSCOM) from carrying out the mandates of Security Council Resolutions 687 and 699. In particular, it has sought to deceive UNSCOM about the scale of its production of the highly toxic nerve agent VX and the use of chemical warfare agents during the Iran/Iraq war. Iraq has also yet to admit to producing plague bacteria as part of its biological warfare programme.

The MOD has recently received intelligence, believed to be reliable, which indicates that, at the time of the Gulf War, Iraq may have possessed large quantities of a chemical warfare mental incapacitant agent known as Agent 15.

Our knowledge of Agent 15 itself is limited. Agent 15 is one of a large group of chemicals called glycollates (esters of glycollic acid). The best known is usually referred to by the initials BZ. The physiological effects of these compounds are typical of anticholinergic agents, which block cholinergic nerve transmission in the central and peripheral nervous system.

On the basis of animal studies with BZ and other related materials which were carried out some years ago, we believe that the immediate effects of Agent 15 would include: dilated pupils, flushed faces, dry mouth, tachycardia, increase in skin and body temperature, weakness, dizziness, disorientation, visual hallucinations, confusions, loss of time sense, loss of co-ordination and stupor.

We have known since 1985 that Iraq was investigating CW agents of this type, but the first indication of a specific interest in Agent 15 came in a brief reference contained in an Iraqi document, which we became aware of in August 1995 and which stated that Iraq was carrying out laboratory research on this agent. The first indications that Iraq had possessed large stocks of Agent 15 came late last year, since when my Department has conducted an assessment of the relevant scientific and background information.

MOD remains of the view that there is no confirmed evidence of the use of CW by Iraq during the Gulf War. We are nevertheless considering how best to investigate Agent 15 further, with a view to gaining a better understanding of its long term effects. This will be taken into account in our ongoing work to address Gulf veterans' health concerns.

Aircraft Carriers

4. **Mr. David Heath:** What assessment he has made of the current strategic importance and future need for aircraft carriers in the Royal Navy. [26098]

Mr. George Robertson: The future requirement for aircraft carriers is being considered as part of the strategic defence review.

Mr. Heath: My question may be particularly apposite because of the current deployment of HMS Illustrious and

HMS Invincible and the aircrew from Royal Naval Air Station Yeovilton. Does the right hon. Gentleman agree that the carrier fleet provides the essential platform for extending the reach of British peacekeeping capacity? Will he therefore ensure that that view is reflected as the defence review continues?

Mr. Robertson: The simple answer to that question is yes. We are certainly examining the case for a future generation of carriers, although we must also weigh and balance the implications that that would have for the rest of our armed forces and for the Budget. The work will of course take into account the role being played in the Gulf by Royal Navy aircraft carriers. The requirement to provide platforms to support fixed-wing aircraft beyond the life of carriers in the Invincible class is a serious and a big issue that will have to be weighed and balanced by any Government, and is therefore a crucial part of our considerations in the strategic defence review.

Mr. Hutton: Will my right hon. Friend confirm the important role played by our existing carrier fleet in maintaining Britain's effective amphibious capability? Will he also confirm that that key capability is one that we will want to retain into the next decade?

Mr. Robertson: I recognise the very strong constituency interest that my hon. Friend represents and the power with which he expresses his view. The roles of our armed forces are being examined in the most thorough and detailed—but still open—manner that we have seen for many years. His point is taken and will be given due consideration.

Mr. Soames: Even allowing for the fact that the hon. Member for Somerton and Frome (Mr. Heath) will have been heavily got at by the Fleet Air Arm, does not the Secretary of State agree—as he already has done, again—that the presence so speedily of Illustrious and Invincible in the Gulf, to reinforce the coalition's determination to ensure that Saddam Hussein is compelled to honour his obligations, is a very powerful ideal for the future of the carrier fleet? Will he tell the House what he has in mind for the aircraft that will go on future carriers? Is he thinking of retaining jump jet type aircraft, or will he be more conventional, as the Americans have been?

Mr. Robertson: The hon. Gentleman makes a valuable point about our carriers in the Gulf. It is appropriate especially to recognise the service of HMS Invincible, its crew and the RAF staff who are also on board. They have been at sea since 2 September last year. They are now in the Gulf and will be relieved by HMS Illustrious when it gets to that part of the world. Their sacrifice and service is something for which we are profoundly grateful, and their families' sacrifice in being without them for such a long time should also be put on the record.

The hon. Gentleman of course recognises that the decision on a future generation of carriers cannot be separated from the future of the RAF jets. Clearly, that configuration and the balance that has to be struck in that respect are a central part of the defence review. It is one of the critical decisions that we will have to take during that review.

Defence-related Industries (Chelmsford)

5. **Mr. Burns:** If he will make a statement on defence contracts that have been placed by his Department with defence-related industries in the Chelmsford local authority area; and what is the total value of those contracts since 1 May 1997. [26099]

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): A total of 271 contracts have been placed by the Ministry of Defence directly with defence-related industries in the Chelmsford area since May 1997. The total value of these contracts is £6.76 million. These figures do not include any contracts which may have been placed by defence agencies as this information could not be compiled without incurring disproportionate cost.

Mr. Burns: I thank the Minister for that reply. My constituents will be extremely heartened by those figures, given that the constituency contains a significant number of defence-related industries. Will the Minister confirm and reassure my constituents further that where it is feasible and economically possible, the Government will continue the practice of placing the vast majority of defence contracts with British companies to safeguard British jobs?

Mr. Spellar: I am very much aware of the excellent defence companies in the Chelmsford area. The defence review is examining the establishment of systems of working in partnership with the defence industry. This would be to the benefit of British industry, would provide a service and supplies to our armed forces consistent with our value-for-money policy, and ensure that we are internationally competitive.

When I visited defence industry companies in Chelmsford, I was impressed by their diversification into civilian areas which has helped to sustain the industry there. We are looking at the examples that they have provided to be incorporated into our defence diversification paper which will be published in March.

Mr. Key: I join the Minister in congratulating the defence-related companies in Chelmsford, among which is Marconi. When will the Minister be in a position to make an announcement about the future of the next generation military satellite communications system of which Marconi is of course potentially an important part?

Mr. Spellar: As the hon. Gentleman is aware, we are involved in that with our European partners, and we hope to be making an announcement shortly as to the outcome.

Armed Forces Personnel (Educational Attainment)

6. **Mr. Boswell:** If he will make a statement on recent changes in the level of educational attainment by armed forces personnel. [26100]

Mr. Spellar: Service in the armed forces offers many thousands of young men and women the opportunity to obtain educational, professional and trade-related skills and qualifications which will serve them in good stead through life. While there has been no significant change

in the recent levels of educational achievement, all three services continue to promote a varied and comprehensive range of training and education opportunities for their personnel.

Mr. Boswell: I thank the Minister for that reply. Does he agree that over the years the armed forces have built an enviable record in the education, training and motivation of young adults coming from widely varying prior levels of attainment? Does he feel that it might even be appropriate to consider sharing some of their experience with both his and their civilian counterparts, and that there may be something for the rest of the education sector to learn from what they have achieved?

Mr. Spellar: On behalf of the services, I thank the hon. Gentleman for his tribute to their work. We have one of the best-trained work forces in the country, if not the world. We are also looking at undertaking more work with youngsters and, from September 1998, the Army foundation college at Harrogate will accept school leavers. There has been a great deal of extremely good work, particularly in educational techniques. If they can be applied elsewhere, it will be a tribute to the work carried out in the forces over a number of years.

Mr. Maginnis: Will Ministers ensure that consideration is given to any new proposals in respect of the relative periods that the Royal Irish Regiment spends on operational duties, training and leave so that soldiers who have spent 28 years on continuous operational duties are better able to benefit from the educational opportunities available to other regiments?

Mr. Spellar: Yes. Tours of duty are being considered as a key part of the strategic defence review and we shall bear in mind the hon. Gentleman's comments in the light of that.

Royal Naval College

7. **Mrs. Virginia Bottomley:** What estimate he has made of the cost of the dilapidations at the royal naval college. [26101]

Mr. George Robertson: A sum of £11.1 million to cover the backlog of repairs at the royal naval college has been agreed with the Greenwich Foundation by the Department for Culture, Media and Sport and my Department.

Negotiations are proceeding on the quantum of other elements of a dilapidations settlement, which could add some £5 million to that amount.

Mrs. Bottomley: Does the right hon. Gentleman agree that the buildings are some of the most illustrious and distinguished of our architectural heritage and, to use his words, it would be "tragically ironic" if at the time of the millennium they were little more than a derelict site? It is vital that negotiations should be completed, a timetable announced and proper funding arrangements set in place so that those buildings can play a part at the millennium. I urge the right hon. Gentleman to ask the Chancellor of the Exchequer, who has pickpocketed the national lottery for his own purposes, to pay back and make sure that there is a fair settlement at Greenwich.

Mr. Robertson: There are great issues involved, so I shall be as gentle as I possibly can with the right hon. Lady. After all, I am trying to make sense of the arrangements that I inherited from the previous Administration in respect of that valuable site. Of course, the right hon. Lady was one of the two Secretaries of State involved in those arrangements. I make no criticism—*[Interruption]*—of that particular fact, but the issues are complex, and several parties with differing interests are involved in the negotiations. The new arrangements need to be secure to safeguard the magnificent site at Greenwich. It is worth reflecting that it will be only the second change in occupation in the 300-year-long history of the royal naval college site at Greenwich. If the right hon. Lady had listened to my reply to her question, she would have heard that I have already made available £11.1 million—not money left behind by the previous Government—to make sure that one of our great national treasures is maintained in the form in which it should be maintained. We shall continue to work hard on all the arrangements to ensure that by the millennium there is another great attraction in Greenwich to mark the turn of the century.

United Kingdom Land Command

8. **Mr. Bayley:** If he will make a statement about the future district structure of United Kingdom Land Command. [26102]

Mr. Spellar: As my hon. Friend is aware, the Commander-in-Chief of the Army's Land Command has set in hand a study of the future structure of his command in the United Kingdom, the recommendations of which will be considered as part of the strategic defence review.

Mr. Bayley: I am aware of the study as my hon. Friend the Minister for the Armed Forces has answered with great openness a series of written questions on the matter. I ask my hon. Friend to pass on to him my thanks for that and my wishes for a speedy recovery. Can my hon. Friend give me two assurances: first, that there will be no change in the structure of Land Command before the issue is referred to Ministers for decision, and secondly, given that the second divisional headquarters is at Imphal barracks in York, that the appropriate Minister will meet a deputation from the City of York to discuss the Land Command structure before the ministerial decision is made?

Mr. Spellar: I thank my hon. Friend for his interest and for the detailed representations that he has made. As he has said, Ministers will decide on the issue as part of the strategic defence review. My hon. Friend the Minister for the Armed Forces will be pleased to receive my hon. Friend the Member for City of York (Mr. Bayley) in a deputation on that important issue when he returns.

Mr. Brazier: I also wish the Minister for the Armed Forces a speedy recovery. Are Ministers taking account of the fact that, until a few years ago, our forces in Britain were traditionally organised in a mixture of regular and territorial brigades commanded by operational headquarters? Is it best for them to be organised as they are now in a series of mixed brigades commanded by largely civilianised headquarters? Does the Minister

believe that any of the brigades would be deployable in their current shape? Are those not proper subjects for review?

Mr. Spellar: They are very much proper subjects for review. That is why the Commander-in-Chief of the Army's Land Command is undertaking that review. We look forward to receiving his considerations. No doubt the hon. Gentleman will also want to put his views.

Iraq

9. **Ann Clwyd:** What assessment he has made of the military threat posed by Iraq. [26103]

Mr. George Robertson: Under Saddam Hussein, Iraq has twice launched attacks on its neighbours. It still possesses large ground and air forces capable of operating beyond its borders. We assess that Saddam Hussein has ambitions to rebuild a weapons of mass destruction capability and retains some of the elements needed for that, including chemical and biological agents and prohibited missiles or their components. The work of the United Nations Special Commission on Iraq is crucial in denying him that capability to threaten the stability of the region.

Ann Clwyd: Given that military action is hardly likely to remove the main problem—Saddam Hussein and his closest associates—would my right hon. Friend support bringing Saddam Hussein before an international criminal court to be tried for war crimes, crimes against humanity and crimes of genocide? Will my right hon. Friend use his good offices with the Turkish Government, who are preparing to seal their borders? In the event of a refugee crisis, any Kurds attempting to flee to another country would once again have only Iran to turn to.

Mr. Robertson: My hon. Friend has been brave and consistent in her long opposition to Saddam Hussein and his regime. She has constantly supported the Kurds, against whom Saddam Hussein has already deployed sarin bombs—terrifying weapons of mass destruction—in 1988. Her words have some authority. We must ask whether it would be possible to indict Saddam or bring him before a court, as is currently being suggested. By one means or another, his people must be the final court of judgment on what he has done to them and their country.

As to the possibility of the Turkish armed forces taking action on their border, we have to bear it in mind that, although the large majority of Kurds in northern Iraq are peaceful and have no wish to be aggressive against their Turkish neighbour, there are elements in the PKK and other groups whose sole intention is to destabilise and attack the Government of Turkey. I hope that the Turkish Government will use their discretion and wisdom when the world community is focusing on the iniquities of Saddam and will be as generous and humanitarian to the Kurds as they have been in the past.

Mr. Blunt: If military force has to be deployed against Iraq, will the Secretary of State ensure that the military objectives set for our forces and those of the United States and other members of any coalition are linked to clear political objectives?

Mr. Robertson: They are; the aim of military action will be to oblige Saddam to comply with the United Nations Security Council resolutions. That is the object of the diplomacy and the efforts that have been made by my right hon. Friend the Foreign Secretary and many others. If it comes to the bit, if that diplomacy fails and if we have to use force, that is what the objective will be.

Dr. Iddon: Will the Secretary of State confirm that the Gulf operation is code-named Operation Bolton? How usual is it to use place names? Does he agree that such use might be seen by some to be controversial? Might it not be better to stick to code names such as Desert Storm?

Mr. Robertson: The name Bolton for the operation going on in the Gulf was chosen at random from a list of possible operation names. If that same random process had resulted in the operation being called Operation Hamilton, I know that my constituents would have been very proud to have been associated with an effort to resume international law and order and comply with UN Security Council resolutions. I know that my hon. Friend's constituents will share the same sense of pride in our service men and service women, who are standing up at this moment and putting their lives on the line for what we and they know is right.

Firing Ranges

10. **Sir Teddy Taylor:** If he will make a statement on the plans announced on 23 January 1998 to reorganise the firing ranges. [26104]

Mr. Spellar: The rationalisation of the land ranges operated by the Defence Evaluation and Research Agency announced on 23 January is the outcome of the second stage of a review to address the problems of overcapacity and under-utilisation. Subject to consultation with trade unions and MOD customers, the main changes proposed are that Pendine and Shoeburyness ranges would be maintained for access to their unique facilities on a trials campaign only basis, and as much work as possible would be undertaken at Eskmeals.

Sir Teddy Taylor: Is the Minister aware of the anger and fury of the 200 employees at Shoeburyness who face redundancy following the Minister's letter, which overturned a decision made as recently as March to plan for the closure of Eskmeals—apparently for no reason which we can think of other than that the area is represented by a Cabinet Minister? As Eskmeals is the only range which does not provide facilities that others can provide, what on earth is the reason for retaining it in a declining market when there is a shortage of work? Now that the Minister has decided, for no apparent reason, to keep open the three ranges, would not the best way in which to proceed be to let the market decide and let customers go to ranges that they think are most helpful?

Mr. Spellar: I am glad that the hon. Gentleman acknowledges that there is a declining market, which forms the backdrop against which the decision is taken. I consider it slightly unfortunate that he should impugn the professional integrity of officials at the Defence Evaluation and Research Agency, who gave us the technical advice, based on their evaluation of costs and effectiveness of the various ranges, that that decision should be taken. In spite of representations made to us by

hon. Members representing all three constituencies concerned, it would have been slightly perverse of us to overturn that technical advice.

We are of course aware of the impact that the decision will have on other areas. Indeed, as the hon. Gentleman is aware, we are in discussion with local councils on how best to redevelop the site so that we can return economic activity and regeneration to the area as quickly as possible.

Mr. Ainger: Is the Minister aware that the Pendine facility in my constituency is set to lose 80 per cent. of its work force following the announcement, yet no land is being made available for alternative employment use? Will he assure me that he will supply trade unions and local authorities, which have set up a steering group to try to combat the plan, with all relevant information? Once they have developed an alternative strategy, will he or the Minister for Defence Procurement receive a delegation from that steering group?

Mr. Spellar: Yes. I thank my hon. Friend for that question. We acknowledge the considerably greater difficulties that Pendine faces, especially due to the substantial amount of unexploded ordnance on that land. I very much welcome the work that is being undertaken by the Pendine steering group and local organisations. We should certainly very much welcome representations and a delegation from them in order that we can explore Pendine's future strategy.

Eurofighter

11. **Mrs. Lait:** When the RAF expects to take delivery of its first operational Eurofighter. [26105]

Mr. George Robertson: The first Eurofighter aircraft is scheduled for delivery to the Royal Air Force in June 2002.

Mrs. Lait: I thank the right hon. Gentleman for that answer, which will be a great relief to the RAF—at long last it is to get the Eurofighter. Does he agree that some of the delay has been due to the inefficient and old-fashioned ways of designing the plane that were built into the contract? Can he assure me that such contracts with our European partners will in future be let more effectively and efficiently, using modern company organisational techniques?

Mr. Robertson: I am glad of the hon. Lady's welcome for Eurofighter. It took only eight months for this Government to sign the Eurofighter contract, thereby safeguarding 14,000 jobs and the RAF's capability. It took the previous Government 15 years to get to the point at which we took over, so most of the relief was felt on 1 May last year.

The hon. Lady rightly speaks of some of the problems associated with multinational enterprises developing this sort of equipment. The record is not all that bad. Since 1986, when the full development phase began, costs have increased by a little more than £1 billion—bearing in mind the fact that the aircraft's role had to be reassessed in the light of the ending of the cold war. This has not been one of those tales of misery to which we have grown used.

Secondly, we have learnt some of the lessons. The first decision on Eurofighter was taken in 1982 and the plane will be delivered in 2002. That is clearly intolerable for an equipment project of this kind. It is one of the aspects with which we are getting to grips in the strategic defence review.

Thirdly, apart from the United States, nations on their own will probably never again be able to design a single-purpose piece of equipment such as this for their own needs, so there must be—especially European—co-operation for the future. We also have development projects with the United States. We must ensure that development phases are shorter and prices are lower; we must be more successful than in the past.

Mr. Borrow: Are not the workers at British Aerospace in Lancashire who have worked so hard on the project to be congratulated? Does my right hon. Friend remember, as I do, the comments of Conservative Members 12 months ago, before the election, who claimed that a Labour Government would not go ahead with the Eurofighter project? Does not the fact that the contract has been signed show that the British people can rely on Labour's defence policy?

Mr. Robertson: My hon. Friend is here representing a seat that is a Labour gain partly because of the record of the former Government in the north-east of England—the area which my hon. Friend represents and which will benefit so much. [HON. MEMBERS: "North-west."] Certainly, the north-west will benefit considerably from the Eurofighter project. I am extremely glad that we were able to tie up the deal and to procure for the Royal Air Force the agile, multi-role aircraft that it so desperately needs. In doing so, we have safeguarded vital British technology and vital British jobs—and the base from which my hon. Friend can look forward to a long parliamentary career.

Ships (Twinning)

12. **Mr. Waterson:** What is his policy towards the twinning of H.M ships with towns; and if he will make a statement. [26106]

Mr. Spellar: It is the policy of the Royal Navy that every ship should be affiliated to a town or district and that such an association should be positively fostered. An affiliation of that sort is of great benefit to the ship's company concerned.

Mr. Waterson: Is the Minister aware of the great affection that my constituents formed for HMS Juno during a long period of twinning, which ended only with the decommissioning of that vessel? Is he also aware that I had a supportive response from Admiral Sir Peter Abbott when I wrote to him about finding another vessel with which to twin Eastbourne? As a Minister, will the hon. Gentleman do what he can to push that process along?

Mr. Spellar: We are pleased to receive representations for twinning or for the association of names with particular towns. As I said, the services very much welcome that, as do the towns, and such association definitely contributes to morale and to the profile of

defence within the community. Representations on the matter are always welcome and, if the hon. Gentleman writes to me, we shall start the appropriate process.

Nuclear Weapons

13. **Mr. Brady:** What steps he is taking to work towards the global elimination of nuclear weapons. [26107]

Mr. George Robertson: As we made clear in our manifesto, we are committed to the global elimination of nuclear weapons. We shall press for multilateral negotiations towards mutual, balanced and verifiable reductions in nuclear weapons.

Mr. Brady: I thank the Minister for that interesting response. While unstable and undemocratic regimes such as that in Iraq continue to hold weapons of mass destruction, is it not vital that we should retain an independent nuclear deterrent?

Mr. Robertson: This Government were elected on a manifesto commitment to retain Trident, and we shall.

HOUSE OF COMMONS

The President of the Council was asked—

Prime Minister's Question Time

33. **Mrs. Virginia Bottomley:** If she will reintroduce twice-weekly Prime Minister's questions. [26130]

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): No, we have no plans to do so.

Mrs. Bottomley: The whole House will have been enormously sympathetic when it heard through the usual channels today that the Prime Minister is worried that not enough time is being spent explaining and presenting the Government's policies. Does not the right hon. Lady have an opportunity to assist not only the Prime Minister but the House, by suggesting that the right hon. Gentleman should leave the No. 10 bunker and come to the House twice a week where, free from spin doctors, he can present and explain his Government's case and even answer questions from the Opposition since, after all, the Prime Minister is accountable to Parliament?

Mrs. Taylor: Of course the Prime Minister is accountable to Parliament and he spends exactly the same time answering at Prime Minister's Question Time as his predecessor did.

Mr. Skinner: Does the Leader of the House appreciate that, as one who did not favour the change from two days a week to one for Prime Minister's Question Time, I have done a little research? I have found that, contrary to what the right hon. Member for South-West Surrey (Mrs. Bottomley), otherwise known as "Golden Virginia" has just said, my right hon. Friend has answered more questions since he has been Prime Minister. What is more, because he has not been absent from Question Time as the previous two Prime Ministers were, he has been present to answer questions more often than was the case when the Tories were in power.

Mrs. Taylor: My hon. Friend is right to point out that the Prime Minister has not been absent from Question Time. Under the old arrangement, he would have answered questions last week for only 15 minutes because he was in America on Thursday.

Mr. Bercow: As the right hon. Lady talks with glowing pride about the Prime Minister's answers to questions, I feel sure that she will be happy to tell the House the wording of at least one of the Prime Minister's answers since 1 May last year.

Mrs. Taylor: I am indeed full of pride at the answers that the Prime Minister gives. I do not think that the quality of the questions matches those answers.

Arab World

34. **Mr. Dalyell:** If she will establish a Select Committee to examine relations with the Arab world. [26131]

Mrs. Ann Taylor: No. The subject falls within the terms of reference of the Select Committee on Foreign Affairs and, to a lesser extent, the Select Committee on International Development.

Mr. Dalyell: May I ask my right hon. Friend a question of which I have given her notice in the hope of her considered reply? Given that Boutros-Boutros Ghali said yesterday that the proposed action against Iraq was illegal, as did Pérez de Cuéllar, and that Mark Weller of the Cambridge Centre of International Studies has written in *The Times* that preventive action of the type contemplated is unlawful, should the Government not have an obligation to set out in the Library the precise legal basis on which they are acting, because it is open to doubt in the view of the international lawyers whose names I have given to No. 10 Downing street? Indeed, lead letters in this morning's newspapers cast the gravest doubt on the legality of what the Anglo-American force is supposed to be doing.

Mrs. Taylor: My hon. Friend raises points that he has brought to the House's attention on other occasions during the past week or two; they are obviously issues about which he feels very strongly. However, as I have told him and the House, the House will be kept fully informed of any developments. I told him last Thursday at business questions that we have not ruled out the possibility of a debate. There will be Foreign and Commonwealth Office questions tomorrow, and I cannot add anything further at this stage.

Madam Speaker: Order. The question was about Select Committees and should have been answered as such.

Mr. Soames: May I press the President of the Council on the question of a Select Committee? The relationship between the United Kingdom and the middle east is most tortuous and difficult, so is this not a good opportunity for a Select Committee specifically to examine the

extraordinary inconsistencies between Britain's policy on Iraq—whereby Saddam Hussein will be made to disgorge those United Nations resolutions of which he is in clear breach—and her approach to the Arab-Israeli conflict, as the Arabs rightly believe that there is a double standard? Would that not be a good subject for a Select Committee to study?

Mrs. Taylor: I have said that I do not intend to establish a Select Committee specifically to examine relations with the Arab world. The content of any Select Committee investigation is, of course, a matter for the Select Committee itself.

The Chairman of the Finance and Services Committee was asked—

New Parliamentary Building

37. **Mr. Wilkinson:** What is the *(a)* current and *(b)* planned provision in the House of Commons estimates for the cost of constructing the new parliamentary building. [26136]

Dr. Lewis Moonie (Chairman of the Finance and Services Committee): Outturn expenditure on the new parliamentary building is forecast at £35 million for 1997–98. The House of Commons Commission has approved an estimate that includes £95 million for Portcullis house in 1998–99. The total cost forecast is now £250 million, as set out in the written answer given by the hon. Member for Chipping Barnet (Sir S. Chapman) on 10 December 1997, *Official Report*, column *578*.

Mr. Wilkinson: Is not this a disgraceful waste of public money? The plusher the offices of Members of Parliament become, the less inclined hon. Members are to attend either the Chamber or Committees of the House. Would not the money be much better spent on something useful, such as ensuring that the Jubilee line comes into service on time?

Dr. Moonie: The building is expensive because of its situation and because it is a project on which everyone will have their eyes when it is completed. I make no apology for the building's level of finish; when I look along the Thames and see some of the monstrosities that have been allowed to grow up in the past 20 or 30 years, I am happy with the standards that are being applied.

Mrs. Dunwoody: Is it not high time that Members of Parliament had individual offices that did not contravene the Offices, Shops and Railway Premises Act 1963 and that had normal light—something that many of them still do not have—and that Members of Parliament were able to attend to their constituency and parliamentary interests in a professional and civilised manner without being made to feel like rats in the wainscot?

Dr. Moonie: I should like to see the wainscot that could accommodate me, but I entirely agree with my hon. Friend. Part of the increased cost of the new building is being spent to ensure that it meets modern security standards and statutory health and safety requirements.

The President of the Council was asked—

Sitting Hours

39. **Mr. Bradshaw:** If she will make a statement on progress towards reform of the hours of the parliamentary day. [26138]

Mrs. Ann Taylor: The Modernisation Committee is currently considering proposals to reform sitting hours and hopes to report soon.

Mr. Bradshaw: I am grateful to my right hon. Friend for that reply. Is she aware of the growing concern among new Members—and some long-standing Members—about the time that it is taking to reform some aspects of the way in which the House is run? One of the most difficult aspects to understand is why we still have to have hours that run along the lines of those of a gentlemen's club.

Mrs. Taylor: The Modernisation Committee started its work by considering the legislative programme, which was believed to be the appropriate priority. We are moving on to other issues, but my hon. Friend should realise that not all hon. Members share his view on the desirability of changing our working hours in the way that he suggests. Hon. Members have a wide range of opinions and it is right that the Modernisation Committee should take account of the different views. It is not a matter of old Members versus new Members, or Labour Members versus Conservative Members: the working patterns of Members of Parliament are very different and we must try to accommodate everyone.

Sir Patrick Cormack: I thank the right hon. Lady for that balanced and fair answer, and for the work that she has done with the Modernisation Committee. May I urge her to consider all those issues with caution and to refuse to be over-influenced by hon. Members who have been here for a very short time?

Mrs. Taylor: We must balance the interests and needs of Members, but many new Members have made us look anew at the way we run our affairs in Parliament. That must be beneficial, although we must eventually come up with practical changes that will receive the agreement of the whole House.

Employment of Children Bill

3.30 pm

Mr. Chris Pond (Gravesham): On a point of order, Madam Speaker. I seek your guidance on a matter that may be causing confusion to several hon. Members. It relates to my private Member's Bill on the employment of children, whose Second Reading will be debated on Friday.

The Order Paper for Thursday 5 February listed the Employment of Children Bill as item No. 3, instead of item No. 1, as it should have been. Several hon. Members will have made constituency arrangements to ensure that they can be present for that important debate, and I seek your guidance on the best way to set the record straight and to ensure that no confusion arises, especially among the 160 Members who signed early day motion 712 in support of the Bill.

Madam Speaker: That seems to me to be a good deal of PR for the hon. Gentleman's private Member's Bill. He knows that the listing was a misprint, which has already been corrected.

Opposition Day

[7TH ALLOTTED DAY]

Child Support Agency

Madam Speaker: I have selected the amendment standing in the name of the Prime Minister.

3.31 pm

Mr. David Rendel (Newbury): I beg to move,

That this House, believing that both parents have responsibility for the financial and emotional welfare of their children during the whole of their childhood, that the taxpayer should only be called upon to provide income-related benefits to support children financially when neither parent has sufficient resources to provide that support, that it is in the best interests of children if the system of child support encourages their parents to agree voluntarily and then put into practice a financial arrangement for the maintenance of those children which is fair to those children, both parents and the taxpayer, and that the Child Support Agency has failed to meet these objectives, supports the repeal of the rigidly formula-based Child Support Act and its replacement by a system of child support which encourages parental responsibility, enhances work incentives, takes due account of the cost to the taxpayer, includes an effective right of appeal, and is flexible enough to produce a fair outcome for families whatever their circumstances.

I am delighted to have the opportunity to move this motion today, because it is of interest across the House. All right hon. and hon. Members receive frequent correspondence about the Child Support Agency and the Child Support Act 1991, and I am sure that there will be great interest in the debate. Parents should be responsible for the financial and emotional welfare of their children throughout their childhood. That is—indeed, it must be—the starting point of any system of child support.

I shall begin by saying what the debate is not about. It is not about allowing fathers to desert their wives and children to run off with a new lover. It is not about reducing the financial burden on parents by loading more of it on to the taxpayer. However, it is about producing a system of child support that is flexible enough to be fair to parents with care, to absent parents, to the taxpayer, and, most importantly, to the children.

The principle that parents should be responsible for the financial and emotional welfare of their children throughout their childhood is widely shared across all parties in the House and among the public outside. Indeed, it is because the authors of the Child Support Act 1991 claimed that it was based on that principle that it originally won widespread acceptance in the House, from my party as well as the other two parties. We accepted that the objectives stated for the Act were worthy, even if there was much wrong with the detailed implementation.

However, the Act has failed to meet its objectives. It has failed to meet the needs of absent parents and of parents with care, and, above all, it has failed to meet the needs of children. The Child Support Act is beyond repair, and is now as friendless as it is unfriendly.

Let me demonstrate how the CSA fails to fulfil its objectives and give some examples of its failure in practice. In the second half of my speech, I intend to describe the system of child support that we should implement.

The Act's basic failing is that it rests on a rigid formula. It is supposed to treat people living in equal circumstances equally, but any formula will treat equally only those people for whom the circumstances that the formula takes into account are equal. It cannot take into account all the possible circumstances that may arise. As a result, the formula may produce identical settlements for people whose circumstances are very different.

We are all human. We are all individuals. We are all different from one another. What is more, each couple is different; each relationship between two people is unique. No formula-based system can be entirely fair in the myriad different circumstances in which people find themselves. Let me give an example of how the formula used by the CSA has been found wanting.

Let us consider a man still living with his ex-wife, perhaps renting her a spare room in his house, whose children are living with them while the man is paying for most of the family's food and clothing as well as its housing. If the ex-wife appeals to the CSA for maintenance, the agency will ask which is the parent with care. It is the wife, because she receives the child benefit, and she is therefore due maintenance.

What happens if the father argues that, as the children are living in his house, he must at least have shared care? After all, he is paying for their food and clothing. The CSA would say, "No, you do not have shared care, because there is not even one day, let alone 104, on which the child or children leave the mother's house to go to the father's house." How absurd. Yet that is the decision that the CSA makes in such cases.

What happened when the failures of the formula began to show up? The previous Government gradually amended it to take account of more and more of the circumstances that could arise. It became more and more complex, and therefore more and more difficult to administer. Still it did not meet all the circumstances that came to light. Then the Government decided to allow a few departures from it. Even then, only certain laid-down departures were allowed. Still the system throws up unfair results, and still Members of Parliament receive thousands upon thousands of letters detailing the unfairnesses of the Act.

Not least because of the complexities of the formula, the CSA has found it harder and harder to administer the Act. Let me give a further example of what that leads to.

A mother with care in my constituency made an application for maintenance through the CSA. An inquiry form was issued to the absent parent in January 1995. Incomplete information was provided, so no assessment could be made. Eventually, an interim assessment was imposed in March 1997. On receipt of it, the absent parent decided to co-operate, and a new assessment was completed in April 1997. By that time, the two elder sons were no longer eligible to be included in the assessment, so the mother will never receive all the money that she should have had towards the cost of bringing up her children. In that situation, it is nothing less than mad that the budget for the agency is being cut and the number of staff is expected to fall sharply, while the case load is expected to rise by 50 per cent. during the next four years. How can it be expected to cope?

Mr. Ronnie Campbell (Blyth Valley): I have sat on the Select Committee on the Parliamentary Commissioner for Administration for many years, and in the past three years we have produced three special reports on the CSA that have detailed the terrible afflictions caused when the benefits have not been paid—in some cases, people have had to wait up to three years for that benefit. In all its history, the ombudsman's Committee has never before produced three separate reports on the same Government Department.

Mr. Rendel: I am grateful to the hon. Gentleman for making such a valid point, which helps to support our case.

I should like to detail some of the other failings of the CSA. In the majority of cases, parents with care on income support stand to gain nothing from the receipt of child maintenance through the CSA, because, for each pound of maintenance received, another pound is deducted from their benefits. Indeed, it can be even worse, because, if the parent with care loses all his or her income support when it is replaced by a maintenance payment, he or she is liable to lose other passported benefits. They may end up even worse off than if they had never applied for maintenance in the first place.

Instead of child assistance, the CSA has created Treasury assistance. It should come as no great surprise to find that thousands of parents with care have reacted to such difficulties by refusing to co-operate with the CSA.

Mr. Bill O'Brien (Normanton): Does the hon. Gentleman accept that there are extenuating circumstances to explain why parents with care are not co-operating with the CSA? In the case of one of my constituents, I received a statement of assessment on 13 January, and my constituent received a statement directly on 14 and 15 January. Three different statements were sent in three days. Does the hon. Gentleman accept that parents often do not co-operate because they cannot understand the procedures?

Hon. Members: Hear, hear.

Mr. Rendel: Judging from the reaction in the Chamber, the hon. Gentleman will appreciate that many of us have received reports of such cases. He is absolutely right, and I am grateful for his intervention.

As a result of such problems, one 16-year-old woman, now four months pregnant, has heard that she will not be able claim any benefits if she does not reveal the name of the father of her child to the CSA. He is a married man, and she is frightened what his wife might do if she found out. If that 16-year-old cannot claim benefits, she—and most importantly, her child—will be the ones who suffer.

It is also important to consider the strain that second families are put under. Very often, the financial position of such families suffers as a result of the maintenance demands placed on one of the parents for his or her first family. Indeed, that now seems to be one of the main causes of family break-up—in this case, the break-up of the second family.

Mr. John Wilkinson (Ruislip-Northwood): The hon. Gentleman is making a cogent speech, and is doing the House a great service. When second families are put at risk that is particularly tragic, because they are often trying to make a fist of it for the second time, when first time round was a disaster—in some cases, through no

[Mr. John Wilkinson]

fault of their own. Does the hon. Gentleman accept that a question of principle is at the heart of the problem, because the CSA has the power to overturn court orders? Does he accept that that is essentially wrong, because we have always believed in the ultimate rule of law?

Mr. Rendel: I am grateful for that intervention, which leads me on to another observation I intended to make. A great deal of bitterness is caused by unfair assessment, which all too often causes the absent parents to cut all contact with the children of their first families. That is on the assumption, of course, that there was enough money left to such absent parents from their assessments to enable them to maintain contact in the first place.

Under the current system, families with children are no better off as a result of receiving maintenance. That system's decisions can be financially crippling for second families, and often do nothing to reduce child poverty; and it acts as a clawback mechanism for the Treasury rather than a support system for the child. The CSA has failed in its objectives, and it must go.

I am pleased to see that the Government appear to have moved a considerable distance in our direction. One might have expected them to insist in their amendment that the CSA must remain, and that the Act is a good one—after all, that is the principle on which they fought the general election. However, they seem to be moving toward the position long held by the Liberal Democrats, which is that the Act must go. I hope that their announcement this summer will prove that they have finally come to that conclusion.

What should be done to ensure that the principle that parents should take proper responsibility for their children is carried out in practice? Many parents, if given the right encouragement, will be capable of reaching suitable voluntary agreements for the sake of their children. If enough resources were put into an effective mediation system, the number of such agreements would hugely reduce the need for state interference.

Liberals have believed for more than 100 years that it is the duty of the state to help people to help themselves—not self-help alone, as it is not right that the vulnerable should be expected to fend for themselves; nor is it right that we should simply have big government, as the state should not place unreasonable demands on how people choose to live their own lives. However, it is the duty of the state to mediate in parental disputes, and to ensure the best possible outcome for the children.

For those cases where a voluntary agreement cannot be reached—doubtless there will be many—there should be a system involving some outside body, whether that is a family court, a tribunal or some other body. It would look at the exact family circumstances and come to a decision that was fair to all concerned—one in which all parties felt that they had had a chance to have their say.

The Minister for Welfare Reform (Mr. Frank Field): Will the hon. Gentleman explain why he thinks that the voluntary principle will work now, when it did not work before the introduction of the CSA? When Labour left office, maintenance payments were being made for about 57 per cent. of families on benefit; but when the CSA took over, that figure had fallen to 23 or 24 per cent. If the voluntary principle was so strong, why did it not work before the CSA, and why would it work if we abolished the CSA?

Mr. Rendel: I am not in any sense advocating that we return to the system used before the CSA. What I said was that many parents are capable of coming to voluntary agreements; they did so before the CSA, and many had perfectly fair and sensible agreements at that time. It is possible that we could encourage an increase in the number of voluntary agreements through an increase in mediation services.

However, we also need a fallback system involving some court or tribunal capable of seeking money from absent parents who are not paying. What was wrong with the old system was that there was little or no power of enforcement. It was not a problem of not having an Act or a formula in place, but one of inadequate enforcement.

In conclusion, we need a system that takes account of the following principles: that there should be fairness in making financial decisions and encouragement of voluntary agreements and of mediation in settling disputes; that children and not only the Treasury should benefit from maintenance payments; that parental responsibility should be encouraged; that the needs of children and their parents should be judged on a case-by-case basis; and that the cost of access by both parents to their child or children should be taken into account.

Such a system offers a humane, not a mathematical, solution, and it can never be governed by an algebraic formula. The Liberal Democrats believe that children deserve no less than that, and that is why the CSA must go.

3.48 pm

The Minister for Welfare Reform (Mr. Frank Field): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"believes that all children have the right to the support of both parents wherever they may live, that the previous Government failed to set up an effective system of child support through the Child Support Agency because the CSA was introduced in a hasty and ill thought out manner, that the current child support formula is complex, difficult for parents to understand, and slow, inaccurate and expensive to deliver, that the result is that the CSA has failed to increase the proportion of parents who pay regular maintenance for their children and that 70 per cent. of parents with care are refusing to co-operate with the CSA and 60 per cent. of non-resident parents either pay no maintenance or only pay sporadically, and that the receipt of regular maintenance is an important part of the Government's strategy of tackling child poverty; and welcomes the fact that the Government is looking closely at all areas of the child support system to ensure that it is consistent, fair and efficient and that it expects to bring forward its proposals by the summer".

I and about four other hon. Members in the Chamber this afternoon have sat through every debate on the Child Support Agency since the measure began to wind its way through the House of Commons. My hon. Friend the Member for Normanton (Mr. O'Brien) not only participated in many debates, but initiated them, and was often kind enough to let me participate in them. There was not one debate in the House in which I participated when the hon. Member for South-West Bedfordshire (Sir D. Madel) was not present. I must also mention my hon. Friends the Members for Croydon, North (Mr. Wicks) and for Blyth Valley (Mr. Campbell).

There is, however, a real difference between this afternoon's debate and previous debates that we have had on the subject in the House. The most striking difference lies in the way in which the hon. Member for Newbury (Mr. Rendel) has moved the motion this afternoon and has made his case for reform, and in the support that he has received from his hon. Friend the Member for Northavon (Mr. Webb). That is in stark contrast to the behaviour of Liberal Democrat spokesmen in the previous Parliament, who seemed to over-emphasise the importance of an immediate headline rather than contributing to a debate that might lead to a substantial improvement in the lives of many of our constituents. I welcome the way in which the hon. Member for Newbury not only sought today's debate, but introduced it to the House.

Some hon. Members may not know that the hon. Member for Northavon has a history, and it is relevant to tell the House a little about it. At one stage during the 1979 Parliaments, the House of Commons was faced with an official report from the Government that showed that not only did the trickle-down theory work in this country, but that our poorest constituents were on the receiving end of an economic Niagara falls, and that wealth was being bestowed on them in a way that most of us failed to comprehend.

It was in the Select Committee on Social Security that, with the help of my hon. Friend the Member for Preston (Audrey Wise), who is not in her seat at present, we sought to test the Government's view. We turned to someone who was then modestly called Professor Webb to help us in our calculations. His abilities were such that he found that, where the Government added things, they should have taken them away. He found that, far from the poor getting richer, the poor had, sadly, become poorer during that Government's stewardship. He therefore comes to these debates in the House of Commons with a proven track record of advancing a cause, and I look forward to hearing him sum up for the Liberal Democrats this afternoon.

The second and equally important distinction in the nature of our debates on the CSA arises largely from the number of Labour Members present. In previous Parliaments, the Labour Front-Bench team was rarely supported by more than two, three or four Back Benchers. Both sides of the House are now showing a real interest in the question how best the CSA should be reformed and how we can do better for those of our constituents whom it affects. I rejoice in the fact that a large number of the suggestions from Opposition Members, and certainly from Labour Members, have been taken into careful account by my noble Friend Baroness Hollis, who is conducting our review of the CSA.

It is important that we do not become too lax during the debate. There is a crunch question that we have to face, and, with all the good will in the world, I do not think that the hon. Member for Newbury faced it as squarely as he might. At some stage, we shall have to choose whether we use the complicated formula we now have or whether we move to something much simpler—possibly a simple tax rate. The hon. Gentleman said that we now had a "rigid formula". The formula is anything but rigid. It has been built up as a result of representations from hon. Members in all parts of the House.

We shall soon have to decide whether to follow the voluntary principle that was suggested by the hon. Member for Newbury, under which people have rules that they easily understand when reaching their own agreements on these matters, although sometimes such agreements might have to be enforced; or the alternative of continuing in the way in which previous Parliaments of which I have been a Member have proceeded, in the belief that the House has the wisdom to legislate for the complex lives of many of our constituents.

Dr. Peter Brand (Isle of Wight): Does the Minister agree that making a formula more complex does not make it any less rigid? The current formula is incomprehensible to most people, but it is rigidly applied by those who pretend they understand it, and they often give different reasons for reaching a particular result.

Mr. Field: I could not agree more. If we attempt to create a formula that takes into account all the conditions in which our constituents might find themselves, it will be difficult to work. Some might call it flexible, but others would call it inflexible.

Mr. Ronnie Campbell: Why not use the system of family courts that operates in Australia? They go through financial matters, such as a husband's wage, with the divorcees, so that the divorce is squared up and the children are sorted out. If the husband gets another family, he returns to the family court, not a criminal court, and matters are again sorted out.

Mr. Field: I always pay careful attention to my hon. Friend, because, like me, he attended all the debates in previous Parliaments on this issue. We have a choice. Should we move towards reform for which legislation can be enacted in the foreseeable future, or should we tie reform to a change in the courts system, which would take some time to debate, agree, enact and put into operation? In the light of that operation, we could make changes in the child support arrangements. We must keep an open mind. I merely wish to pose questions and outline the choices.

Mr. Gerald Bermingham (St. Helens, South): I declare an interest as a lawyer. Over the first 20 or so years of my practising career, we were able to reach many agreements in divorce cases. The problem was that the courts did not initiate enforcement: the participants had to do that, and that was one of the flaws in the system. Why cannot we go back to such a system? It is far better to get people to agree on payments that they will meet than to try to force them to make payments that they cannot afford.

Mr. Field: My hon. Friend has the opportunity to put his ideas to my noble Friend in the other place. I am sure that he has done that but wishes to record his views so that his constituents know about his participation in our affairs.

I should like to put on record our appreciation of the Child Support Agency staff. It is far too easy for us to pretend that errors are the fault of the staff. It is as if, like Pontius Pilate, we wash ourselves of all responsibility, and, with clean hands, blame the staff for misjudgments. The hon. Member for Newbury had a point to make, so I

[Mr. Field]

do not blame him for standing at one side of the mirror. However, we should also stand at the other side and examine the CSA's record, which is somewhat more impressive than the checklist presented by the hon. Gentleman.

I shall deal with four aspects of the CSA's work, and compare the year before it came into operation with information and projections for the forthcoming financial year, when the case load will have risen from 210,000 to 850,000 families. The maintenance that will be arranged has increased from £140 million to £754 million. Benefit savings will have increased from £313 million to £630 million. Running costs will have halved, with the amount falling from 52p per pound to 27p per pound of maintenance collected.

None of those figures is acceptable, but there is something to be said on behalf of the staff, who do not have the freedom to carry out the job as they wish, but are governed by legislation that was passed by the House. If any criticism is to be made, it has to be directed at us, not at the staff.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I absolutely agree with that. I was one of the people who took part in the original discussions in 1991, and much of the blame cannot be attributed to the staff.

The Minister helpfully informed the debate by giving some of the outcomes. The outcome that astonishes me—and I do not use the word casually—is in his amendment. It says that 70 per cent. of parents with care are refusing to co-operate. I for one have always operated on the assumption that the figure was about half that. It is useful for that information to be put in the Government's amendment, but will the Minister say how that figure comes about, because I am staggered by it?

Mr. Field: The hon. Gentleman obviously invites me to be honest, and I clearly must be careful at this stage. In our infinite wisdom as politicians, we are slowly going back to the previous system, where we had liable relative officers in local offices. When people who were separated from their partners or husbands came in to claim benefit, they were interviewed by a liable relative officer, who took down the necessary details.

To its credit, the CSA has been undertaking two experiments, as part of which it issues the maintenance assessment form at the point of claiming. However, as part of the second experiment, the CSA helps claimants to fill in that form. If that is done, the staggering figure that the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) picked up on is reversed: 70 per cent. of claimants participate and wish to do so, as opposed to 70 per cent.—as is true in the rest of the country, where the experiment is not taking place—deciding not to co-operate. Again, that aspect has to be faced.

Under the liable relative officer system, less than 3 per cent. of people claiming benefit because they had been deserted by husbands or partners claimed good cause. The figure is now up to 70 per cent. It is impossible to accept that all those claims are justified. It has gone around on the grapevine that one way in which to avoid the CSA, continue to gain benefit and possibly pick up maintenance is to claim good cause in one's favour.

That whole issue needs to be dealt with immensely sensitively, because some women will claim good cause for all the right reasons—as some of us know from our constituents. What is important is that, when the CSA does not leave a mother six months to decide what her story might be, the ratio that the hon. Member for Roxburgh and Berwickshire was quick to pick up on is reversed. I expect that the practice, which is so successful in this experiment, will soon be extended nationwide.

Mr. Bill O'Brien: May I first say that we should express our appreciation to the Minister for his work, as Chairman of the Select Committee on Social Security, in focusing on the CSA?

My right hon. Friend referred to the work of the department. I do not criticise the junior staff, but the parliamentary ombudsman could not handle the number of cases of maladministration that were referred to him, and we had to appoint an independent case examiner to judge on issues of maladministration, so that someone in the department is responsible for the mistakes, which could cost the taxpayer money. Although I accept some of my right hon. Friend's points, we should record the fact that there is some maladministration—often of great magnitude—within the CSA.

Mr. Field: It is because we have taken so seriously the point that my hon. Friend puts so well that the Government will, before the summer, introduce proposals for reform that we can then debate. Given the mistakes that we have made in the past, it is important to table the proposals for this House and those elsewhere to debate before we actually decide what the next stage of reform should be. That process may take a few extra months, but I am sure that, if we approach reform in that way, it will significantly increase our chances of success.

On the issue of mistakes, it is worth recording why the CSA has such difficulty in operating more effectively. First, the measure was made retrospective—which might have some significance when we debate the reform proposals later this year. It is the only occasion during a CSA debate when I was staggered by an announcement. Even if, at some stage, we wanted to make the provision retrospective, surely the sensible way to advance would have been to apply it to new cases, and then, when that was successfully done, apply it retrospectively.

Secondly—this underlines the point raised by my hon. Friend the Member for Normanton—there are problems with administration—or maladministration, as he called it—because of the deadly complications of the formula. I want to give the House a piece of information. If we separate the time spent on working out the original assessment and then on review from the time spent on enforcing the decisions, it becomes clear that more than 90 per cent. of the time of every member of staff is taken up trying to grapple with the formula, either to compute the original assessment or to check what it should be at every new stage. That might suggest that there is a case for seriously considering how the formula should be reformed.

Some of my hon. Friends who are present today have previously asked how departures can be enforced. It is clear from what I have said that there is a limited number of staff to enforce any changes, because so much time is spent on the original calculations. Even worse, under the

current formula, we could not move to a casework system that would enable one CSA officer to deal with a case. The formula and its ramifications are so complicated that it is impossible, with our resources, to train a member of staff so that he can be on top of the whole of the portfolio.

Mr. Simon Hughes (Southwark, North and Bermondsey): The Minister is properly and conscientiously sharing his concerns with us. I want to pursue a point raised by the hon. Member for Ruislip-Northwood (Mr. Wilkinson). Is the Minister considering a reassessment of the considerations that enter into play, especially the life style of the second family or families? I shall give a simple example—we could all give hundreds.

I think that the public would find it difficult to accept that it is fair that a constituent and his second wife, who are living in a one-bedroomed flat on straitened means, are asked to pay £250 a week, when the previous wife is living in a five-bedroomed, three-bathroomed, listed building with horses, stables, paddocks and so on, entirely supported by an extremely affluent second partner. Such cases discredit the system and the willingness of people to participate. It would be helpful if the Minister confirmed that he shares our view that we must reappraise that balance of considerations.

Mr. Field: I certainly do share it. I am hoping that, when we debate the reform package, the House will be able to adopt a reform or formula—or however we choose to do it—so that most staff time is spent trying to enforce agreements that have been made and helping people to collect information, rather than to digest the forms that we inflict upon them.

I end by briefly listing for the House the reform objectives on which I hope that we can agree. I do not want the list to be conclusive, and I hope that today's debate will add to the list. Moreover—as the process is on-going, and will not finish merely because this debate will end at 7 pm—I hope also that people will feel free to approach and to share their ideas with either me, the Under-Secretary of State for Social Security, my hon. Friend the Member for Manchester, Withington (Mr. Bradley), or my noble Friend Baroness Hollis, so that we are clear about our objectives as we devise the means of achieving them.

Mr. Paul Tyler (North Cornwall): I am grateful for the support that the Minister is giving to our motion. In summing up, will he deal with the biggest single injustice that our constituents undoubtedly feel—it has been mentioned by hon. Members on both sides of the House—which is that there is no opportunity to be heard? There is no hearing, and no opportunity to put the case or to compare the evidence. That is the biggest single fault in the current system.

Mr. Field: I shall not deal with it in my summing up, but I shall certainly make careful note of it, so that it is part of our internal discussions. I hope that the hon. Gentleman also will try to pursue the matter.

As the hon. Member for North Cornwall (Mr. Tyler) mentioned the support that I am giving to his motion, I should sound a slight note of warning. I had hoped that I was participating in building a consensus across the House on how we should proceed—given that quite a few hon. Members should be standing here in sackcloth and ashes for our past errors and for the damage that we have inflicted on some of our constituents' lives.

Although there is a natural tendency for a minority party to say that all hon. Members are bending before its will, it is important in the longer run—not only on this issue but on all the other issues that the Government will be addressing shortly—that the House feels that the reform programme is a shared one, rather than one that belongs to any one sect or party.

As I said, I want to conclude by examining the objectives for reform. It is quite clear from the comments of the hon. Member for Newbury—as I hope that it will be from the comments of every speaker in this debate—that hon. Members are as committed to the principle enshrined in the CSA as we have ever been: a child's right to be supported—which is our first aim—is crucial. Conversely, the second objective of our reform programme is to achieve a reverse and decline in the number of families on benefit who lack regular maintenance payments.

Thirdly—by achieving our second objective—we will be laying the basis, mostly for mothers but occasionally for fathers, to make greater choices in how they live their lives and in the mix that they will have from benefit and from benefit and work. That choice can be available only if adequate and regular maintenance payments are made.

Fourthly—although I listed it as first when I was in opposition, because I had always thought that it was overlooked—we have a responsibility to taxpayers. Although we want our reforms to be successful, for all the reasons I have just given, the cost of supporting separated families on benefit was approaching 5p on the standard rate of tax. Taxpayers also have to be taken into account in considering our reforms. The pleas on effectiveness of the system that we heard in interventions in this debate will help in achieving that objective.

The fifth objective that I hope our reforms will achieve is to move up the political agenda—quietly and without dispute—the entire matter of access. For far too long, the agreement has been that no problems will be made about maintenance, and that the benefit cheque will continue to arrive, but the quid pro quo is that fathers should not see their children.

Of course, one does not make access dependent on maintenance—indeed, there will be some cases in which the court will have to decide, given the record of some of those fathers and, very occasionally, some of those mothers—but, when we talk about the needs of children, we are talking not only about their financial needs, but about the full responsibility that parents have for their children. Parents sometimes tell me that it is all very well to say that, but that the children get deeply distressed when they see their father. That is the price that children have to pay for the break-up of a marriage or a relationship.

At the end of the day, one has to consider whether it is right to spare children some of the grief, as one parent comes and goes in their lives, or whether the children should never see the absent parent, and never have that parent ask how they are doing at school or bring them a Christmas or birthday present. Surely we need to widen the debate so that it deals not only with finances, although they are important, but with the full responsibility that parents should have for their children.

[Mr. Field]

Finally, I hope that one of the objectives of the reform is that we have a system that the staff can understand.

I commend the amendment to the House.

4.15 pm

Mr. Simon Burns (West Chelmsford): I welcome the debate. The sensitivities and difficulties aroused by the nature of the subject have been reflected in the thoughtful speeches and interventions that we have heard so far and by the fact that this is one of the rare occasions when the House is quiet, because hon. Members genuinely want to listen to the debate rather than score party political points by yah-hooing across the Chamber. That is refreshing, and I trust that the rest of the contributions will be as intelligent and of such a high calibre.

The motion restates the principles that lie at the very heart of the Child Support Agency. The fundamental principle is that both parents should be responsible for their children. Of course, that principle goes back to the beginning of the process that led to the establishment of the CSA through the Child Support Act 1991. It is vital that we focus on the various principles behind the CSA, principles on which all parties are agreed. We must consider how best to translate them into an effective working of the CSA.

The Liberal Democrats' motion has, to a certain extent, missed the point of the CSA. It proposes to encourage parents to reach an amicable agreement when they split up. Where that is possible, I entirely agree that that should be the case. In a perfect world, there should be a voluntary agreement in all divorce settlements or when partners split up. However, that is not the purpose of the CSA as, sadly, this is not a perfect world and, far too often—in fact, I suspect, possibly in a majority of cases—there cannot be a voluntary agreement.

When there is a divorce, when partners split up, or even when there is no relationship in the sense that we usually use that term, but when a child has been born as the result of an incident—that is rather indelicate, but I am not sure of the correct parliamentary term—there is going to be great difficulty in getting the various parties to reach an agreement that is acceptable to all. The situation is exacerbated when there are children involved and especially when one parent wants to keep away from the other. The CSA was set up to tackle such difficulties.

In the latter half of this century, there have been significant changes in the society in which we live. The traditional family unit and the finality of marriage have been eroded. Thus there has been a phenomenal increase in the number of marriages that end in divorce. However, a fact that is more important to the debate is the great increase in the number of children who are born outside marriage and the number of lone mothers who have been abandoned by the father of their child, or, less commonly, fathers who have been abandoned by the mother of their child. One of the fundamental purposes of the CSA was to safeguard the well-being of children in those circumstances.

Too many fathers simply abandon their children, adding to the number of lone mothers and turning away from their responsibilities. The lone mothers then become dependent on the state for benefit, when the fathers should be making a financial contribution to the upkeep of their children. The CSA was created to address that problem and to provide a universal system of establishing child maintenance so that, whoever the absent parent was and whatever his or her means, there would be a consistent system.

Before the Child Support Act 1991, there were a great many problems in the way in which maintenance was established. In many cases, no maintenance was paid. By the end of the old system, 75 per cent. of lone parents were not receiving regular child support for their children. The system of child maintenance was clearly not working. It was fragmented; not only did it involve several different levels of courts, but it often worked in conjunction with offices of the Department of Social Security.

The system was often too slow in dealing with cases and it was judged to have been inconsistent. It was not possible to predict with any certainty what the absent parent's liability might be, as it was down to each court to establish the level of child maintenance. Therefore, someone in one part of the country earning £150 per week could be forced to pay £50 in maintenance, whereas someone on the other side of the country on the same income could be paying only £5 a week. Such discrepancies were unacceptable and the CSA was set up to address the problems of inconsistency.

As is recognised by the Minister, the hon. Member for Newbury (Mr. Rendel) and, no doubt, hon. Members who will speak in the debate, the CSA had a difficult start. It was dealing with people who were often at a crisis point in their lives, when decisions were made on the basis of emotion rather than reason. There were various problems. Many of those who had been married found that the CSA was focusing on them when they were prepared to pay and—in most cases erroneously—felt that irresponsible fathers were being allowed to escape scot-free.

Mr. Ronnie Campbell: That is exactly what happened. When the CSA was first set up, it went for the fathers it could get. It did not go for the fathers it could not get, because the money that it could take off the fathers was needed to run the agency. The previous Government set up the CSA with no money. It had to find some, so it had to pick up the fathers it could find.

Mr. Burns: I am grateful to the hon. Gentleman for that intervention. I take issue with part of what he said. Of course, when the CSA started, it took up the cases of fathers who were seeking to make arrangements. It also sought to track down absent parents who were trying to evade their responsibilities. It is more difficult to find such parents and encourage them to take part in the process. Of course there was an impression, particularly among fathers who were co-operating, that the CSA was going for the easy target, but I do not believe that the facts sustain that argument.

Mr. Bill O'Brien: Does the hon. Gentleman agree that there is an anomaly when the absent parent is making a contribution to the parent with care who has entered a new relationship? The absent parent still has to pay for the parent with care when she has another husband. Many people criticise that evil.

Mr. Burns: I fully understand and appreciate that point. From my constituency cases, I know of the deep

resentment that such a situation can cause. The Minister said that the issue was under review. I shall come back to it in a wider context. The principle of what the hon. Gentleman has said is right. A great deal of resentment has been caused because many people feel that the situation is unfair, for the reasons that he outlined.

The Child Support Agency had a difficult start. There were problems with the different treatment given to those who co-operated and absent fathers. Many people also found that the formula was too rigid and did not take individual circumstances sufficiently into consideration.

The initial problems that became apparent were addressed by my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) in the Child Support Act 1995, which introduced a raft of new measures to improve the functioning of the CSA. Provisions were also made in regulations to ensure that absent parents were not paying more than they could afford. A ceiling of 30 per cent. of net income was introduced for assessments. In addition, a special allowance was made for travel-to-work costs for absent parents who lived more than 15 miles from their workplace. Further allowance was made for the housing of a new partner or stepchildren. The 1995 Act introduced new measures to enable departure from the formula, to take into consideration special circumstances that were not included in the calculations.

The changes dealt with many of the problems that had manifested themselves in the first years of the agency's operation.

Ms Gisela Stuart (Birmingham, Edgbaston): Does the hon. Gentleman agree that the 1995 Act failed to address one of the basic flaws, because there was no element of seeking consensus? Without consensus, people will not participate. The system is perceived as mechanical.

Mr. Burns: In an ideal world, consensus is the best way forward, but it was impossible to reach consensus in too many cases under the old system, which was failing because people felt that they could avoid their financial responsibilities. That does not encourage consensus. When a statutory body was being set up and the system was being put on a more consistent statutory basis, it would have been difficult to expect consensus, particularly in the early years after such a dramatic change in the system for child maintenance calculations.

Although the 1995 Act improved the technicalities of the CSA, there was still the problem of the loss of confidence in the agency. Before developing that theme, I join the Minister in paying tribute to the staff of the CSA, who do tremendous work under tremendous pressure for very little thanks. It is too easy constantly to criticise the staff and forget their day-to-day work.

The loss of confidence in the agency because of its initial problems was compounded by opposition to it in certain sectors of the community. As the breakdown of a relationship is not unnaturally very traumatic, delicate and difficult, it is inevitable, and only human nature, that people want to be able to lash out at someone or something. I am in no way criticising anyone; such a desire is human nature and a natural reaction.

There was a further problem, which still needs to looked into. If a couple are unmarried and the mother does not name the father of the child, she can simply claim benefit and the father has to pay nothing. To a great extent, that led to the negative perception of the CSA as a body that did not meet the aims and aspirations of its establishment.

That illustrates how child maintenance will often be an extremely difficult issue to resolve further. It arises at a difficult point in people's lives. That makes it paramount to approach the issue with great delicacy and sensitivity. It is important that the CSA's principles are not only maintained but put into practice in the most effective way and, most important, are the best possible for the children, who are involved at a very difficult time in everybody's lives.

Improvements have been made, but there is room for more, as the Minister said. The agency's working can be improved by focusing on administration—making it more streamlined, making the assessment process quicker and making the appeals system more effective. The administration also needs to be improved in the pursuit of absent parents who are unwilling to pay.

Beyond that, more profound questions can be asked of the CSA, which the motion raises. The trend towards the increase of family breakdown is an important factor in the society in which we live. The CSA—and other approaches to the subject of child maintenance—can be a powerful tool in controlling the way in which society behaves. It can be used to provide behavioural incentives, which can in turn be used to strengthen not only parental responsibility but the very structure of the family.

The CSA formula was introduced to guarantee consistency in the assessment of maintenance, and it was originally intended to have enough flexibility to manage all situations. However, given opposition to it, there are clearly some problems with the formula and the way in which the system operates, which must be taken into account. I am sure that the Minister will not overlook that during the next few months, before he publishes the findings of the review.

The motion and Labour's amendment take us no further in the debate. I understand that that need not necessarily be expected from the Government at this point in the proceedings, because they are carrying out a review. However, much of the Liberal Democrat motion restates the principles. I should have liked more fleshing out of ideas on how to replace the CSA. I think that the hon. Member for Newbury described a special court system. It is well and good to bandy around phrases, but one needs to know exactly how such a system would work and to be able to pinpoint how it would improve the present system.

Mr. Bob Blizzard (Waveney): Will the hon. Gentleman give way?

Mr. Burns: No, I want to finish.

One of the luxuries of opposition is that we, too, can afford to review our policies. My hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) and other colleagues and I have no wish to be ostriches with our heads in the sand. We are in the process of reviewing the Child Support Agency, which we set up, in an attempt to come up with ideas for improving a system of child maintenance that protects the taxpayer, the parent looking after the child, and the child itself.

I was concerned to read a story on the front page of *The Sunday Times* two or three weeks ago suggesting that the decision had been taken to abolish the CSA. Although the

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Government dismissed the report as untrue, I heard the right hon. Member for Yeovil (Mr. Ashdown) on the "Today" programme this morning saying that there had been subsequent developments. He went on to outline how the Government have changed their mind yet again. I hope that the Minister who winds up the debate will be able to tell us whether any decisions have been taken—

Mr. Field: The hon. Gentleman must be joking.

Mr. Burns: I am being tempted into my old ways. The Minister's point is that decisions cannot be taken while a review is still in progress—logically that is right. I will not tread on any toes this evening, except to say that decisions on welfare reform have been taken in recent months even though that review has not been concluded either.

4.36 pm

Mr. Malcolm Wicks (Croydon, North): This is a vital debate on a vital issue. If, over the past two decades, Britain has become a more insecure society—there are many reasons for that, not least economic ones—what has been happening to our families has certainly been a major contributory factor, and if our children have become poorer, the same factor, among others, lies behind that increased poverty.

It is easy to attack the CSA; easy, as constituency Members, to champion the cause of those who have been maltreated. It is much more difficult to design and champion a reform that works and ensures that both parents pay for their children. Sometimes it is easier for the House of Commons to champion the men who have been maltreated than to speak up for the children and mothers who have been maltreated by an inadequate system of child maintenance down the centuries. Sometimes we should listen not just to the victims of maladministration who come to our surgeries but to the muted voices of the children and mothers who have never received any maintenance.

There have of course always been children living with just one parent—often because of the death of a father. Today a new social revolution is under way, meaning that a great many children will spend all or some of their childhood living with just one parent, usually, although not always, the mother. The other parent—the so-called absent parent—is still the parent of the child, however. The Liberal Democrat spokesman talked of the reluctance of a mother to name the father. We can help the argument along by including the right of the child to know who both parents are.

Those changes, for example divorce, have affected men and women, but they impinge most on children. Although we have to study the relationships between the genders, let us focus firmly on children, as the Minister did.

The divorce rate has increased dramatically; there are now about 13.1 divorces per 1,000 married couples in England and Wales. In 1966, the figure was just 3.2 per 1,000. Most parents who divorce have children under 16—currently about 56 per cent. The risk of a new-born child's mum and dad divorcing before he or she reaches 16 is 1:4 and every year, 160,000 children under 16 witness the divorce of their parents.

In addition, more of our children are born outside wedlock—about 36 per cent., which is more than one third. We must analyse carefully what is happening. I think that most of those children are born to cohabiting parents. When we study the data on single mothers, we have to realise that they are usually the product of a cohabitation breakdown, not merely a single mother who has never lived with the father of her child. Of course, the circumstances of conception are such that the father might disappear, so a number of children only ever live with the mother.

We are dealing with complex circumstances, which are made more complex by the factors about which we have heard. People remarry or, to use an ugly expression, re-partner. Many families are second or step-families and therefore many men and some women have a responsibility for two sets of children. However, they have that responsibility and, even in our consumer society, it is simply not on for people to give up one responsibility as they take on a new one.

About 1.7 million of our children now live in one-parent families—the figure was just 600,000 in 1971. Most of those families, although not all, are on income support. The group most likely to be on income support are children living with single rather than divorced or separated mothers.

The reform agenda concerns the Child Support Agency and some wider social policy issues. When the Government produce their reform agenda, I hope that there will be a maintenance disregard. If it is truly a child support policy, we cannot tell children and their mothers—the parents with care—that they have a duty to co-operate with the CSA, which may cause them some problems, but that if they are on income support, they will not get an extra penny in maintenance. Wiser Governments than previous Governments here—I was about to say than our own, but I did not mean that—in different parts of the world, have recognised the importance of the disregard; the Australian example comes to mind. The taxpayer must be taken into consideration because taxpayers are not some theoretical construct, but include many two-parent families on quite low wages who are being asked to contribute to the community chest, because some fathers will not pay for their own children. Let us face it: that is what we are talking about. Therefore, it is right and proper that the mother and child should benefit, too, through a maintenance disregard.

Secondly, we must have a simpler formula, and we have come to recognise that. However, that will mean rougher justice and I predict that those who are calling for a simpler formula will say in a few years' time that it is not merely simple but crude and does not take account of the complexities of their constituents' cases. It will be rougher justice, but it is worth going for.

Thirdly, we need a CSA with a human face. Many of our constituents complain that they can never talk to the same official twice. Every person dealing with the CSA, whether the mother or the father, should be able to talk to a named official—a Mr. or Ms Brown—about their case. They may also have to talk to a colleague, but people have a right to deal with a human being at the end of the telephone.

Fourthly, we have to pursue the hard targets. Understandably, people in full-time employment—in the public or civil service or with a big company—are rightly

pursued, but they get angry when they know of other people who easily evade the system. One constituent told me that she knew exactly where her former husband, who should have been paying maintenance, was. The CSA simply wrote to the address and someone, presumably the father, returned the letter with "Not known at this address" written on it. The CSA then told the mother—and me as her Member of Parliament—that he was not known at that address. We could be more rigorous than that and we need some clever and tough-minded detective work in pursuit of the hard targets. When that work results in a father being forced to pay maintenance and complaining to his Member of Parliament, let us be on the side of the mother of the child and not always on his side.

If we are to relate the policy to our ideas about welfare to work and if we are to tell mothers that they should think about their careers, training and all the rest, we must consider whether we can guarantee maintenance for the mother leaving income support and going into work. If a mother can manage to go into work and wants to do so, having calculated the cost of child care, but is banking on the £30 of child maintenance, there is no point in her starting work if two weeks later the father reneges on the deal for several weeks or for ever. It is a difficult question, but I urge Ministers to consider whether they could guarantee that maintenance, so that the responsibility for chasing it is the Government's and the risks are not all shouldered by the mother.

I recognise that this is a sensitive area—the Minister was right to remind the House of that, because many mothers are the victims of violence. Nevertheless, there is some sense in bringing closer together the assessment of income support for the mother and child and the CSA process. At the moment, someone may apply for income support and the CSA process may come into operation only some weeks or months later. If we are to mean it when we talk the language of rights and responsibilities, perhaps we should explain right from the start to the parent seeking income support that there is an entitlement but also an obligation to say who the father is and that we shall handle it as sensitively as possible. Right from the start, it should be clear that the income of that family is partly the responsibility of the father and not merely that of the taxpayer. I appreciate the sensitivities involved, but they should not enable the most irresponsible and thuggish men in our society to be the ones who never pay for their children. There is a real ethical dilemma there for us.

Although the reform agenda is largely about the CSA, hon. Members would be foolish not to consider some of the wider issues, which have been touched upon. We are not just living in a society in which most children—I am sure that it is most in these circumstances—receive no maintenance from their father. We are also talking about the most fraught and difficult emotional circumstances, when a proportion of the children concerned—some research suggests that it might be about a quarter—no longer have any contact with their father following the breakdown of their parents' relationship.

Mr. Iain Duncan Smith (Chingford and Woodford Green): That is an interesting point. Is not one of the greatest problems the fact that sometimes children are used as pawns—I hope that Ministers will consider this in their review—in the sense that a mother may withdraw contact with them from the father, who is forced to pay more maintenance by the CSA and who will be angry and concerned that he cannot have access to his children? That is a glaring hole and it needs to be considered, as it is not all one way.

Mr. Wicks: Sadly, adults do not behave like adults in such circumstances, and children are pawns in the game. The other day, I read in a newspaper of a case in which the child said, "Mummy wants me to hate daddy and daddy wants me to hate mummy." Adults can behave very badly.

I am not saying that, to balance access with maintenance, there should be one court; it is right and proper that there should be two systems. If the father has a history of violence, a court may say that he should not have access to the children for a period, but that he should pay maintenance. I understand why a father would be angry about such a settlement but, in terms of family law and social policy, that is sometimes right.

Over the past 10 years, Governments have focused in cases of family breakdown on cash—maintenance—but we should also focus on care. The more difficult and important issue is how, when there is family breakdown and fracture, we enable children wherever possible to be brought up by both their mother and father, which is not only a question of maintenance.

We should also take into account family law and court practice. Other hon. Members will have heard constituents, often the fathers, saying, "There's a court order that I should see my child every week, but when I go to the house the child is not there or the mother will not let me in." They are advised, "You can go back to court, but it will cost you several hundred pounds." We should consider family law issues in relation to the social policy of child maintenance.

We must ask about causation. There is no easy agenda, but I do not believe that Britain has to be top of the European divorce league. We should not have to spend £4 billion to meet the public costs of divorce while we are spending so little on guidance and counselling for couples who face difficulties. I am not saying that the divorce rate can easily be reduced, but I refuse to believe that it has to be so high. Preventive medicine is better than conventional medicine, and Ministers should consider prevention in this area. That has implications for our schools and how we teach our children about relationships, their lives, confidence and sex. Why, every year, do 100,000 teenagers conceive unplanned and unwanted babies, which leads to a horrifically high abortion rate and the creation of a large number of fragile families? We must not forget the preventive agenda.

Politics is a macho pursuit, so we often talk more about the strong economy than about the strong family but, over the past decade or so, family insecurities have become as important as economic insecurities in creating poverty and disadvantage for families and society. We need to strike the right balance between rights and duties.

Becoming a mother or father should bring not only rights—to child benefit, decent education and decent health care—but duties. We must change the climate, and tell people that, when they become mothers or fathers, they have a duty in all circumstances to care for and maintain their children. That is an obvious and almost trite point, but increasingly in recent years—for reasons on which we can agree or disagree—many parents,

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usually fathers, have taken on the irresponsible role of not providing for their children. We face a big battle, and I hope that the House is united in trying to win the fight.

4.53 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): It is always a privilege and pleasure to follow the hon. Member for Croydon, North (Mr. Wicks). His record on this matter is well known and his speeches always repay careful study. I agree with him on some of the issues that he raised, but I hope that he will join me and other Liberal Democrats in regretting the fact that the rate of unwanted teenage pregnancies was dropped as a "Health of the Nation" target in the recent Green Paper. If the hon. Gentleman is willing to put some quiet pressure on his ministerial colleagues, I shall certainly join him, as that was a retrograde step in child support policy.

I pay tribute to the Minister for Welfare Reform. He had a distinguished career during the previous Parliament as Chairman of the Select Committee on Social Security, and I hope that he does not now feel that the many hours that he spent chairing the Committee's investigations into the Child Support Agency were wasted. The amendments that he tabled were not always successful because of the Conservative majority against him—I now know how he felt, as I am totally friendless on the new Select Committee. The work that he did then was valuable, and I am sure that when my colleagues on the new Select Committee turn their attention to the CSA, they will want to act as constructively as he did in working with the Government of the day, accepting the principle behind the agency and suggesting improvements to its operation.

This debate on the CSA has been less strident than some of the ones I remember. The Minister has, for the first time that I can remember, seduced the hon. Member for West Chelmsford (Mr. Burns)—if I had known that he would not be here now, I would have said this earlier—into being constructive.

It is important that the House responds to the depth of the problems caused by the Child Support Act 1991. Mea culpa—like the Minister, I was one of the guilty people who were then Members of Parliament, although, in retrospect, I think that we faced mission impossible. Like all hon. Members, I see the results of the Act in my weekly surgery. Last Friday, a postman from Duns, who earns £190 a week, showed me a demand note for £22,000. Such debts are unrealistic and will have to be written off. The interim assessments act as a shock tactic, but the psychology has completely failed and I am not surprised at some of the new non-compliance rates.

I entirely endorse what my hon. Friend the Member for Newbury (Mr. Rendel) said when he eloquently introduced our motion. The system is too complex and too rigidly applied. The speed at which the 1991 legislation was implemented meant that it would almost inevitably fail. I also agree with the hon. Member for Croydon, North. If the new system is to have any chance of success, it is most important that it deals—and is seen to be dealing—squarely with the "can pay, won't pay" merchants.

I shall, perhaps rather bravely, make some personal suggestions that we should consider in what I assume, from what the Minister said, will be a Green Paper—the consultation will flow after publication. The arguments advanced by my hon. Friend the Member for Newbury and in the motion are valid and must be addressed during the consultation.

I doubt that we shall persuade the Government to go as far as we want, so I shall run with what they say rather than with our more radical suggestions. I believe that given that the Government are set on creating a new system that uses a flat-rate formula, it must have two characteristics. First, the flat-rate system must be almost moronically simple—it must be transparent, so that everyone can understand it. Secondly, the rate must be set relatively low. If we introduce both those elements, we can then say that there should be no exemptions whatever.

I suggest that the liability should be set at 3 per cent. of earnings—it makes no difference whether it is net or gross—for the first child and 7 per cent. of earnings top-sliced for the second child, with no exemptions. That would indeed be rough justice, but it could be implemented.

Dr. Brand: I wish to ask my hon. Friend for a definition of "moronically simple". If by that he means something that I can understand, I would accept such a system, because that would meet the definition. The present system certainly does not.

Mr. Kirkwood: My hon. Friend is only a general practitioner, but I think that he might have no problem with a 3 per cent. and 7 per cent. system.

It is impossible for the CSA to continue to operate by trying to mirror the complex work that the Inland Revenue does in terms of working out weekly what people are due. We must carefully consider the period of assessment. I cannot understand why people are not assessed one year in arrears. The CSA could then take account of Inland Revenue figures and P60s, and stop having to alter assessments to include overtime changes, part-time working and short-time working. It should consider people's income from the previous year and base the 3 per cent. or 7 per cent. for one, two or more children on that figure with no exemptions. If we did that, the system would work.

We must look specifically at the position of the self-employed, because it is currently a complete nightmare. The system seems to perm any number from several, and people receive letters from the CSA on consecutive days which give different figures. The circumstances of some small businesses run by the self-employed are incapable of fair, consistent or coherent assessment under the present regulations and the Green Paper must contain a special section on the self-employed.

On the subject of retrospection, we must learn the lesson of the mistakes that we made last time, and the Minister was right to point that out. Some of us were perplexed at the time, but we did not realise how significant the degree of indirect retrospection was. We must have a cut-off date. I do not care what it is, but it must be clear and the new system must operate from that date, with no going back. We must look forward. An axe must fall and the new process must start on that date. That does not mean that people with assessed liabilities should get off scot-free. The poll tax has not set a good precedent for much but, as with local authorities and the poll tax, the CSA should be given a residual power under the new

system to define outstanding arrears and assign the debt to a debt collection agency. Even if the amount assigned were less than the actual amount outstanding, some money would be collected from the defaulters. In that way, those who had played the game and paid their money would not feel that they had been done down twice. The system must deal with the "can pay, won't pay" merchants, because they will always be with us.

I shall not dwell on the issue of disregards, but the hon. Member for Croydon, North is right on the subject. The Select Committee recently visited Wisconsin, which has effectively no unemployment and a 100 per cent. pass-through system, as it is called. Non-custodial parents are happy to make payments that go straight to benefit their children and our new system must have a similar element. We must also encourage custodial parents—usually women—to get involved in the process, even if we have to pay them bonuses instead of penalising them if they do not get involved. I am more convinced of that than ever now that I have read the Government's amendment. I assume that the 70 per cent. figure for non-co-operation is derived from the CSA report. Some 30 per cent. of custodial parents fall into a middle category, neither totally complying nor totally non-complying That big chunk of 30 per cent. needs to be worked on, preferably with carrots rather than sticks. We have not had enough carrots in the past.

The time before 2000 when the new, rebadged CSA will be introduced is essential to try to minimise the damage of the current system. The CSA was protected from some of the worst effects of the change programme in the past, and the previous Government rightly added extra civil servants to its numbers to prevent it from grinding to a halt. However, I am now worried that the change programme will affect the CSA badly. It is now taking its share of the cuts, which causes great concern about the next 18 months to two years. The departmental spending review will be published at about the same time as the Green Paper and I hope that we can count on Ministers to fight the case for the proper staffing of the CSA so that it can respond to our constituents' needs. Our constituents are driven crazy with frustration because they cannot get through on the telephone. It is bad enough that they have to speak to different members of staff every time, but it is much worse if they cannot get through at all.

I wish to enter the competition set by Baroness Hollis, who has done valuable work on the issue of the CSA. She has asked for names for the new body that will replace the CSA. I claim the bottle of champagne by suggesting that the new name should be the "Liable Relatives Unit".

5.5 pm

Ms Julia Drown (South Swindon): I wish to add to the comments that I made in the useful debate that we had on 20 June 1997. I am glad that the review of the CSA is progressing, and I am pleased that the Labour Government have already taken steps to improve the efficiency of the agency and to make it more responsive. I also wish to add my thanks to those members of staff who have courteously replied to the many letters that I have sent to them. However, there is a lot still to do. Response times to telephone calls and letters are still too long. One of my constituents told me on Friday about trying to telephone the CSA more than 40 times last week, but not getting through once. That is not good enough.

I urge the Government to finish the review as soon as possible. South Swindon wants a new start for the CSA now. I am glad that the Government's amendment states that the report will be out by the summer. I urge the review to produce rules that are simple to understand, but that allow some flexibility. No two families' circumstances are identical. Some hon. Members have argued in this debate that the answer is one simple, rigid formula—for example, £x per week per child or y per cent. of the parent's income. A simple formula is attractive, but rigidly applied, it would bring rough justice. The cases that I have seen raise concerns about the rigid application of any formula, if fairness and common sense are to be part of the new system. I know of parents who exchanged tens of thousands of pounds when they separated, yet the CSA fails to take that into account. Common sense would justify a departure in such cases from even the simple formulae described to allow for such large transfers of money.

Support for the children involved and for both parents must be part of the process. For the constituents whom I see—and I recognise that I see those for whom the CSA has failed—support is entirely lacking. The only visible support comes from the title of the agency, which has become sadly ironic. I urge the Government to recognise in the review that not only the rules, but the agency itself need changing. Its history is so rotten that amending the system will not inspire confidence from those it has let down. We need a fresh start, new rules and new attitudes which are flexible and supportive of parents. It is also paramount that we keep the interests of children at heart.

I mentioned attitudes. The language used by the CSA is an important part of that. It uses the term "absent parent", which is neither constructive nor accurate in respect of many of the parents whom I meet. One of my constituents is a father whose son is the most important thing in his life. He does not live with his son, but spends as long as his contact time allows with him and supports him in every way that he can, yet the CSA describes him as an absent parent. The term gives neither that man nor many of my other constituents the respect that they deserve. It does not convey to their children what I hope we as a society want to convey. I am delighted that the Government's amendment uses the term "non-resident parent". I congratulate the Government on that change of language and ask that it be used by the CSA throughout its work.

On attitudes, the public and politicians sometimes say that all the CSA's problems are due to mean fathers who take no responsibility for their children. I recognise that roughly one third of non-resident parents do not comply at all with assessments and that a further third comply only partially. I accept that that proves that the system is failing. There are irresponsible fathers, but that is not the whole story. They are not the source of all the CSA's problems. Most fathers whom I meet are willing to co-operate and want to support their children, but are confused by the agency's complex rules, bled dry by their unreasonableness and inflexibility and deeply offended by being described as absent parents. I urge those discussing the agency's problems to put blame where it is due, but not to generalise it by including those who are not guilty.

I await the Government's review with eagerness. I urge them to make a fresh start with a simple new formula, but to accept that some flexibility is needed because no two individuals' circumstances are the same. My constituents

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want a change in attitudes and language. We need an improvement in responsiveness so that people stuck in the system can get the answers that they need. Rather than failing increasing numbers of children and parents, a new system needs to ensure that the interests of children are paramount.

5.11 pm

Mr. Howard Flight (Arundel and South Downs): There seems to be near-unanimity in the House about the problems of the Child Support Agency, and about what may need to be done. As a new Member, I am shocked and upset by the cases that I have got caught up with. They illustrate a wide variety of problems, often including the sort of situation to which the hon. Member for South Swindon (Ms Drown) referred.

Too often, fathers who are willing to pay and who have been paying have become easy targets. They get caught up in the mill. One also finds the reverse situation, where mothers who are supposed to be paying have got caught in the mill. I had a case where a mother had virtually lost her job, quite unjustly, as a result of administrative inconvenience.

Case officers are essential. I fear that they may be impossibly expensive, but at present, as other hon. Members have said, any difficult case involves different people, telephones going unanswered, and a complete administrative mess. That is a waste of time. I like the idea that, as the Inland Revenue has the records, and as its records are supposed to get better as self-assessment settles down, it might end up as the body that dispenses money when certain other reforms have come through. The revised CSA may have more of a counselling job, trying to decide under simplified rules what is fair, and sorting out the mess from the past.

I have found many instances of what I would call anti-men attitudes. That is probably changing, and I do not wish to say it tritely, but the culture that has existed since the CSA was set up has not been completely fair to one side or the other. In particular, a case in which a wife takes the children and leaves her husband, and the husband is denied access, is very different morally from the reverse situation, or from cases of real father irresponsibility.

I broadly agree with the Government's suggestions that we need something simple to avoid getting into the sort of minefield that exists now, but I agree with the hon. Member for South Swindon that cases vary enormously. Returning to my case officer point, there is a need to assess situations on their merits, as lawyers do in working out divorce settlements.

In my experience, the self-employed present almost impossible problems, and not only in respect of pursuing fathers who are shirking paying up. I have encountered tragic cases of near-suicide when self-employed people have been driven to give up work or been assessed ridiculously. I hope that the Inland Revenue may be the key to the solution once the discipline of self-assessment becomes established.

I echo the sympathy for CSA officers. They must be utterly fed up with Members of Parliament writing furious letters about constituents who have been left in a terrible way by the CSA. I agree that its replies are remarkably courteous and detailed. I sometimes think that, if the same efficiency had been displayed in the first place, some of the problems might not have arisen.

It is too early to judge the outcome of the review. Like my colleagues, I was surprised to read reports that a Minister in the other House had decided to abolish the CSA. Such a decision cannot be made without knowing how we are going to deal with the CSA's problems. There should be more focus on what the courts can offer. They cannot alone solve the problem of making recalcitrant parents pay up or of collecting the money, but the fact that the majority of cases now voluntarily go to the courts for settlement rather than to the CSA suggests that the old mechanism of the courts is better.

I echo the wish to get a move on. I appreciate that it is difficult territory, but all hon. Members know of heart-rending cases that one fears must be unnecessary. I hope that we can, as everyone wants, speedily reach a collective decision on major reforms and simplifications. As to whether that involves a new body altogether or a major radical reform of the existing body, I have no instant answer, but change is necessary, and communication is at the heart of any continuing effective role that a body such as the CSA should have.

5.19 pm

Mr. James Plaskitt (Warwick and Leamington): I welcome the fact that we are having a debate on such an important issue, and the serious and constructive tone in which it is being conducted.

Child Support Agency cases quickly emerged as a major element of my work as a newly elected Member. I am sure that that is also the experience of all recently elected colleagues. In the first few months of being in office, I collected no fewer than 50 serious and complex CSA cases. I could quickly come to the conclusion that there is something badly amiss with the CSA as it currently works.

I believe that we agree that the principle of ensuring that absent parents meet their responsibilities cannot be faulted, but it has also become clear that, in many instances, the CSA does not help to realise that outcome. In some cases, its intervention has frustrated an agreement that might otherwise have emerged.

In many respects, the basic approach adopted by the CSA is flawed. It shows all the signs of being, in the first instance, the product of some rushed decisions and perhaps inadequate research.

Despite all the difficulties and the reports of non-co-operation that we sometimes receive at our surgeries, I doubt that the problems are the fault of the staff who work in CSA offices. Most do their best in impossible circumstances. To start with, they have had to cope with a flawed structure, a difficulty now compounded by the heavy work load with which many are trying to wrestle, and the inadequate resources that support them. It has been a chilling experience to see month after month at my surgery so many individuals who have been placed under intolerable stress as a result of having to deal with the CSA.

From my experience, many former partners are willing to accept their shared responsibilities, and would be able to reach a mutually agreed arrangement, but the CSA stands in their way. In those cases where the non-resident parent is unwilling to meet his or her responsibilities, the CSA is often ill equipped to track that person down.

It is worth taking a closer look at cases to find out specifically where the CSA has gone wrong. I spent some time analysing in detail the 50 significant cases which have been forwarded to me. That analysis reveals that the biggest single problem to emerge in 37 per cent. of cases is faults in the assessment of maintenance made by the CSA in the first place.

That general category of difficulty then divides according to four sub-headings. The first relates to incorrect information about the absent parent's earnings. Often, detailed evidence has been lodged with the CSA about the earnings of the other party, but for some reason the CSA fails to take that into account, or cannot do so. Despite the clear evidence in its receipt, we cannot succeed in getting a reassessment made.

Secondly, the CSA also appears to disregard various forms of unearned income. In one case with which I am familiar, rental income from owned property was not taken into account. Despite the fact that it clearly affected the person's ability to pay, it was somehow excluded from the assessment.

Thirdly, I have also come across assessments that have not been adjusted after changes of circumstances have been reported to the CSA. Often, the necessary reassessment is not made for a long time. In other cases, assessments have been set at an unrealistic level.

Fourthly, there is supposed to be a formula according to which the absent parent is left with a certain percentage of income after payment to the CSA, but, because of the many other administrative problems that I have outlined, many parents find that their disposable income level falls below the threshold set by the CSA. They are simply unable to make the assessment payments decided by the CSA.

The second main category of problem, which affects 19 per cent. of my case load, is the time taken to complete an assessment. In some cases, that delay has lasted three years, and in many for more than one year. I am beginning to find that, sadly, longer-standing delays are not dealt with by CSA officers, possibly because they are so busy trying to speed up work on current requests to ensure that delays do not occur in the first instance. That chokes attempts to deal with those longer-standing problems.

The third main difficulty is the inability of the CSA to take into account relevant new information that can materially affect the original assessment. In addition to those problems, a list of other difficulties has become apparent from my casework. They include failure to provide an interview to someone who needs to present their case to an officer; failure to respond to requests for information; administrative errors; failure to stop attachment of earnings orders long after they have expired; the build-up of arrears without any explanation of how they have arisen; and, in more than one case in my experience so far, the loss of files.

As a result of those problems, the CSA is increasingly seen as lacking credibility by those who must deal with it. That becomes a problem in itself, and encourages many to find ways of avoiding their obligations.

I have discovered that a rub-culture has built up among absent fathers. Gradually, a knowledge is growing of various devices, schemes—even scams—to keep the CSA away, sometimes almost indefinitely. Most of those tactics and ruses are picked up in conversation at the works canteen, but for those who can afford it, the information is provided by solicitors, who give advice on how to get round certain obligations. Either way, that practice undermines the credibility of the CSA, leaves too many children disadvantaged, and causes too much distress among many parents.

It is, of course, relatively easy to portray the quantifiable nature of the problems, but what sticks in my mind is the unquantifiable ones—particularly the individuals I see at my surgery who are evidently under immense stress as a result of their struggles with the CSA. I see mothers who struggle to cope with bringing up children while the absent fathers deploy any number of means to avoid paying.

One popular avoidance tactic that I keep coming across involves the absent father taking out the largest possible mortgage upon leaving a relationship, because those repayments are taken into account when an assessment of his contributions is made. At the same time, the child care costs met by the single mother are not taken into account on her behalf. Equally, I see fathers who are genuinely willing to support their children, but who are asked to do so at a level that destroys their lives and undermines any chance of starting again or sustaining a second family in a new relationship.

I should like to share with the House one case to illustrate the problems involved. My constituent, Mr. B, had his initial assessment by the CSA in May 1994. It was revised in April 1995, and further review documents were sent out and completed in April 1996, when his ex-wife was also assessed. The CSA stopped his maintenance assessment in February 1997 on the ground that his ex-wife had not co-operated. The CSA then admitted that that decision was incorrect, as his ex-wife had co-operated and returned her forms.

At that point, Mr. B requested that the status of one of his sons should be investigated: he suspected that he should no longer have to pay for him, since he believed that his son was no longer in full-time education. Mr. B was told via the telephone that the CSA did not undertake that type of inquiry, but, later, he received a letter from it giving the results of its investigation into his son's educational status. In October 1997, his case was closed again, and on the basis of that my constituent took out a mortgage to buy a house. The following month, he was told by the CSA that his case had been closed down again in error, and at this point I intervened. I received an explanation from Faith Boardman, whose letter contained the following observation:

"I was most concerned about"

Mr. B's

"case being incorrectly closed given the similar scenario which occurred last year."

My constituent requested a review of payments to offset the arrears that had accumulated as a result of the failed closure of his case, and, on 4 February this year, he received no fewer than 12 paying-in slips from the CSA. Not surprisingly, we are still trying to sort out his case.

It is clear that the present system has become unsustainable. The CSA structures are, in many ways, fatally flawed, and when its failure to interact with the tax and benefits system is factored in, the landscape becomes littered with inconsistencies, perverse incentives and too many ruined lives.

[Mr. James Plaskitt]

I am therefore pleased that we are at last embarking on a far-reaching reform of the CSA. As we proceed, we must be entirely clear about our basic objectives: first and foremost must be support for children by their parents, but I hope that we shall also seek a regular and reliable flow of maintenance and fair, effective, clear and affordable outcomes for everyone involved. The solution requires a radical rethink, and I am pleased to hear that that is how Ministers are approaching the problem as they prepare the long-awaited Green Paper.

5.31 pm

Mrs. Jackie Ballard (Taunton): I am disappointed that, so far, few women Members of Parliament have been able to speak in the debate, as the Child Support Act is one of those matters that many members of the public feel would have been treated differently had the House been more representative of gender balance in the past.

The break-up of a relationship is distressing for everyone, and especially traumatic when children are involved. As we have heard, even normally sensible and caring adults may use children as weapons in their continuing war, either by denying access or by withholding maintenance payments. What is needed is mediation, not confrontation.

The Child Support Agency is hated by many people because it seldom helps to get extra money to children; it is administratively slow because it works under such a huge burden; it seems to make more than its fair share of mistakes; and, most important, it adds more confrontation and pain to an already difficult situation. As one constituent said to me:

"the CSA has led to ever-increasing arguments and the collapse of any civility between myself and my ex-husband."

That cannot be in the interests of the children of the marriage.

The existence of the CSA and the volume of casework it produces for Members of Parliament should have convinced us all—if we needed convincing—of the value of retaining the link between us and our constituents.

Mr. Gerald Howarth (Aldershot): No PR, then.

Mrs. Ballard: That is not an argument against proportional representation, but one in favour of retaining the constituency link, which is possible with many PR systems. How else would those who have no personal experience of maintenance wrangles or marital break-up learn about the problems in the execution of an Act that initially had all-party support?

All hon. Members know of examples of delay and distress caused by the formula, which does not allow for individual circumstances. One of my constituents—a young man whose relationship broke up even before the birth of his child—wanted to be a good father, and had to go to court to get access to his child. However, although he is happy to pay maintenance, his current assessment does not allow for the legal costs he incurred in getting that access to his child to enable him to be a good father. That cannot be in the child's interests, and it might have deterred a less determined father from pursuing his case.

There are also cases in which, because of the legislation, the agency refuses or is unable to get involved, either because the parent with whom the child lives is working and not on benefit and so is not a high priority, or because there is an existing court order in place.

One constituent, whom I cannot name, wanted me to draw the House's attention to her plight. She left a husband who was violent and abusive, both to her and to her children. She has a nine-year-old court order for maintenance payments. Fearing for her own and her children's safety, she moved to another part of the country and has made a new life. However, an order that is nine years old requires the payment of far less maintenance than she should currently be getting. She does not want to go back to court, because her ex-husband might discover where she now lives; but the CSA cannot take up her case, because there is a court order in existence.

Another constituent—a working mother on incapacity benefit—was not considered a priority by the agency because she is working. She has been tempted to give up her job in order to get the agency to help her to obtain maintenance for her children. There are many such instances of the CSA inadvertently encouraging work to welfare.

When I spoke in the Adjournment debate in June, I outlined my four-point plan for reforming the system. I did not want to bore the House by doing the same today, so I wrote to all my constituents on whose behalf I had taken up CSA casework, and asked them what they thought should be put in place. What follows are their positive suggestions for reform of the CSA.

First, as has already been mentioned, my constituents say that we should not stigmatise people by using the terms "absent parent" or "parent with care". Secondly, we should make the system genuinely about child support. Thirdly, they feel that people should be able to get face-to-face interviews, as of right, at local offices, to have the opportunity to be heard.

Mr. Ronnie Fearn (Southport): I have a great relationship with the CSA in my part of the country. The staff work on many cases, but always grant a face-to-face confrontational debate with any client who has a grievance. However, I now hear that that office is in danger of closing, despite its being the last on Merseyside where one can go to make a face-to-face inquiry. That is happening all over the country.

In the interim period between now and the CSA being wound up and a new system being introduced—

Mr. Deputy Speaker (Mr. Michael Lord): Order. May I take it that this is an intervention?

Mr. Fearn: Yes. My final point is, would my hon. Friend agree that closing offices at this stage is not a good thing?

Mrs. Ballard: I thank my hon. Friend for his intervention. Given the demands on the Child Support Agency, it would not appear sensible to be closing offices and losing staff. I am sure that the Minister will respond on that point.

The fourth in my constituents' list of suggestions is that there should be individual, rather than formula-driven, assessments. Fifthly, some suggested that the income tax

code or the national insurance system could be used to recover payments, as happens in Australia. Sixthly, they said that maintenance must be fair, and should reflect the ability to pay. Finally, one constituent made a plea that we should not return to the days of continual visits to court and never-ending war between ex-partners, with suffering children in between.

All those points could be covered if one agency, such as a court, assessed liability on an individual basis, while another was responsible for the enforcement of court orders. Other hon. Members have referred to the system used in the past, which broke down when it came to enforcement.

Millions of people have been adversely affected by the Child Support Act, and it is essential that its replacement should be created only after the widest possible consultation—consultation far beyond this place, with people who have personal experience of both the current system and the previous one. It is important that the new system's overriding remit should be to support children whose parents can no longer live together. Parliament got the Child Support Act hopelessly wrong; we must not repeat that mistake.

5.39 pm

Ms Sally Keeble (Northampton, North): Thank you, Mr. Deputy Speaker, for giving me the chance to speak in today's debate, which touches on an issue that has been of great concern to my constituents.

While I appreciate the cross-party consensus that exists on many aspects of the subject, I do not believe that the motion, as moved by the hon. Member for Newbury (Mr. Rendel), which advocates moving towards a court-based, tribunal-based system—although a number of the comments since made by Liberal Democrat Members have advocated something different—would resolve the difficult problem of ensuring that proper financial provision is made for children whose parents live apart. To say that we need a fair system that encourages parents to agree voluntarily to child support is unrealistic, given the great difficulty that parents have, often in the bitter climate of the breakdown of their relationship, in agreeing to financial support for their children.

There is no doubt of the size of the task. In 1995, 155,000 marriages, about half of which involved children, ended. In the same year, 90,000 children were born to lone mothers. Those are cases that would never normally go through the divorce courts. Those are the children who are most likely to be brought up in poverty, on benefit. Yet there is often a parent who should be contributing, at least financially, to the children's upbringing. I completely agree with the comments of my hon. Friend the Member for Croydon, North (Mr. Wicks) that parents should also be exercising other responsibilities.

Whatever the difficulties in its administration, the principles behind the CSA are widely held, as is clear from this afternoon's debate. It is perhaps partly the achievement of the CSA that most people who ask for help start by saying, "Of course, I know that I have got to support my kids," before complaining bitterly about some aspects of its implementation.

The hon. Member for Newbury's criticism that the CSA is actually a Treasury support agency has some sting to it. However, my constituents in Northampton, North would not necessarily want to see their hard-earned taxes supporting families where they know that there is a parent who could or should support the children, but chooses to walk away from his or her responsibilities.

One of my objections to the proposal that maintenance assessment should be down to courts and tribunals is that lone parents with children would often lose out, just as they did in the years before the CSA was set up, when I believe that three out of four children did not receive any support from one of their parents. The need constantly to go back through the courts or tribunals to get maintenance orders enforced would mean that only the more articulate and well-heeled would be able to chase errant partners. Yet to continue as we are now is not much of an option either.

The CSA's failures account for about one fifth of my casework; I am sure that most other hon. Members are in the same position. Some of the more dramatic cases have included a man whose maintenance payments were taken directly from his pay; because of mistakes made by the CSA and his employers, he was left with £26 one week and £36 another week over Christmas. His workmates had to have a whip round so that his family had enough to live on during the holiday period.

Another case involved a woman who could not get the CSA to respond for years, then found that she could not get it to enforce maintenance orders against her self-employed former husband. She was left severely out of pocket while she saw her former husband enjoying a good life style with his new partner.

Those are formidable problems that are distressing to the people involved, time consuming for all those who provide advice or help and expensive for the state. Ultimately, and most importantly, they leave many children to be brought up in poverty.

Owing to all the difficulties, towards the end of last month, I held a special seminar on the CSA for advice agencies in my constituency and a special surgery for CSA clients. Child Support Agency staff from Belfast and the east midlands attended, and I am most grateful for their support. The occasion provided a good opportunity to talk through some of the measures that could make it easier to achieve the CSA's aims—aims that many divided families say they agree with. Six points emerged that could help to transform the CSA and make it more effective.

The biggest change would be the introduction of a simpler tariff system for the assessment of maintenance, to simplify and speed up the present procedure. I agree with those hon. Members who have said that that should be based on a flat rate rather than a percentage of earnings, as one of the current problems involves people proving and disputing exactly what constitutes earnings.

One of the biggest sources of problems with the CSA is the fact that the present assessment procedure is so cumbersome. It provides for endless assessments and reviews, so an absent parent can put off paying maintenance for a couple of years, only to find that he or she is then faced with arrears running into many thousands of pounds. By that time, the family circumstances will have changed and the process will have to begin all over again.

Having established simpler procedures for setting maintenance, there then needs to be much quicker enforcement. The CSA's present enforcement procedures,

[Ms Sally Keeble]

using deduction of earnings orders to stop money direct from people's wages, are draconian, but they usually come too late. One man who came to see me recently had £500 or more stopped from his £1,100 a month wages—his maintenance liability plus repayment of arrears totalling £12,000. The arrears were mainly his fault, but any sensible collection agency would not allow a person to accrue such arrears in the first place. I understand that the total amount owed by absent parents is £1 billion.

If the present assessment procedures are retained, better recognition needs to be given to the full cost of housing and travel to work because 15 miles is quite a long distance, particularly when there is no proper public transport. In addition, there should be recognition of parity of the cost of a first and second family.

A radical improvement is needed in the way in which CSA staff communicate with their clients. Computer printouts do not meet the needs of the many people who need to go through their affairs in detail, face to face with someone else. At present, face-to-face interviews are possible, but many people do not know about them and, in some instances, it appears that those facilities might disappear.

The CSA needs to be more proactive in chasing up the more difficult cases and getting absent parents who fail to support their children to recognise their financial responsibility. There is resentment of the fact that the CSA chases the more co-operative parents for yet more money while those who do not co-operate still get off scot-free.

Many absent or non-resident parents resent the fact that, however much they pay to the CSA, they still have little chance of improving the living conditions of children who grow up on income support. Many of my constituents would welcome a maintenance disregard for income support applicants—as suggested by a number of previous speakers—to provide incentives for absent parents to support their children, to provide some parity with applicants in receipt of family credit and to deal with child poverty. At present, we hear of absent parents offering their former partners so much a week not to co-operate with the CSA. The absent parent is better off, there is more money for the children and there is none of the bureaucratic hassle, but the state loses out, which means that other taxpayers lose out.

The Government are right to review and reorganise the CSA—perhaps to rename it and give it a fresh start. To abolish it would send out mixed messages to the public about changing the rules and letting people off their responsibilities just when we are making some headway and encouraging the idea of parental support and responsibility for children.

It is right to take a bit more time over the review as it is widely recognised by all parties that many of the problems were caused by the inadequacy of the original legislation and the lack of scrutiny. A botched job will not be made better by a botched repair job.

I would much rather that we have a thorough review that will produce the changes—I hope that they will be radical changes—that are needed for the CSA to achieve its goals and ensure that parents make proper financial provision for their children even if they do not live with their partners. We must ensure that the state—other taxpayers—is not left to pick up the bill for children who are left by one of their parents. Above all, we must ensure that children are properly supported by both their parents, not brought up in poverty.

5.48 pm

Mr. Gerald Howarth (Aldershot): One of the advantages of having sat out the previous Parliament is that I have spent five years without having to deal with CSA cases. On my return to Parliament, I found that CSA cases take up much of my time and cause me the most grief.

It was right and proper that we introduced the CSA through the Child Support Act 1991. I was in the House when the measure was proposed and its principle was welcomed in all parts of the House because it was felt that action was needed to deal with a widespread problem. I remind the House of what the then Secretary of State for Social Security, Mr. Tony Newton, said when he introduced his White Paper. He outlined what he hoped would result from the measure and said:

> "Governments cannot, of course, ensure that all children always live with both their parents, but they can and should seek to ensure that, whatever the underlying circumstances, the welfare of the children is the prime consideration."

It was always the Conservative Government's intention to ensure that the measure dealt adequately with the welfare of children.

In fairness, Mr. Newton said that the taxpayer also had an interest in the matter. He said that support for lone parents

> "places a large burden on those who pay tax, many of whom are themselves bringing up children on perhaps quite modest incomes."—[*Official Report*, 29 October 1990; Vol.178, c. 729.]

Those two issues in that order were presented by Mr. Newton. The Minister has been good enough to admit that he has reversed the order. Both are important.

It was right for us to introduce a measure that tried to deal with the problem of gross irresponsibility because those who produce children, and particularly men, should not be able to walk away from their responsibilities. We must ensure that they maintain their children. The measure has worked but, as the House has heard, there have been grave shortcomings in its operation.

I agree with almost everything that the hon. Member for Northampton, North (Ms Keeble) said. My constituents tell me that the CSA seems to concentrate on those, particularly men, who are contributing. Without exception they tell me, "I acknowledge my responsibilities. I know that I ought to pay for the maintenance of my child and I want to do that, but there is a limit to what I can afford."

The overwhelming proportion of my case load on this issue consists of fathers complaining about the effect on their new family arrangements. Only two mothers came to see me and the husband of one of them is self-employed. My hon. Friend the Member for Arundel and South Downs (Mr. Flight) spoke about the difficulties of the self-employed. That woman knows the life style of her former husband. He has a fine car, a good house, a mobile phone and a fax machine and so on, but he has not paid her a penny and the CSA has told me that there is no way that it can get any money out of him. Such failure is unacceptable.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes), who is not in his place, spoke about second marriages. The difficulties surrounding such marriages were graphically brought home to me by those who came to my surgery or whom I visited in their homes. Whatever our views on marriage and the desirability of ensuring that marriages are maintained—I know that the Minister and I share strong common ground on that—some break down and we have to try to cope with the consequences.

If people who have made arrangements remarry, there are inevitably children and it is a traumatic experience trying to cope with the demands that are placed upon them. The problem is not the principle that they should contribute to the maintenance of their children from the previous marriage but the amount of that contribution. They find it intolerable, and I understand why they are exasperated. One man said in my surgery, "Unless I can change the arrangements, I do not see the point in carrying on with life." He did not say that simply to dramatise the situation for my benefit: that is what he felt. A man with an attachment of earnings order loses that money from his account at once because it is the first claim on his income. Such men feel a sense of hopelessness and powerlessness and that is serious.

Another point that is put to me by constituents is that the first wife has found somebody else, is living comfortably and is being looked after by the new husband. The father who is trying to look after his children as best he can feels a huge sense of grievance. He knows that his child or children are being well looked after because the household in which his ex-wife is living is more comfortable than his own. The CSA does not make as thorough an investigation of how the parent with custody is faring vis-à-vis the father and the father's new family.

Much has been made of the CSA's staff. I have no doubt that, in a difficult job, the staff are well intentioned and trying to cope. However, some of their mistakes are unforgivable, and the CSA does not seem to be user friendly. As many hon. Members have said, constituents cannot get the staff on the telephone or get any sense from the CSA, and they deal with a different person each time. It took the CSA nine months to assess the review of one of my constituents, although he had provided all that was required. At the end of the nine months, the CSA sent him a bill for £2,000, which is a hell of a lot of money. The guy did not have it and the bill sent a shock through the household. The CSA does not seem to be alive to the implications of the huge burdens that it places on families.

In a garrison town such as Aldershot, there are also difficulties. There is a lack of sensitivity. A soldier who was about to be posted to Northern Ireland, which in some respects is an active theatre, got a load of stuff from the CSA demanding yet more money two weeks before he was due to go. When he was in Northern Ireland, more letters arrived demanding more money and his second wife told the CSA, "I am not sending these on to my husband. He is out there in Northern Ireland putting his life on the line." The CSA needs to put right that lack of sensitivity.

I agree with much of what has been said about improvements. If the appointment of case officers means more staff, I think that the House would be prepared to wear it if it means that constituents feel that they have some contact rather than the faceless and constantly changing scene of the CSA. The availability of interviews will be beneficial because people want to speak to someone. There is no point in saying, as Mrs. Boardman once said to me, that much business is conducted on the telephone.

I am not sure that it is possible to devise a formula that will meet all circumstances. A simple formula could be unfair and a complex one would be incredibly time consuming. The CSA must acknowledge that those who are responsible for new families should be given more consideration of what is required to maintain that new family and prevent it from becoming another burden on the state. I hope that the Minister will take note of what has been said in the debate. I am sure that the House feels that he will deal sensitively with the matter, and we look forward to the results of his review.

5.59 pm

Mr. Robert Marshall-Andrews (Medway): Thank you, Mr. Deputy Speaker, for calling me in this important debate. It enables me to do two things: first, to congratulate my right hon. Friend the Minister for Welfare Reform on the strong Government amendment and, secondly, to bring home to him, if I can, the extreme urgency of the review and of the measures that will doubtless attend us.

As you well know, Mr. Deputy Speaker, our surgeries are sad places; at least mine is. During our surgeries, we deal with just about every form of economic and physical disability and all the attendant miseries that they bring. However, I want to bring home to the Minister—I think that he knows this—that no single thing causes more anxiety, despair, depression and family break-up than the Child Support Agency.

I take issue with some hon. Members who have spoken about the complexity of this: CSA reform is not a complex matter. The agony of the CSA may be distilled, effectively, into three problems. The first, which has been touched on by many hon. Members, is the CSA's statutory impotence in pursuing and enforcing orders against people who will not co-operate. The vast majority of them are indeed self-employed men who are able to obfuscate the nature of their earnings.

The second problem is the ghastly and impenetrable formula with which we have to operate and in which CSA staff are trapped. I suffer particularly badly from the formula. Many of my constituents have picked up a rumour that, in my other life, I was a lawyer dealing with commercial fraud in the City. They therefore jump to the conclusion that I may be able to assist them with the impenetrable demands that are made on them by the formula. Thus, when they come to my surgery and perceive that I cannot understand a word of it either, to their many other complaints is added dreadful disappointment at the legal system and legal education.

The third matter that needs urgently to be dealt with—we all hear about it all the time in our surgeries—is the chaotic state of assessment reviews, which are now done not annually, but, if people are lucky, bi-annually. That results in the sudden, again impenetrable, sometimes downright contradictory demand—to men who have done nothing but honourably meet the debts that they were told they had—for many thousands of pounds, with all the shock and trauma that that causes.

Recognising as I do that anecdotal evidence is the last thing that the Minister wants in this case, may I bring to his attention one particular case, which involves a soldier,

[Mr. Robert Marshall-Andrews]

interestingly enough? I also represent a garrison town. One particular soldier comes to me. I am honoured when soldiers come into my surgeries. In general terms, and this man is no exception, they are brave and honourable men who want nothing more than to serve their country and to support their children. In that respect, he is absolutely no exception. He and his family have been brought to the verge of despair by a series of completely impenetrable, totally contradictory demands for arrears running into many, many thousands of pounds, which has resulted in the break-up of his family.

When I see in my surgery that that otherwise brave service man, who would follow you anywhere, Mr. Deputy Speaker—indeed, he would follow you across the sands of Arabia—has been brought to the verge of a nervous breakdown, I reflect that there is one ghastly secret weapon that we must at all cost keep out of the hands of the world's dictators: the workings of the CSA. Indeed, if several million bogus letters resembling those from the CSA were addressed to British soldiers and allowed to waft across the battlefield, it would cause paralysis among the vast majority of our officers and men.

I advance three nostrums that would largely right the wrongs of the present CSA. First, I am against reinventing the wheel of the family court. The agency in itself, if reformed, is perfectly adequate, but it needs the power to obtain evidence on oath and by affidavit, particularly from people who are recalcitrant and will not provide the evidence that it needs. Thus, the enormously powerful remedy of perjury would be available to the agency, as it was to the courts.

The second reform that I urge on the Minister is that there should be a limit in the CSA's power to attract or to enforce arrears, where the accumulation of those arrears is the fault of the CSA. My third proposal is that the rigid formula that we have to live with should be replaced by a mixture of consensus and orders, to be backed, if necessary, by proper sanctions. However, those orders should be based on what the courts used to call, in the old days, when we dealt with such things, reasonableness between the parties.

If those reforms were brought into effect, many of our problems would be resolved and our surgeries would be shorter and infinitely more pleasant.

6.6 pm

Mr. Donald Gorrie (Edinburgh, West): I hope that I can say without offending anyone that, as a new Member, this debate has been a refreshing experience for me. This is what the House of Commons should be about: adult discussion, with hon. Members expressing different views, but constructively. It is heartening.

The hon. and learned Member for Medway (Mr. Marshall-Andrews) knows infinitely more about the law than I ever shall, but as other speeches have illustrated, the CSA's activities are not suited to bureaucratic methods. Those are not the right way in which to deal with the problems. Some sort of court system, which should be as informal as possible, would be better.

With that system, it should be possible to persuade more couples to come to an agreement, which is obviously better than some bureaucrat trying to enforce something. It is harder to persuade other couples to come to an agreement, but under that system, they would respect a face-to-face discussion, with a neutral party adjudicating. Many people would accept the decision of that informal system and pay up. There is then the third group, which is totally bloody-minded and would not pay up at all.

An informal court hearing system that learnt from experience elsewhere—for example, the children's hearing system in Scotland, which works well in dealing informally with family problems that are not unrelated to the things that the CSA examines—would be the best way in which to deal with the matter, rather than having a bureaucrat who tried to enforce lots of rules.

I was struck by the Minister's comment, if I understood him correctly, that it was not possible for any competent official to understand the whole system. That one sentence demolishes the system. Any system that a reasonably intelligent official cannot understand is not worth having and should be thrown into the wastepaper basket.

The other aspect is enforcement, to which other hon. Members have referred. That has to be dealt with much more seriously. There could be a structure whereby people who acted in a civilised way and co-operated paid less than those who were bolshie and bloody-minded. It surely must be possible to extract money out of people, using the tax system or whatever other system is used, and ensuring that they pay up. Those who are willing to pay, but who have temporary difficulties, should be treated more leniently. It would be reasonable to have an informal court system to reach agreement on the figures, but a really strict enforcement system for those who will not pay. Then, we would get on much better.

My experience is that other parts of the benefits system create just as much trouble for people as the CSA. Indeed, I have more trouble with the disability living allowance system than with the CSA. The point is that child support is not a suitable subject for a bureaucratic system.

I hope that the Minister will consider the ideas put forward by hon. Members on both sides of the House in what has been a very constructive debate.

6.10 pm

Dr. Brian Iddon (Bolton, South-East): Never has an Act of Parliament caused so much misery as the Child Support Act 1991. It was poor legislation when it was introduced, in too much haste, and it desperately needs reforming. If my right hon. Friend the Minister can create a simple new legislative system that actually works and is seen to be fair by all involved, at some time in the future we might find him perched on a pedestal somewhere along the embankment. My first experience of the Act was when I became a Member of Parliament last May, so I see it only through the eyes of my constituents. As I am by no means an expert, I was pleased to hear my right hon. Friend say that even some of the staff at the CSA find the system difficult to operate.

I want to mention some of the problems that have beset some of my constituents. Several of them are still paying child maintenance, through deduction of earnings, way beyond the normal cut-off age of 18. One constituent is still paying for a child who is well past 19. Perhaps the date of birth could be programmed into the mechanism to trigger an automatic cut-off for the deduction of earnings order, so that my constituents would not have to fight to get the payments stopped.

In one case, the mother was initially awarded care of the son for 18 months. Unfortunately, it soon became apparent that she was a drug addict. The father has now looked after the son, Simon, for three years. He has been to see me several times, in sheer desperation, because he is still being made to pay child maintenance to the drug-addict mother. Although I have tried, I cannot persuade the Child Support Agency to stop the order. It is a remarkable delay in taking any action.

Another constituent has tried to commit suicide three times. He often breaks down when he comes to see me in my surgery, so it takes me a long time to interview him and discover any new problem. Over a period of 18 months, he has had 16 reassessments of between £12 and £110, despite the fact that his wage has never changed. He has received no overtime or any other significant alteration in his income over that period. His mother also comes to my surgery, desperately pleading with me to sort out that tricky problem.

On a more trivial level, one constituent tried to contact the CSA many, many times—unfortunately, on a mobile telephone. When he finally got through, it took 45 minutes to get an answer to his query. He did not dare hang up because he was desperate to sort it out. That one telephone call cost him £28.

The Child Support Act is anti-marriage—as other hon. Members have said, although sometimes in a different way. A number of my constituents have told me that when they marry a new partner, the CSA is quick to descend on them and take any earnings by the new wife into account. However, it does not seem to work the other way. A number of the fathers tell me that their former wives are living in the lap of luxury, often fraudulently claiming benefits. I have submitted evidence to the CSA showing that some mothers are living with new partners who are working and have good incomes, yet they continue to draw benefits, including housing benefit. The CSA just says, "Sorry, it is not our job to sort out fraudulent claims from the Benefits Agency." Surely something must be done about that. Because of such practices, fathers are often less well off than the mothers to whom they pay maintenance through the Child Support Agency.

The CSA claims that it does not take more than 30 per cent. of disposable income—or 40 per cent. when there are arrears. I have a constituent who is losing half his disposable income because of a CSA assessment. I have fought that, but cannot get it altered. I have not had an adequate response.

Several hon. Members said that the formula is extremely complicated and does not take into account individual circumstances. I concur with that view. In addition, the forms that must be filled in are far too complicated for many of my constituents, yet they get little help with them. I agree with other hon. Members that, if we are to continue with such a complicated system for the next two years, face-to-face contact with those operating the system is absolutely essential so that correct advice can be given.

In my constituents' experience, the CSA is unapproachable. Many of them would like to have a calm, collected interview with CSA staff, who could explain how assessments have been made. They would then feel reassured that no mistakes had been made. In fact, a face-to-face interview is difficult to obtain—and, as hon. Members have said, offices are being closed, so it will become even more difficult. If, against our hopes, nothing happens, the expectation is that by 2000 there will be a 60 per cent. increase in the number of cases dealt with by the CSA. However, we have been told that in the 1998–99 financial year the agency is expected to make a 10 per cent. saving. That does not make sense. That sort of requirement will not produce the improved service that is obviously needed.

On behalf of my constituents, I urge good speed on my right hon. Friend the Minister in reforming this invidious piece of legislation. We look forward to a simpler system. None of my constituents disagrees with the basic principle that the care of children should be shared between the parents.

6.18 pm

Mr. John Cryer (Hornchurch): I am pleased to be called to speak in the debate. I reiterate what other hon. Members have said—what we learn at our advice surgeries and from the letters and telephone calls we receive shows the nightmare that the Child Support Agency has wreaked across the country. Hon. Members from England, Scotland and Wales have spoken this afternoon, but they all tell of the same experience—that the CSA is making many lives miserable. I was pleased to see the strength of language used in the Government amendment; I hope that it is a sign of the speed with which the Government will change the system.

Last year, at the back of the Child Support Agency's annual report—which was released in July and, in the circumstances, was a surprisingly cheery little tome—the Comptroller and Auditor General delivered his own report, in which he mentioned a few alarming percentages. Some examples included the fact that 39 per cent. of receipts from absent parents were wrong, as were 85 per cent. of absent parents' maintenance balances. Those mistakes have a clear and common root: the initial assessments made by the Child Support Agency were wrong, which led to the subsequent mistakes.

A related matter, as my right hon. Friend the Minister for Welfare Reform said, is the system's complexity, in addition to its rigidity. Like other hon. Members, I have experiences of ringing the Child Support Agency with a perfectly reasonable offer that is turned down because those at the agency say that it is not allowed by the formula in the original legislation.

We must deal not only with mistakes in maintenance assessments and with rigidity and complexity in the original legislation's formula, but with enormous time lags in dealing with assessments or reassessments—which, last year, took at least a year in more than half the applications. Only 63 per cent. of cases requiring assessments to be readjusted were cleared in 13 weeks, which is an appalling track record for any agency.

One of my constituents, who was working as a docker at Tilbury docks, was earning £1,400 net per month—which included a great deal of overtime that he earned to pay £350 monthly to the Child Support Agency. After he received a serious injury—which often happens to dockers—his income fell to £1,100 per month because of lost overtime. The CSA refused to take account of that income drop, the consequence of which was that he breached the protected income figure that the CSA had determined. I was told over the telephone by the CSA that the figure was £880, but that figure was later denied.

[Mr. John Cryer]

Subsequently, although the CSA agreed that it was all right to breach that figure, there were further complications. The agency eventually made an adjustment of £8 per week and apologised for its mistake. However, that constituent was probably only one of thousands of people who have enormous problems with the CSA, which are making their lives a real misery.

The root of the problems is undoubtedly six years ago, when the CSA was founded. It was established hurriedly and incompetently, and on fairly inaccurate information, to subsidise state spending. It has consequently become the shambles that it is today. The previous Government saw in the CSA and in the Child Support Act 1991 an opportunity to subsidise their social security spending, and we are living with the consequences.

Mr. Richard Allan (Sheffield, Hallam): The hon. Gentleman referred to the delays, which in my experience are absolutely critical. In his speech, the Minister rightly praised the work of staff who are already at the agency. Something that all hon. Members could look forward to is having twice as many excellent members of staff working at the agency. Will the hon. Gentleman join me in asking the Minister immediately to put more resources into staff, so that matters are dealt with more quickly? The review is bound to take much longer, and misery will continue to be inflicted on people unless there are more resources for staff.

Mr. Cryer: Hon. Members on both sides of the House have conveyed the message and agree that extra resources are desirable. However, the change programme—which is a leftover from the previous Government and was clearly an attempt to privatise sections of the public sector—is continuing, and it will not help the CSA or any other part of the public sector. As we are already seeing, that programme is really privatisation by the back door.

There is evidence that single parents—or parents with care—are deliberately trying to avoid going to the CSA. As I have heard in my surgery, if they go to the CSA, their benefits might be stopped and they might have to wait for six or 12 months—they do not know for how long—until they get money from the CSA. There are also fears that the ex-husband or ex-partner, if he is of a violent frame of mind, might come calling if the CSA starts pursuing him in the manner that it does.

I should like the CSA to be overhauled radically, which would effectively entail its abolition and replacement with something else. I have sympathy for moving towards the Australian system, but I do not advocate a return to using family courts, which are unnecessary. We could move towards a more consensual system, so that we do not have a repeat of the huge misery that has been caused in the past six years. However, that is the long term; in the short term, the system requires an overhaul of its method of assessment and of the criteria that it uses. The system will then start to work more efficiently.

My hon. Friend the Member for Croydon, North (Mr. Wicks) mentioned the problem of lowering the divorce rate and said that there is not an easy answer to that problem. However, the easy answer is full employment. I guarantee that the divorce rate will drop like a stone if we have full employment. The causes of divorce are poverty, financial insecurity and unemployment. Once we start more broadly to attack those problems, the divorce rate will start to drop.

6.25 pm

Mrs. Janet Dean (Burton): I am pleased to be able to speak in this debate, which has been very useful in allowing new Members to share the considerable knowledge of the operation of the Child Support Agency that we have gained in recent months. It is important that we have radical reform, as nothing less will bring respect to a vital service for children in the United Kingdom.

Sadly, I do not believe that, from its inception, the Child Support Agency has had respect—which is not an accusation against its staff. As other hon. Members have said in this debate, the agency's staff are working in very difficult circumstances. Specifically, because the legislation was retrospective, havoc was caused and good support agreements between parents were torn apart once the Child Support Agency became involved. The children are the ones to lose out when a quite reasonable relationship breaks down.

The CSA tackled the "easy cases" because it had to get the money in. Therefore, those who most need maintenance support for their children do not receive the help from the agency that they should have. Demands were made on absent parents—I, too, think that we should change that phrase, but it is the one that we currently use—that were seen to be unreasonable.

Mr. Mark Oaten (Winchester): Surely the hon. Lady will agree that, as the Government have used the phrase "non-resident" in their amendment to the motion, she could use this opportunity to tell the Minister that there is no reason why the phrase could not be changed tomorrow. Making that change and doing away with the term "absent parent" would make a great difference to many people who complain about it. Perhaps the Minister will consider doing so tomorrow, and the hon. Lady can make representations on that.

Mrs. Dean: I certainly urge the Minister to change the term to "non-resident parent" as soon as possible and practicable. As has already been said in the debate, most parents—usually fathers, but sometimes mothers—want to pay to support their children. However, they are faced with problems such as those that have been mentioned. Ultimately, money is demanded of them and they think that the system is being unfair.

As hon. Members have said, there are cases in which a first wife who has care of the children becomes relatively well off when she remarries. It is a real problem when both the non-resident parent who is paying for a child's upkeep and his second family are struggling and suffering, whereas his ex-wife's new family are living quite well. The problem is that he is paying to support not only the child, but the mother and the child. Clearly, that causes a great deal of resentment. There have been so many mistakes in the calculations that the whole system has been brought into disrepute.

The other side of the equation is that the parent with care is not getting the maintenance that she—it is generally a she—should be getting. As has been said, it is particularly difficult to sort out when the non-resident parent is self-employed. We must introduce methods to

tackle that problem. It is easy to get money from an individual who is paid a wage—one can simply have an order placed on that wage—but it is not so easy when the individual is self-employed.

I quite like the idea of a percentage or flat-rate system being introduced, but whatever we do needs to be simple.

Dr. Iddon: Does my hon. Friend admit that there is a danger in a percentage system in that it would hit low wage earners far harder than it would hit those who are extremely or moderately well off?

Mrs. Dean: I think that a percentage system would generally be able to recognise differences in income. There needs to be a recognition of additional children for whom people may care. For example, I know of cases in my constituency where a man pays to support his children from a former marriage. At the same time, his new wife has children from her previous marriage, but those children are getting no income from her previous partner. Effectively, the husband is being forced to support two families. Any new maintenance assessment procedure needs to cover such problems.

Mr. Rendel: Has not the hon. Lady just exemplified why any formula is so difficult to operate? Every Labour Member who has suggested a formula of any kind has immediately had to say that of course it would also have to take into account this, that and the other. To be fair, the Tories were beginning to introduce some changes, but the formula became ever more complex.

Mrs. Dean: Obviously, any review is going to be difficult; if that were not so, we would not be discussing the matter now.

I urge Ministers to consult as widely as possible and in the greatest possible depth on any proposals. Our main objective must be a formula that is simple enough for everyone to understand—not only parents, but the people who operate it. It must also be respected on all sides. That is crucial because where the country went wrong in the first place was in establishing an agency that did not have that respect. We must start afresh and introduce a system that everyone can respect.

6.33 pm

Mr. Steve Webb (Northavon): Hon. Members of all parties have said what a good debate this has been, and I echo those sentiments. The tone was well set by my hon. Friend the Member for Newbury (Mr. Rendel) in the measured way in which he moved the motion, and that tone was picked up by the Minister of State and, indeed, by the Opposition spokesman. Today's experience has shown the value of Opposition day debates and, at the risk of being ever so slightly partisan, of Liberal Democrat Opposition day debates in particular. We have sought to take a contentious issue and offer some constructive thoughts on how it might be dealt with.

As a new Member, I was intrigued to hear the contributions of my hon. Friend the Member for Taunton (Mrs. Ballard) and the hon. Member for Northampton, North (Ms Keeble). They mentioned two things that Back Benchers can do to make individual constituents feel part of the political process. My hon. Friend related how she had asked constituents who had had contact with the CSA and who had written to her about it what they would do. She has ensured that their voices have been heard today, and that is very valuable. The hon. Member for Northampton, North brought together all the stakeholders—I think that that is the phrase—in the Child Support Agency and enabled a dialogue to take place. Face-to-face dialogue is what is so often lacking—that is what we need more of, not the shutting of benefit offices.

I am grateful to the Minister of State for his kind remarks. He has been something of a sponsor of my involvement in these Corridors in that, while he was Chairman of the Select Committee on Social Security, I took on the role of specialist adviser. I think of him as a sponsor, or almost a godfather—*[Interruption.]* Yes, an absent parent. It is not a role that he will regret.

Many of the hard-pressed staff of the CSA have been praised by hon. Members, and I echo that praise. The people whom we telephone on the Members of Parliament hotline often give prompt and efficient service. That is good and it makes some of my constituents think that I am an effective Member of Parliament, which is always welcome. However, when I achieve something as a Member of Parliament by pulling strings or using special telephone lines, I wonder why my constituents cannot get the same service. I hope that whatever system we introduce will give everyone that quality of service.

Some of the praise for the staff rings a little hollow, given that we know that some of them will be laid off or not have their contracts renewed even though the agency's work load will increase by 50 per cent. In two years' time, the Government may have a simple system in place and those staff may not be needed, but between now and then, it is going to be hell—hell for the staff and for the people who have to deal with the agency. Although the language has been measured, and there have been good-natured comments from all parties, I hope that the Government will not take that as a reason for complacency—I am sure that they will not. The language has been measured, but for our constituents, this is a matter of great urgency. I hope that once the Green Paper has been produced in the summer and the consultation has been undertaken, the Government will act quickly.

Where should we go from here? It is easy to take an easy target like the CSA and to say that we should get rid of it—and get a few good headlines in the process—but to offer no alternative. We must not be guilty of that; we must offer a constructive way forward. Today, we have heard many elements of that way forward. The new agency, the court or whatever system we put in its place must be properly resourced from the outset.

The hon. Member for Hornchurch (Mr. Cryer) mentioned the CSA's annual report, which states that half of all maintenance applications are more than a year out of date. Sometimes, my constituents have to wait a while for a reply from me, but if half had to wait for a year, I suspect that I would not have a job after the next election, and rightly so.

The CSA's report also shows that in one in six cases, the assessment of maintenance owed is out by more than £1,000. How can that have been allowed to continue for so long? When will it get better? I hope that the Minister will be able to tell us.

The agency's replacement—whether it be a new agency or a court—must be properly funded and flexible. Criticism has been made—rightly so—of a rigid,

[Mr. Steve Webb]

formula-based system. The initial system was rigid and it was seen to be unjust, so departures from the rigid system were introduced to correct perceived injustices. If the original formula was too rigid and inflexible and created injustices, how can it be right to move towards an even more simplistic, rigid and bureaucratic formula?

The Minister of State essentially announced a non-residential child tax. That is my understanding of the drift of the Government's proposal. It will certainly be simple, it will save on staffing at the agency and it will cut the backlog but, as the hon. Member for Croydon, North (Mr. Wicks) said, a simple formula will mean rough justice. If there was a sense of rough justice with the fairly sophisticated formula with which we began, how much greater will the sense of injustice be if a tax—a flat-rate or a percentage system—is introduced?

Mr. Field: As the hon. Gentleman's party claims to have introduced income tax, how does that feature in his argument?

Mr. Webb: Hon. Members on both sides of the House have been washing their hands of what happened under the previous Administration, but I am not sure that we can be blamed for income tax.

To use the court system as an analogy, once innocence or guilt has been established, judges have flexibility in sentencing to enable them to take account of the circumstances of an individual case. There is no reason why the same should not apply to child support. We should have broad guidelines and principles, but the ability to take individual circumstances into account.

The hon. and learned Member for Medway (Mr. Marshall-Andrews), who is no longer in his place, proposed a test of reasonableness. That is a good idea. Instead of having a flat-rate or lump-sum tax, there should be a reasonable assessment of individual circumstances. The system needs to be flexible, fair and seen to be fair. The Child Support Agency is neither. We have heard today that parents with care and non-resident parents want the chance to be heard. That will not happen if they are faced with a lump-sum tax that takes no account of their personal circumstances.

The agency has been accused of chasing easy cases. That is another instance in which the CSA is not seen to be fair. I make one suggestion as to how that perception can be changed. The performance targets for the CSA relate partly to how much maintenance it recovers and not to the number of people from whom maintenance is recovered. Members of the CSA staff worth their salt will, therefore, go for the easy cases in order to meet their performance target. The performance target should also relate to the proportion of people from whom money has been recovered and thereby change the incentive structure. Perhaps the next set of performance targets should create the right incentives instead of the wrong ones.

Most of all, we need a system of child support that puts children first. The hon. Member for Croydon, North made several proposals with which I heartily agree. My hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) said that we needed to ensure that the incentives were right. At the moment, they are all wrong. There is no incentive to co-operate as it is not in the interests of the absent parent or the children. For goodness' sake, we should allow the parents—and thereby the children—to keep some of the money. That would not cost much up front and it could even save money if it increased compliance with the CSA. It could also be introduced in the Budget. If there are a few hundred million pounds knocking around—and I understand that the Chancellor has a little to throw into the pot—let us forget about working family tax credits and have instead a maintenance disregard.

Just occasionally, the Liberal Democrats are asked where the money would come from to pay for our ideas. The working family tax credit will require several hundred million pounds. I would throw the money in a different direction. We need a system that puts children first and a maintenance disregard would do exactly that.

Mention has been made of letting people take maintenance into work as a firm foundation. That has to be right. If maintenance were enforced, a lone mother would have the confidence to take work knowing that the maintenance that she received was guaranteed by the state. If that money stopped, the state would have plenty of mechanisms for recovering it. The state is pretty good at getting money off people—much better than the CSA.

If we are interested in welfare to work—and apparently we are—let us give lone parents the bedrock of maintenance. Let us make sure that they get it and thus give them an incentive to co-operate with the agency. If they take low-paid work, let us underwrite their maintenance so that they have the confidence to take a job.

We have sought to be constructive about the direction that we want child support policy to take. We believe that a flat-rate or percentage tax would be a gross injustice and that the system should take account of individual circumstances and put children first.

6.45 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Keith Bradley): I acknowledge that the Liberal Democrats initiated the debate, and it is important that the Government respond to the many issues that have been raised.

I thank all hon. Members who have spoken in today's extremely interesting, thoughtful and stimulating debate. The hon. Member for Newbury (Mr. Rendel) set the tone, and enabled it to be one of the better parliamentary occasions in which I have participated in the past 11 years. Similarly, the hon. Member for Northavon (Mr. Webb) summed up the Liberal Democrat position, although I am not totally convinced that he answered the question from my right hon. Friend the Minister for Welfare Reform about the future of income tax, but we shall leave that for another occasion.

Crucially, the debate has enabled hon. Members—and particularly Back Benchers—on both sides of the House to express their views about the way in which the Child Support Agency should be reformed. The important message that has come out of the debate is how clearly and consistently the issues that concern hon. Members have been placed on record, and the fact that many of those issues are common to all hon. Members through their postbags and their constituency casework. I can assure the House that Ministers deal with similar constituency cases. Many of the issues are common to us all, and form our thinking as the review progresses.

There is a fundamental principle on which all debates on child support should be based: all children have a right to the emotional and financial support of both their parents. That right does not diminish if their parents no longer live together. It is a principle to which the Government fully subscribe, and we shall ensure that it is at the heart of any reform of the child support scheme.

As my right hon. Friend said in opening the debate for the Government, child support has the potential drastically to enhance the quality of life of many of the poorest children in society. He set out the principles and objectives that we want the Green Paper to address, and the direction that we expect it to take. He and many other hon. Members rightly praised the staff of the CSA, and I add my voice to that—but not without caveat and exception.

In praising the staff, we have to recognise the difficulties they experience because of the nature of their work and the formula that we have imposed on them, as well as the context in which they operate. In addition, the technology that they use to assess people fails to communicate with other agencies.

For example, the Child Support Agency cannot communicate with the Benefits Agency, so income support and maintenance—fundamentals of the system—cannot be considered together. That results in anguish and concern for the parent with care and the absent parent when letters from the CSA cascade through their letterboxes. It is not necessarily the fault of the staff, but it is the fault of the system, which cannot suppress change after change to the formula. We have to address those issues if we are properly to address the needs of staff and ensure that praise is directed towards them.

As I said, many hon. Members have expressed their views on how the Child Support Agency should be reformed. The hon. Member for West Chelmsford (Mr. Burns) assured us that he welcomed the forthcoming Green Paper, and that the Opposition would contribute to the debate and make their own proposals for reform. We look forward to those as soon as possible.

I welcome—as I always do in summing up such debates—the contribution by my hon. Friend the Member for Croydon, North (Mr. Wicks). He always gives a thoughtful and comprehensive view of the state of child support in the widest sense. His contributions are always welcome. He particularly advocated a child maintenance disregard, as he has consistently for many years. I assure him that that will be included as part of our review.

Like many hon. Members, my hon. Friend has called for a simpler formula, but recognised the rough justice that that may cause. The formula is part of the review. He also called for a more case-worker-focused approach to child support and assessment, as did many others, including the hon. Member for Arundel and South Downs (Mr. Flight), who is not in his place, my hon. Friend the Member for Northampton, North (Ms Keeble) and the hon. Member for Taunton (Mrs. Ballard). They recognise the need for face-to-face contact.

Mr. Blizzard: One of the most enlightening points made during the debate came from my right hon. Friend the Minister for Welfare Reform. When asked, "Why cannot my constituents speak to the same person?" he explained that many cases were too complicated for one person. That is an argument for simplification. If a case is too complicated for the official, it must be too complicated for the customer. While we are seeking a way to reform the system, cannot a method be devised to enable our constituents to go back to a named official who either knows the answer or can get the answer from someone who knows?

Mr. Bradley: I understand that well-made point. We are looking carefully at interaction between the agency and the public.

Comment has been made about proposals to close offices. Those proposals relate mainly to the centralisation of processing work rather than direct contact, be it face to face, by telephone or through other methods of communication. We want to move towards individual casework, while recognising that an individual case worker may not have all the tools to deal with the case.

We want to streamline the process to ensure that the member of the public knows whom they are talking to on the telephone or has the opportunity to go into the office and make direct contact, which is the most effective way to get satisfaction. As my right hon. Friend the Minister for Welfare Reform said, when more than 90 per cent. of staff time is taken trying to understand the formula, how can we ensure that face-to-face work is undertaken? The process has to be streamlined and simplified.

The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) proposed simplifying the system with a percentage scheme. That will have to be considered. He also pointed out the crucial problem of dealing with self-employed people. That point has been well made by hon. Members on both sides. I am well aware of it from my constituency cases. I assure the House that we shall examine the issue in the review.

My hon. Friend the Member for South Swindon (Ms Drown), the hon. Member for Taunton and others talked about terminology. We have recognised the need for more sensitive terminology. The term "non-resident parent" has been used. It has been suggested that we could make the change overnight. We can change the words we use when we talk, but my understanding—I shall confirm this—is that the terms "parent with care" and "absent parent" are used in primary legislation. Changing all references to those terms would require changes to primary legislation, which cannot be done overnight. However, that does not stop us using more family-friendly terms—perhaps "Mum" and "Dad" are suitable.

Many hon. Members have suggested that change should come as soon as possible. I recognise the anxieties expressed by hon. Members on both sides about their dealings with the Child Support Agency. We want to ensure that any change we make is a change for the better. We do not want to rush into quick fixes that compound the problems that we are all experiencing.

Debates such as this give Back Benchers a chance to express their views. There will also be an opportunity for proper consultation when the Green Paper is published, when we hope to have a further useful debate—as we have had this evening—on reform of the Child Support Agency. We want to reflect the wishes of all hon. Members, and do not want to compound the difficulties by rushing into reform without fully understanding all the problems.

I commend the contribution of my hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt), who made a detailed examination of his cases. The evidence

[Mr. Bradley]

he presented to the House will help to inform our decisions on the details of the reform process. I shall read the report of his contribution carefully, to ensure that the issues that he has raised are taken into account in the review.

I understand the anxiety that has been expressed about the Child Support Agency's budgets for the next two years. We have put in an extra £15 million for this financial year. Another £15 million will be put in for the next financial year in an attempt to resolve some of the agency's administration difficulties. On top of that, from April there will be an opportunity for Benefits Agency staff to help with income support assessments and the filling in of child support assessment forms.

I recognise the problems that have been identified on the complexity of child support assessment forms. Similar problems are experienced with all social security forms. A fundamental review of all social security forms is under way. There is no point in collecting information for the sake of it. We have to ensure that the information we collect has a purpose, can be used sensibly, and leads to a more efficient and effective service.

My hon. Friend the Member for Northampton, North made proposals on sensible reform of the agency. I assure her that we shall consider them carefully to determine how they can best fit into the Green Paper. She will have an opportunity for further comment at that stage.

I also commend the contribution of my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews)—unfortunately, he is not in the Chamber. With his experience of the court system, his endorsement that a return to it is not the best way forward was important. He identified three reforms. We shall take them forward.

The hon. Member for Northavon made a careful point about performance targets. We have to examine all social security performance targets to ensure that we assess outcomes rather than using them as a tool to shift work that is inaccurate and inefficient, and leads to repetition later. I assure the hon. Gentleman that that work is under way.

We aim to bring forward proposals by the summer which will improve the CSA, encourage parents to fulfil their emotional and financial responsibilities, and, crucially, put children first. I therefore hope that the House will support the Government amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 43, Noes 296.

Division No. 157] **[6.59 pm**

AYES

Allan, Richard
Baker, Norman
Ballard, Mrs Jackie
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Ewing, Mrs Margaret
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gorrie, Donald
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Kirkwood, Archy
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Smith, Sir Robert *(W Ab'd'ns)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Wallace, James
Webb, Steve
Welsh, Andrew
Wilkinson, John
Willis, Phil

Tellers for the Ayes:
Mr. Paul Tyler and
Mr. Adrian Sanders.

NOES

Abbott, Ms Diane
Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Barnes, Harry
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burgon, Colin
Butler, Mrs Christine
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corston, Ms Jean
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr John *(Copeland)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fatchett, Derek
Field, Rt Hon Frank
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Michael J *(Worcester)*
Foulkes, George
Galbraith, Sam
Galloway, George
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*

Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Ptaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Rapson, Syd
Raynsford, Nick
Robinson, Geoffrey *(Cov'try NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Robert Ainsworth and Mr. Clive Betts.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House believes that all children have the right to the support of both parents wherever they may live, that the previous Government failed to set up an effective system of child support through the Child Support Agency because the CSA was introduced in a hasty and ill thought out manner, that the current child support formula is complex, difficult for parents to understand, and slow, inaccurate and expensive to deliver, that the result is that the CSA has failed to increase the proportion of parents who pay regular maintenance for their children and that 70 per cent. of parents with care are refusing to co-operate with the CSA and 60 per cent. of non-resident parents either pay no maintenance or only pay sporadically, and that the receipt of regular maintenance is an important part of the Government's strategy of tackling child poverty; and welcomes the fact that the Government is looking closely at all areas of the child support system to ensure that it is consistent, fair and efficient and that it expects to bring forward its proposals by the summer.

Railways

Mr. Deputy Speaker (Mr. Michael Lord): I must inform the House that Madam Speaker has selected the amendment in the name of the Prime Minister.

7.12 pm

Mr. Matthew Taylor (Truro and St. Austell): I beg to move,

That this House notes that rail privatisation by the Conservative Government has been a disaster, failing on many routes to deliver customer satisfaction, reliability or an integrated service; and therefore calls on the Government to work with the regulator to set and enforce standards, withhold grants in cases of persistent failure, and bring forward policies to deliver investment in a safe, reliable and affordable rail system at the heart of an integrated sustainable transport strategy.

This is an important debate. As a nation, we travel to work on trains, we go to see our friends on the train, we conduct our business by train. The train network is and remains an integral part of British daily life. It will become even more important in future as we strive to cut the number of unnecessary car journeys. The arguments against rising car use are well rehearsed and I shall not go into too much detail now. The debate on the Road Traffic Reduction (United Kingdom Targets) Bill showed the cross-party consensus on the issue, although regrettably, Conservative Front Benchers oppose national targets for cutting unnecessary car use.

Car ownership is predicted to increase by as much as 40 per cent., and many roads and motorways are already at capacity. The rail network is vital to reducing the resulting congestion and air pollution. Rail can take a bigger proportion of travellers and freight, but will not do so if we cannot make it more attractive and reliable.

The apparently easy task of getting from A to B by train is often far from simple. I say that as one of the Members who has the furthest to travel, and regularly does so by train using the relatively good Great Western service. Still, I have seen the problems and I know from talking to the hard-working staff that they have seen them too.

For too many people, rail travel is a time-consuming, costly, unreliable and confusing process. A cursory flick through the national press of the past few months confirms this: "Privatisation comes off the rails"; "Rail companies attacked for poor service"; "Rail companies told to shape up"; "Rail complaints rise"; "Rail fares rise as service declines". These have all been national newspaper headlines since privatisation.

Meanwhile some people have reaped a bonanza: "£400 million profit", read the headlines as Porterbrook directors got rich when the rail leasing firm was sold to Stagecoach. No wonder the National Audit Office is investigating whether the Government have really achieved value for money in the brave new world of post-privatisation transport competition.

Is that really what the Conservative Government had in mind when they went ahead with one of the most ill-judged privatisations of recent years? They may have promised us an improved, cheaper and more efficient service, but that is not what we got. Liberal Democrats opposed the Conservative Government's privatisation; we never believed that it would deliver quality of service to rail users or the investment that the rail network needed. We wanted to develop new investment partnerships with the private sector. We suggested opening up routes to private operators if the public sector would not or could not make that investment, but we did not believe that privatisation was the solution—and we have been proved right.

Taking the rail service industry back into public hands is now impractical—that horse has bolted. It is simply too expensive; and 18 years of Tory mismanagement have left many other services crumbling for want of cash: schools, hospitals and public housing, for instance. There are vast demands for public sector investment.

Government intervention cannot make the system perfect, either. Whoever owns the railways, we know that there will never be 100 per cent. punctuality and reliability—any more than car drivers can expect to have a good idea of when they will arrive in London from Cornwall. That form of transport is even less punctual and reliable—a point I often make to those who criticise the railways. There will always be a tree that falls on the line, a lorry that crashes into a bridge. The problems of the rail service today go far beyond all that.

A prime example would be bad management, which is when the Government have an obligation to intervene. The debacle of the cancellations of South West Trains last year is a case in point—cutting the number of train drivers to save money to the point where services cannot run because there are not enough drivers is obviously unacceptable. It was indeed the worst kind of mismanagement.

Never let us forget that the companies are subsidised by the taxpayer, and if services are not delivered owing to bad management decisions, the companies must be effectively penalised. Only when poor service directly equates to poor profits for those companies will things change; that has not yet happened.

The latest figures from the Office of Passenger Rail Franchising show that, compared with the corresponding figures for the previous year, performance figures to the end of 1997 have taken a marked turn for the worse. Punctuality deteriorated on nearly half the reported route groups. That triggered season ticket discounts on six routes: Anglia, Cross Country, Great North Eastern, Great Western, and two west coast train routes, North West and Scotland. Almost one third of all routes failed to meet their passenger charter targets. Great North Eastern, Great Western, Virgin Cross Country and Virgin West Coast Trains performed so badly in terms of punctuality that they were obliged to offer discounts to season ticket holders. They were so bad, in fact, that they had to return the annual basic funding on which they rely.

Reliability indicators were little better. They, too deteriorated on nearly half the routes, triggering season ticket discounts on two routes, Anglia and Regional Railways. Eighteen service groups failed to meet their passenger charter targets. In 1997, companies that performed badly in respect of train cancellations included South West Trains, Anglia, Central, Connex South Central and Connex South Eastern, LTS and Regional Railways North East.

Meanwhile, subsidies have increased vastly, up from £1 billion under British Rail the year before privatisation to about £2 billion now. Despite that, quality standards on many parts of the network are slipping. A tiny minority of customers received refunds—those who experienced the

worst delays and who could afford to buy season tickets, or those who experienced the very worst delays provided that they were not due to natural causes. Even then, they were often entitled only to a percentage of their fare.

Having taken up cases before privatisation, I know from experience that British Rail was often far more generous than many of the present operators in giving such returns. Now, the operators generally work to agreements set through the regulator and will not go beyond those, whereas discretion was often used quite generously in the past if passengers had a genuine cause for complaint.

Mr. Peter L. Pike (Burnley): Is it not also a fact that, because many people travel with more than one rail operator, they find it difficult to pursue a complaint? For example, three operators may have all failed to deliver the rail service that they should have done.

Mr. Taylor: I agree. I was dictating a letter to just such a disgruntled passenger earlier. I have been trying to achieve some acceptance of responsibility, let alone compensation, on the part of three different operators. We have settled for agreeing between ourselves that the system is not working because we seem to be able to make no progress with the complaint. Here, I must congratulate Great Western Trains, which often gives full refunds voluntarily when it believes that a complaint is justified.

The truth is that the majority of passengers who are affected by delays do not come into categories that would entitle them to compensation on most lines and so receive not a penny back. On the contrary, the majority have experienced slipping standards combined with real-terms fare rises.

Anglia Railways, which runs commuter services from Essex and Suffolk to London's Liverpool Street station, produced the worst monthly performance since privatisation, when 37 per cent. of its trains from November to December ran late. Yet, in the first week of January, the company enjoyed a fare increase of 4.3 per cent. above inflation. Indeed, several of the worst performing companies, including Connex South Eastern, Connex South Central and Anglia Railways, increased their fares above the inflation rate early this year.

Faced with poor services and rising prices, the only option available to many customers was to complain, and that they have been doing in droves. Last summer, complaints soared by 96 per cent. They concerned reliability, overcrowding, punctuality, information at stations, the suitability of services and carriage cleanliness. Between June and September, the London regional passenger committee alone dealt with a record 769 complaints.

Also, hon. Members may not be entirely surprised to hear that complaints about Virgin West Coast were among the highest, rising by 83 per cent., while those about Connex South Central were up a massive 158 per cent. A pattern of certain names already seems to be emerging in my speech. Frankly, that is down to bad management.

If my hon. Friend the Member for Lewes (Mr. Baker) manages to catch your eye, Mr. Deputy Speaker, I know that he is keen to explore the figures further. I should risk unduly delaying the House if I went through all the figures that are available to show the size of the problem.

Mr. Robert Key (Salisbury): Spare us.

Mr. Taylor: The hon. Gentleman will be relieved to know that I shall not do it, but I hope that he will tackle the real problems facing his constituents.

We are talking about bad management made worse by inadequate powers for the regulator and insufficient overall national co-ordination. I do not believe that it is a coincidence that the most heavily penalised rail company, Connex South Eastern, has failed to tackle management issues, such as the high incidence of drivers taking sick leave, or to cope with staff shortages at one of its main repair and maintenance depots. Is it any wonder that South West Trains, another familiar name, which encouraged drivers to take redundancy only to find that it did not have enough left, performed badly during the year in terms of train cancellations? It was fined just over £1.8 million, but in the same financial period it was awarded £1.7 million as a special performance bonus. In other words, for all the disruption and misery caused to passengers by poor management decisions, the company was fined a net £100,000 compared to the annual £63 million subsidy that it is paid by the taxpayer.

The train operating companies would no doubt argue that recent performance levels are better than they were shortly before privatisation, although if one speaks to them they tend to accept that their performance has been inadequate. South West Trains admitted as much to the leader of the Liberal Democrats, my right hon. Friend the Member for Yeovil (Mr. Ashdown). It is true that the operating companies took on a difficult job post-privatisation. They are coping with the Conservative backlog of under-investment in rolling stock and infrastructure that will take years to make up.

However, the problems go deeper than that. No passenger who has had to stand on an empty platform, as I and a number of my constituents who have written to me have done, after a connection has left the station minutes before our train arrived, will accept that excuse. The late train that I arrived on was not late enough for the operator to be fined—often, it is a matter of minutes. The operator of the connecting service ensured that it left on time so that it did not risk a fine for running late. The passenger ends up stranded. In the old days, the passenger came first. Station staff had the flexibility to ensure that they met the connection. Now, the passenger is literally left behind and stranded passengers cannot even bask in the thought that the operating company will be penalised for the failure. On the contrary, because both the trains I mentioned were within the time limits, the operators were given a pat on the back and could hope for performance bonuses at the end of the year, as South West Trains discovered.

It is more than two years since the first private operators took over. Privatisation was meant to transform the service, which had been run down before privatisation by massive under-investment. By 1993–94, the year of privatisation, investment had dropped to just £817 million. Those failing train companies are now two years into a seven-year franchise. The major decisions on investment have to be taken early or the short franchises will preclude the value of investing.

The failure to deliver a much better quality service, despite a doubling of state subsidy to £2 billion, is a scandal. Too often, train operating companies are not even

[Mr. Taylor]

capable of organising the correct information on their services, let alone running them. The regulator's report on national rail inquiries speaks volumes. One in 10 travellers received the wrong information, only one in five inquiries about advance purchase tickets was correctly answered and one third of answers to inquiries about advance Sunday tickets were wrong. I do not know about other hon. Members, but I now have a rule. If I have to phone the National Rail Enquiry Service about a route that I do not know well, I phone twice to find out whether the information is the same—regularly, it is not.

Meanwhile, it is true that Railtrack's performance is improving and that the percentage of occasions on which it causes delays is dropping as the train operating companies' performance deteriorates. However, Railtrack is still responsible for 60 per cent. of passenger delays. While it has had some real success in maintaining the existing network, this year only 18 miles of track—the Heathrow express line—is scheduled for electrification, which is hardly a brave new world for our railways.

We cannot debate this subject without touching on the confusion in London and Continental Railways. If anything can sum up the 18 years of misguided Tory rule, it is the abject failure to get the high-speed link built. Let us look at what the taxpayer handed over: £1.4 billion in cash on delivery; the entire Eurostar operation running through the channel tunnel; hugely valuable land around King's Cross; and even the brand new terminus at Waterloo, which incidentally was built on time and within budget by the publicly owned British Rail, which the Conservatives would not trust to build the high-speed link.

If the Government can find a way of getting the link built, to get car and lorry traffic off the roads, it will help meet their objectives on CO_2 and traffic congestion reduction and they will receive the full support of the Liberal Democrats. I hope that the search will be on for private sector partners, since it is hard to see how even more funding can be found from the taxpayer, however much Labour Back Benchers may welcome nationalisation. I have some sympathy for Ministers wrestling with this problem, which was caused by the Tories, but it is not easy to see the solutions. Perhaps Ministers will be able to tell us today of any progress that they have made.

"The privatised railway receives hundreds of millions of pounds in subsidy from taxpayers each year, and we expect high-quality services in return."

Those are not my words, but the words of the Minister of Transport, speaking shortly after the general election. We agree, but does the Minister believe that we now have such a high-quality service? If not, are not firm leadership and tough action as overdue as so many of our train arrivals?

The Minister has said that the Government would use all the tools at their disposal to ensure that the public interest always comes first. The Labour party manifesto said that an increase in the number of passengers and amount of freight that was carried by rail was an overriding goal. We welcome and support those objectives but, despite the fact that the debate focuses on the botched privatisation of rail by the Conservative Government, we now have a Labour Government. They have been in office for nine months and have taken almost no discernible action on this issue. We are promised a White Paper soon and there are endless leaks about what may happen, but it is time for the House to know a little more about the Government's plans and how they will implement them. The Government must answer some key questions today.

The interim package of measures that was introduced in November last year—it is mentioned in the Government's amendment—was announced with a fanfare, but what, if any, changes for the better have resulted? On what occasions and to what effect has the Minister made use of the information provided? Everyone shares the concerns expressed in the so-called concordat with the regulator, but it is not obvious that things have changed in practice—as yet, action is another matter.

The Government said that the realisation of a range of objectives—including ensuring that public subsidies were used to enhance services and maximise value for money, and increasing safety and security from crime for rail users—would require primary legislation. When is such legislation likely to come before the House, as people want early action?

When will there be legislation to establish a new national rail authority, which was one of the pledges in Labour's manifesto? How will the authority work in practice? From the various leaks in the newspapers, it seems that there are plenty of ideas bubbling around, but they are not being debated in the House, as they are not being communicated to the people who will actually have to take the decisions.

How will the Government ensure that there is investment in the rail industry? We have heard much about public-private partnerships, but little detail of what that means. What examples can Ministers point to? More importantly, can they elaborate on the apparently well-briefed article in the Sunday papers that suggested that the Deputy Prime Minister might be winning his battle for change with the Treasury? It is important that we know whether progress is being made.

Liberal Democrats want a doubling of passenger numbers and a trebling of the amount of freight that is carried on Britain's railways; we shall have to make those changes if we are to meet the road traffic reduction targets and tackle global warming. In the longer term, we need to change current incentives—paid for at a huge cost to the taxpayer—for people to have company cars, to jump in their cars more often, to drive further and to own larger cars. Part of the money saved could be invested in public transport.

Mr. Stephen Day (Cheadle): I notice that the hon. Gentleman seems to be coming to the end of his speech. Before he does, will he outline the solutions that Liberal Democrats offer for all those problems? Will he say how his great aims of doubling this and achieving that will be met? Where will the money come from?

Mr. Taylor: The hon. Gentleman was clearly thinking about his question; if he had been listening, he would have heard me answer his points just before he spoke. The Conservative party was not noted for listening in government, and I guess that we should not expect too much more from it in opposition.

We believe that a key policy is to ensure that local authorities have enough money to exploit public-private packages and the solutions that they offer in cities.

That could entail funds from road pricing, for example. Moreover, I am glad that the Government announced—I do not know whether the announcement was official—that local authorities will have access to money raised through fines from the enforcement of motor vehicle standards. That money will make a real difference to the investment flow, but that cannot happen until we have sorted out the management and regulation of the private sector companies that are currently making such a botched job of running our railways. It would be quite wrong to add subsidy to subsidy to solve a problem that is largely down to bad management.

I want a virtuous circle of investment and growth in the rail industry. We believe that the regulator's role needs toughening—I am glad that the Government agree, but we need action rather than words. We must encourage investment partnerships between the private and public sectors; again, we need action, not words. We need to co-ordinate a properly integrated rail network to replace the current divided network, which leaves passengers stranded at the station as the train chugs out from another platform.

It is time for the Government to act. The problems in the rail industry will not be solved overnight. The sooner we start, the sooner Britain will have a modern, safe, reliable and affordable rail network. I hope that the Minister will take this opportunity to explain how he intends to achieve that.

7.34 pm

The Minister of Transport (Dr. Gavin Strang): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"deplores the previous Government's privatisation of the railways, which has made a large profit for a few, but has been a poor deal for the taxpayer and the passenger, and has fragmented the rail network; welcomes the Government's interim package of measures introduced in November 1997—new Objectives, Instructions and Guidance for the Franchising Director, new planning criteria for OPRAF and a Concordat with the Rail Regulator—which puts the interests of rail users first; and commends the Government's commitment to establish effective and accountable regulation and to set up a new rail authority so that passengers' legitimate expectations are met."

I am sure that the House is grateful to the hon. Member for Truro and St. Austell (Mr. Taylor) for this chance to discuss the railways. I certainly welcome the opportunity to expose the mistakes that were made when the railway was privatised, and to highlight the proper role for the railway in an integrated transport policy.

I shall start by reminding the House of the shortcomings of the railway regime that we inherited last May, and shall then set out the Government's transport policy objectives. Finally, I shall describe what we have done, and what we intend to do in the longer term, to tackle the obvious flaws that we inherited.

Rail privatisation damaged the interests of passengers and taxpayers. As we said in our manifesto, it made fortunes for a few, but has been a poor deal for the taxpayer. For example, we can contrast the profits that have been made by train operators, Railtrack and the rolling stock companies with the industry's disappointing performance so far.

We inherited a privatisation that was ill thought out and implemented with indecent haste. As a result, mistakes were made, and the weaknesses of the system are clear for all to see. The extreme fragmentation of the industry will not benefit the passenger in the short or long term.

There is no focus for strategic planning or investment in the railway industry. The railways will receive £1.8 billion in passenger grants this year, which is more than 50 per cent. higher in real terms than the average grant paid to British Rail in the five years from 1989 to 1994. However, there is no mechanism for taking a long-term view of passenger and freight companies' plans and assessing whether they match the public interest.

This is not a commercial matter that can be left entirely to the fragmented rail industry. There is no reason why the sum of the plans produced by all the train operators and Railtrack should produce the best result for the user and the taxpayer. An overall vision is needed, but it is sadly lacking at present. That is an important reason why we need a national rail authority. Such an authority becomes all the more important if we are serious about promoting an integrated and sustainable transport strategy that will make rail an increasingly attractive alternative to cars and lorries.

The fragmentation of the industry has hindered planning and integration at the local and regional level. Local authorities that want to promote rail schemes and service improvements have had to pick their way through a maze of bodies and contracts.

More positively, passenger mileage has increased by 7 per cent. in the past year, reflecting the growth in the economy. However, not all the privatised train operators are delivering improved service standards. I do not say that all services have got worse, but the picture is decidedly patchy, as the hon. Member for Truro and St. Austell effectively argued. Passengers have a right to expect better overall performance. The franchising director recently said that

"performance levels generally continue to concern and disappoint me."

We are not talking only about overcrowding, punctuality and reliability. The House will not need reminding of the well-publicised failures in such key aspects of integrated transport as ticketing and passenger information. We should consider how important it is to have simple and reliable information about fares and then contrast that with the present confusion.

Since privatisation, those fares that are not regulated have been shooting up and down. I am not against train operators being innovative and offering a good product, but part of the legacy of fragmentation has been to make it harder for people to know what fares are available. The appalling early performance of the National Rail Enquiry Service has not helped.

We also inherited a hotchpotch of responsibilities split between the franchising director and the Rail Regulator. More importantly, the powers available to the regulatory authorities are insufficient. The existing sanctions available under the Railways Act 1993 are complex, take a long time to implement and allow only limited scope for financial penalties on operators. Penalties can be avoided altogether by an operator who takes swift corrective action after a contractual breach has occurred.

Regulation is another fundamental weakness in the railway regime. Railtrack, a monopoly supplier, was soon judged by the regulator to be inadequately regulated. It got off to a slow start, building up a significant backlog of investment, and in January 1997 the Rail Regulator condemned as wholly unacceptable Railtrack's £700 million investment shortfall. When we took office,

[Dr. Gavin Strang]

we also found great concern that Railtrack was not responsive to proposals for increasing capacity, especially for rail freight.

The key rolling stock leasing companies—the ROSCOs—are not regulated at all, but we hear frequent complaints about their performance.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my right hon. Friend comment on the way in which Railtrack has confused maintenance and capital investment? It is important that the public should realise that Railtrack—unlike British Rail, which made it clear what was investment and what was maintenance—is confusing the figures so neatly that, even taking into account the inadequate sums that my right hon. Friend mentioned, it is clear that the company is not performing properly. It should be required to be far more transparent.

Dr. Strang: My hon. Friend makes an important point based on her experience and knowledge of the industry. It is true that we need higher investment in the railways and we look to Railtrack to deliver that.

We found on taking office that the sale of British Rail's channel tunnel business, Railfreight Distribution, was in limbo, awaiting clearance from the European Commission; there was no national strategy for giving freight a sufficient priority on the network; and we discovered a long history of underspending of even the modest budgets set aside by the previous Administration for rail freight grants.

I have described the flawed regime that we inherited in May. Over the past nine months, we have started the task of ensuring that rail plays a full part in an integrated transport policy. We regard our railway as a national asset, and one that we need to make better use of. The concept of an integrated transport policy has captured people's imagination, showing the importance of transport and the dissatisfaction with the current situation. The public mood for change reinforced our determination to launch last June a fundamental review of transport policy.

Our objectives are clear. They are to provide for a strong and sustainable economy, to achieve a more inclusive society, and to protect and improve the environment. We are not looking at transport in isolation. We are considering the links between transport and wider Government objectives and policies, for example, on health, sustainable development and social exclusion.

It is clear that the car and the lorry will remain an integral part of our society and that the road network will play a crucial part in people's lives, but we want to reduce car dependency. The forecast growth in road traffic of between a third and a half by 2016 is unacceptable because of its wider consequences. We must learn to strike a better balance between the various modes of transport.

I shall say a few words about what we have achieved so far. On 6 November 1997, I announced three new measures to boost investment, protect passengers' rights and ensure that private rail operators provide high-quality services. First, we issued the franchising director with new objectives which deal with the real issues that matter most to passengers—investment in decent rolling stock and stations, high standards of punctuality and reliability, and the protection of passenger rights.

The overriding priority left to the franchising director by the previous Government was to privatise rail services as quickly as possible. The new objectives make it the franchising director's principal aim to win more passengers on to the railway, to ensure improvements in the quality of rail services and to manage franchise contracts tightly in the public interest. In short, they make passengers' interests paramount. That is especially the case in respect of enforcement action by the franchising director. When contravention of a franchise agreement is material, the franchising director is to take prompt action that secures additional benefits as compensation for passengers. In other words, the passenger benefits rather than just the Exchequer. In more extreme cases, the franchising director is to have recourse to his powers to make enforcement notices specifying fines.

The new guidance to the franchising director is beginning to bring results. For example, he has today announced that he has secured measures to alleviate the serious overcrowding that is affecting key parts of the Connex South Central services. As soon as it became clear that Connex would exceed the load factors in the franchise agreement, the franchising director directed Connex to provide additional capacity quickly. The measures agreed with the franchising director include the allocation of higher-capacity rolling stock, the leasing of additional units, and the lengthening of some trains. The additional capacity is to be fully in place by April.

The franchising director has said that he intends to ensure that all the London commuter operators take swift action to reduce severe overcrowding, where network capacity is available. He has assured me that he will continue to require urgent action if train operators might breach their load factor limits.

The new objectives emphasise the importance of improving the security of rail passengers, not least of women, for whom personal security is a significant issue. The objectives also refer to the promotion of the use of bicycles, and the need to ensure, as far as possible, that the railway provides suitable facilities for cyclists.

The new objectives for the franchising director also make investment a priority. With that in mind, I set out on 6 November a set of planning criteria that will provide an effective framework for developing and implementing worthwhile rail investment, which will improve the range and quality of the services available to rail users. We have asked the franchising director to ensure that local authorities and other potential promoters of rail investment are given clear and well-publicised advice on the mechanism for appraising and delivering new investment.

The third element in our interim railways package, which I announced on 6 November, is a voluntary concordat between Ministers and the Rail Regulator. Firm, fair and accountable regulation is essential for passengers and for the industry on which they depend. We inherited a regulatory structure which—remarkably—did not give the regulator any formal indication of what the Government wanted for the railways. The concordat bridges that gap.

We welcomed the Rail Regulator's voluntary agreement with Railtrack last year, which amended its licence so that the regulator could better ensure that Railtrack invests in the network at the right levels and for the best results. If it proves necessary, we will not

hesitate to tighten regulation by legislation. My right hon. Friend the Deputy Prime Minister has also asked the Rail Regulator to undertake a thorough and fundamental examination of all the issues raised by the current arrangements for the supply of rolling stock to train operating companies.

Mr. Richard Allan (Sheffield, Hallam): Before the Minister finishes listing the Government's achievements, can he tell the House what they have done about the national rail inquiry line? The Minister correctly identified the inquiry line as a major problem. I have found that I need a four-call approach—the first two to get different prices, the third to be told that the service does not exist and the fourth directly to the train operating company to get the true answer. What have the Government done about that major problem at the first point of contact with the railway system?

Dr. Strang: As the hon. Gentleman will know, we have raised the issue with the Rail Regulator several times. We have been informed that the service is improving, and when I have used it I have found it to be satisfactory. However, I am interested in the hon. Gentleman's comments and I will draw them to the attention of the Rail Regulator. The hon. Gentleman should understand that we have to operate within the current legislative framework and it is up to the Rail Regulator to enforce the measures necessary to improve that vital service.

The Government expect the rolling stock companies, and the rest of the industry, to promote the use and development of the railway in the way that best meets the needs of passengers and taxpayers. We have already taken action to boost the take-up of freight grants.

Mr. Hugh Bayley (City of York): On rolling stock, given that the franchisees—the train operating companies—show reluctance to invest as their franchises near the end of a period, will the new regulatory powers that the Government have taken in relation to the rolling stock companies be used to ensure that ROSCOs take risks by investing in new rolling stock against a guarantee that future franchises will require future franchisees to take on rolling stock that has been purchased by the current franchisee or ROSCO in the event that the franchise passes from one company to another?

Dr. Strang: My hon. Friend makes an important point. The franchise system depends on the ROSCOs. That is why my right hon. Friend the Deputy Prime Minister announced that the regulator will examine the position of ROSCOs and consider what additional regulatory measures may be required. The regulator is to report back by mid-April, which will give us plenty of opportunity to take a decision on that in advance of any legislation that we may introduce. The Government expect the rolling stock companies and the rest of the industry to promote the use and development of the railway in the way that best meets the needs of passengers and taxpayers.

We have already taken action to boost the take-up of freight grants. We have published new guidance for prospective applicants that cuts through much of the previous red tape. Last year, the Government spent £15 million on direct freight grants; the budget this year is £30 million, almost all of which is likely to be taken up. For 1998–99, despite public expenditure pressures, we have increased funding to £40 million. That is what I meant when I said at Question Time that when it comes to freight, this Government put their money where their mouth is.

Mr. Lembit Öpik (Montgomeryshire): I am listening carefully, but the Minister has not yet said specifically what the Government intend to do to drive freight haulage off the roads and on to the rail system. It is obvious that road haulage is responsible for many accidents and delays on the roads.

Dr. Strang: The hon. Gentleman makes an interesting point. We have massively increased the opportunity to take up grants for investment in rail freight. I shall explain the progress that we have made in respect of the channel tunnel. He would agree that the channel tunnel, if nothing else, should drive more freight on to the railways.

Mr. Day: Does the Minister agree that saying that the Government should take measures to move transport from lorries and on to rail is an oversimplification? Are not the majority of heavy goods vehicle journeys 40 miles or less? If such lorry movements were discouraged, many lorries would have to travel further to get to rail heads.

Dr. Strang: The hon. Gentleman is right that the railway comes into its own only for longer journeys, unless there is a dedicated arrangement such as those that used to exist between collieries and electricity power stations. For the normal network, rail is economically viable only for reasonably long journeys. The House will agree that there is great scope for many fairly long journeys that currently go by road to go by rail.

At European level in December, the United Kingdom and French Governments, the railways—Railfreight Distribution and SNCF—and Eurotunnel agreed arrangements to facilitate the development of rail freight traffic through the tunnel and beyond, not only by Railfreight Distribution but by potential new entrants to the market.

The hon. Member for Truro and St. Austell mentioned the future of the channel tunnel rail link. I am glad that he agrees that it would not have been right to give another £1.2 billion to London and Continental Railways. I think that the House appreciated that the Deputy Prime Minister came straight away that evening to explain the situation. The position is that LCR has been given 30 days. In that time, it is possible for it to produce a revised proposal to enable the link to be built. We want a fast link, as my right hon. Friend made clear. The hon. Gentleman will understand that while those negotiations are continuing, as they are, it would be inappropriate for a Minister to say any more than what was said when my right hon. Friend made his announcement.

Much has been achieved over the past nine months, but what we have been able to do has inevitably been limited by the current legal framework. For example, our commitment to create a new rail authority requires legislation. We will work up the details of our proposals for inclusion in the White Paper on transport in the spring.

Our White Paper will also set out how we intend to ensure a high standard of safety across all modes of transport. Railways already have a good safety record. The latest figures published by the Health and Safety

[Dr. Strang]

Executive show that the improving trend was maintained in 1996–97. However, as the tragedy in Southall and last week's near miss at Paddington remind us, safety on the railways must be pursued with energy and vigilance. The railway inspectorate's last annual report revealed that some operators have tried to reduce safety levels to the minimum allowed, saying that maintaining, or improving on, the status quo is too costly. The House will agree that there can be no question of putting profit before safety. We look to the independent Health and Safety Commission, as the safety regulator, to ensure that standards are maintained, and improved where necessary. Last month, I wrote to the chairman of the commission making it clear that he should bring forward any formal proposals on automatic train protection and mark I rolling stock that the commission considers necessary. We will, of course, consult the commission on our legislative proposals for the railways.

We will also work in partnership with the railway companies where it is in the public interest. For example, Railtrack's investment in security and station regeneration provides opportunities for partnership locally and nationally. We also want to encourage the best examples of transport integration by the new operators. For example, integrated rail-bus ticketing and information provision was introduced in the west midlands in October. The scheme involves 50 bus companies and six train operators in the region, making it probably the largest example of integrated ticketing outside the London travelcard area.

The areas for action on railways that I have described will complement our wider plans for developing an integrated transport strategy. The White Paper will set out a strategic framework for sustainable transport policy for this Parliament and beyond. We are determined to establish a new framework to enable rail to play a full role in overall transport policy. We shall not hesitate to take action to remedy the defects that I have described.

Mrs. Betty Williams (Conwy): Is my right hon. Friend aware of the plight of disabled people? We talk about integrated transport policy; for some, that meant that they could put their invalid cars on trains. A constituent, since rail privatisation, has been unable to do that. We must recognise the plight and rights of disabled people. That is what equality really means.

Dr. Strang: My hon. Friend raises an important point. On the disabled, the House will agree that we need to move forward on every transport mode, including the railways.

Mr. Matthew Taylor: This is a crucial point. I have a constituent who was travelling with more than one operator and so was unable to discover whether it was possible to be met at unstaffed stations or to come back. No one could give a guarantee on that to my constituent.

Dr. Strang: The hon. Gentleman raises an important point. If he provides me with details of the case, I will write to him.

Train operators have entered freely into competitive contracts that said that they needed to provide a good and improving service. The public have a right to expect decent, clean, safe and reliable services. We are determined to ensure by effective and accountable regulation that the industry delivers that continuous improvement in the quality of services.

There is a consensus that we want more people and goods to travel by rail. For reasons of economy, safety and the environment, there is a powerful case for increasing the role of the railways in our transport system, for both passengers and freight. We have already taken steps to put rail users first. In the coming months, we intend to build on that progress and provide a railway of which we can be proud.

7.58 pm

Mr. Richard Ottaway (Croydon, South): We start the debate from the fairly bizarre position that the real Opposition are in the business of defending one of Britain's great national assets against attack from the Government and their coalition partners, the Liberal Democrats.

I start from the fundamental premise that, at the moment, the privatised rail service is not performing as well as we would wish, but its long-term future is not just good, but excellent. We believe that Labour and the Liberal Democrats were wrong to oppose the privatisation of the railways, and that by the next general election they will defend that policy. They will do so by claiming that, having moved round a few deckchairs and having imposed a few extra burdens on the private sector, the improvements already in the pipeline will have occurred only as a result of their shuffling of the pack.

At first sight, no one can accuse the Liberal Democrats of inconsistency. Their motion attacks my party for introducing rail privatisation. It is clear that they feel that they are still fighting the previous election rather than looking to the future, unlike the Conservatives. A closer reading of the Liberal Democrat motion, however, reveals that there has been an important and subtle shift in that party's position. It likes to portray itself as being committed to a market-based, competitive economy, yet in reality it remains an inherently interventionist party, committed to public ownership.

The Liberal Democrats' socialist tendencies towards state ownership are most vividly illustrated by their commitment to retain public control of Railtrack. In their 1995 policy document, entitled "Transporting People", they stated:

"The Liberal Democrats would re-acquire a controlling interest in Railtrack."

That was reiterated in their 1997 manifesto, in which they said that they would provide for the legislation to do so. According to tonight's motion, however, it seems that the Liberal Democrats have subtly abandoned that commitment, because they simply call on the Government to

"bring forward polices to deliver investment in a safe, reliable and affordable rail system".

The last dinosaur has gone. One of the great achievements of the Conservative party in the past 18 years was the destruction of socialism. We have now achieved a double whammy by bringing the Liberal Democrat party into the 20th century, and we are pleased to take the credit for that.

I do not believe that anyone would seriously argue for the renationalisation of anything in the private sector. I know that the Deputy Prime Minister is desperately

trying to take over Eurostar, but I suspect that the Treasury might spoil his urge to have a live train set to play with.

I should like to set out why we believe privatisation works. The effects of state ownership and control of nationalised industries were devastating. Those industries performed poorly. They were the creatures of politicians and their officials, who were, in turn, remote from customers and employees alike. Those industries were under the iron grip of the Treasury. There was a lack of motivation, because managements were unable to motivate their work forces with proper incentives. Civil servants were drawn into the role of management. Perhaps the worst aspect of state ownership was the massive misallocation of public money through state-directed investment, which responded to but never quite met the demands of the state, industry, management or the trade unions.

A few figures illustrate the impact of privatisation. Between 1983 and 1985, public investment in gas, electricity and water averaged £2.7 billion. Just seven years later, in 1991–92, when all three were in private hands, investment had more than doubled—an increase significantly greater than the rise in the retail prices index. Privatisation has given the consumer greater choice and value. It has also promoted wider share ownership, giving ordinary people a direct stake in the success of British industry.

Mr. Norman Baker (Lewes): Does the hon. Gentleman believe that the privatisation of the railways has been perfect in every way? If not, what mistakes will he now admit to?

Mr. Ottaway: The jury is still out on that, but I shall be quite candid—I believe that in the long term it will be a success, and I intend to set out exactly why.

Mr. Paul Tyler (North Cornwall): Would the hon. Gentleman care to tell the House what he means by long term? Does he mean within this Parliament, this year, within the next decade or in the foreseeable future? That improvement seems to be long delayed, like those in many of the services to which he is attached.

Mr. Ottaway: I am glad that the Liberal Democrat Chief Whip was able to get his intervention in for the benefit of *Hansard*.

Mr. Paul Keetch (Hereford): That was a cheap shot.

Mr. Ottaway: If anything is talking of cheap shots, it is the terms of the motion.

I believe that in six years' time there will be a clear and demonstrable improvement in services, which the hon. Member for North Cornwall (Mr. Tyler) and everyone in the House will happily defend.

The real success of privatisation has been the realisation of management's ability in the privatised sector to respond to the challenge of coping with the pressures that are part and parcel of being in the private sector. Not unsurprisingly, not a single senior management team in any of the more than 100 privatised companies would prefer to return to state ownership. No one seriously believes that companies such as British Airways or British Telecom should return to the public sector. Even the Labour party has dropped the rhetoric that the only reason for not doing so is the cost involved. It now admits that it was wrong.

I suspect that the Labour Government are now embarrassed by the comments of the Secretary of State for Scotland, who is well known for saying:

"British Airways would be the pantomime horse of capitalism if it is anything at all."

It was the Liberal Democrat energy spokesman, the hon. Member for Gordon (Mr. Bruce), now the Liberal Democrat Treasury spokesman—he is not here today—who said during the electricity privatisation debate that privatisation would

"result in higher prices for the whole population and especially for those on low incomes."

When he turned his hand to the Gas Bill, he said:

"16 million British gas consumers can expect only one result—to pay increased gas prices, higher than the rate of inflation, for years to come."—[*Official Report*, 10 December 1985; Vol. 88, c. 793.]

As the Liberal Democrats wipe the egg off their faces, let us consider what the Prime Minister said of electricity privatisation when he was Opposition energy spokesman:

"the idea that we will have an influx of power stations, all competing on the grid, is nonsense."—[*Official Report*, 12 December 1988; Vol. 143, c. 683.]

He was, of course, right in one respect—his recent decision to stop any more gas-fired power stations coming on to the grid is his attempt to make that quite ridiculous remark a self-fulfilling prophecy.

The Liberal Democrats and the Labour party will also be wrong about the privatised railways. It is easy, but wrong to conclude that the present state of affairs on the railways represents the way in which services will continue—it is just a snapshot. It is no surprise that the railways should be struggling at the moment, because all industries have struggled in the first couple of years after their privatisation. In 1985, *The Observer* ran an article about British Telecom under the heading:

"Telecom fails to raise tone"

and the sub-heading:

"Victor Smart reports on how BT's image and its service to the public have fared in the year since privatisation."

A year later, the *Financial Times* said:

"Almost two thirds of large companies believe that British Telecom's services have either deteriorated or stayed the same since privatisation, according to a survey".

It is no surprise that in these early days of rail privatisation, the railways are getting a bad press. A bad patch at the beginning is a common feature of every privatisation.

Sir Robert Smith (West Aberdeenshire and Kincardine): Given that we are discussing transport, the hon. Gentleman might want to hone in on one of our domestic transport issues. Can he outline for us when bus privatisation will prove a success?

Mr. Ottaway: The Liberal Democrats are grubbing around to make interventions. [HON. MEMBERS: "Answer."] I will not go into detail about the buses. All I know is that more passengers are travelling more miles, on cheaper, more efficient and better-quality buses than ever was the case before privatisation.

[Mr. Ottaway]

The latest figures from the Rail Regulator confirm that Britain's 25 private train operators are still achieving performance figures above those attained before privatisation, despite the slight fall in performance improvement shown in the regulator's bulletin. Those independent figures directly refute the misleading allegation that train services are now worse than they were before privatisation.

Although we acknowledge the disappointing trend for the past quarter, overall performance levels are noticeably better than those recorded between 1993 and 1995 under British Rail and those in 1995–96 during the process of privatisation. Accusations that service levels have declined since the completion of privatisation in March 1997 are irrelevant, as more than half the franchises were in the private sector by October 1996, when performances were improving.

One cannot deny the fact that the new railways are performing better than their predecessors. More train services are being run; 8 per cent. more passenger journeys are being made every year; and there has been a welcome increase of 7 per cent. in passenger mileage. The true picture is that the railways are growing. The train operators are investing heavily, adding new services, providing new routes and building a better railway for the future.

The wave of facts speaks for itself. When in opposition, Labour tried to argue that the level of subsidy would go on rising; in truth, the contractual payment to franchisees falls from today's level to zero by 2005, at which time the franchisees start to repay the Government, and by 2011, they will be paying the Government nearly quarter of a billion pounds a year as a negative franchise payment. Labour said that services would be cut, but the opposite is true: there are 138 extra trains a day and 29,000 extra trains a year, with an increase in the number of train miles of 2.1 per cent.

Labour said that fares would rise, but they have fallen every year: in 1995, the rail fare component in the retail prices index was 4.4 per cent., in 1996, it was 3.7 per cent. and in 1997 2.3 per cent. In 1998, the figure will be near the RPI increase, but all will welcome the 7.5 per cent. cut in Thameslink's fares this year. In 1999, overall fares will fall by 1 per cent. per annum. Compare that with the 45 per cent. fare increase between 1980 and 1995. When in opposition, Labour said that freight on the railways would be eliminated, but the long-term decline in freight has been reversed, with English, Welsh and Scottish Railways—the UK's largest rail freight operator—aiming to triple rail freight's market share in the next 10 years. There are 280 locomotives and at least 2,500 new wagons on order, leading to the reopening of the Thrall works in York to meet the demand of new investment.

It would be helpful to look at an independent assessment of the train operators' performance, and no one could provide a more objective assessment than the chairman of the central rail users consultative committee, who from the outset makes it clear that, as a statutory body representing the interests of rail users, the committee was impartial and neither for nor against rail privatisation. Its concern has been to speak up for and protect the passenger. In his 1997 statement, the chairman said:

"this is the year when more people use the trains again—by up to 8 per cent. With new money, both public and private, new rules and incentives, a new structure to give greater freedom to act and many new people involved".

He rightly draws attention to the hullabaloo surrounding the industry as it battles to deliver the services that the nation expects. He continues:

"The rapid transfer from BR has been accompanied, though at lower volume, by the debate on the pros and cons of privatisation with criticism always loudest and leading to the distortion of the real issues; sadly, one swallow is still enough to make a summer".

He poses two questions: first, has the basis been laid for the reinvigoration of our railways; and, secondly, is this the new age of the train and will the continuous loss of market share for both rail and public transport be reversed at last? I believe that the answer to both those questions is yes.

Mrs. Dunwoody: The right hon. Gentleman quotes that gentleman with such approval, but can he tell us whether the members of the committee are elected and, if not, by whom are they appointed? How wide is the representation of women and young people? If it is true that, by accident, there is a large number of retired members of the Conservative party on the committee, can he explain that?

Mr. Ottaway: I am told that the Labour party has always supported the committee. I believe that appointments are made by the Government, and if the hon. Lady is volunteering for the job, I am sure that the Minister has heard her plea—that might be the solution to his problems.

In answering the two questions posed by the chairman of the central rail users consultative committee, one has only to look at the level of investment and the management of that investment to realise the naivety of the motion in urging the Government to introduce policies to deliver investment. The level of current investment in the railways is staggering and makes a mockery of the claims of the Government and their coalition partners that the railways are in crisis. Over the next 10 years, Railtrack plans to spend more than £10 billion, with more than £2 billion on renewing track, more than £2 billion on signalling modernisation schemes and more than £2 billion on structures and stations.

Many hon. Members present will have been to the all-party west line group meeting a couple of weeks ago to hear a presentation from Railtrack and Virgin. The effects of the proposed £600 million improvement of the line will be dramatic: it currently takes five hours and 20 minutes to get from London to Glasgow; in four years' time, it will be four hours and 20 minutes; and in seven years' time, it will be three hours and 50 minutes—I hope that that answers the earlier intervention by the Liberal Democrat Chief Whip, the hon. Member for North Cornwall. Most revealing of all was the companies' assertion that it is current rolling stock that causes 90 per cent. of unreliability—replace the rolling stock and

the quality of service improves. That is a tribute to the policy of privatisation and it is why such policies will work.

Mr. Phil Willis (Harrogate and Knaresborough): I am grateful to the right hon. Gentleman for giving way.

Mr. Ottaway: It is just honourable.

Mr. Willis: The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) called him right honourable—I am glad that he has been demoted.

On the question of investment, I live in the Harrogate area and regularly use the Harrogate to York line. Users of that line suffer constant delays and interruptions to services. We have the most appalling 30-year-old rolling stock, and the reason why the company will not invest in new rolling stock is the seven-year franchise of which the hon. Gentleman seems so proud. How are we going to get companies to invest millions of pounds in new rolling stock, on seven-year franchises?

Mr. Ottaway: Not by renationalisation, which is what the hon. Gentleman's party wanted until the election.

In respect of the west coast line, the imminent announcement of a £500 million investment in 55 tilting trains is welcome. Already, Virgin's passenger numbers are up as a result of marketing never envisaged by the old British Rail. Under the old regime, the Treasury would never have allowed Virgin its new £15 single fare from Euston to Glasgow. If anything gets people off the road and on to the railways, it will be a positive approach like that. When the industry was nationalised, the Treasury would have insisted on a fare rise to help out with the public sector borrowing requirement. That is the benefit of being unleashed from the Treasury. That is why I believe that the chairman of the central rail users consultative committee can be reassured that the answer to both his questions is yes.

It should come as no surprise that John Welsby, the British Rail chairman, said only four weeks ago in the Sir Robert Reid lecture:

"The privatisation regime has swept aside the debilitating uncertainty of the annual public expenditure round; investment programmes can be planned over several years forward with much greater confidence; and there is greater freedom for the participants to make use of financing mechanisms such as leasing which are standard practice in the private sector but which were denied to the public sector corporations."

He continued:

"If, as a public corporation, BR had been granted the scale of Government funding which is now committed, the promises of continuity that have been made, and the flexibility that now exists to make use of the array of commercial financing mechanisms, we would have thought that the millennium had not only arrived early but had also brought with it the sort of glorious benefaction that is the stuff of dreams."

Mr. Keetch: Tosh.

Mr. Ottaway: The hon. Gentleman says "Tosh," but those are the words of the man whom the Deputy Prime Minister has just appointed special adviser on the railways.

Hon. Members may ask, "If the railways are so good, why is it that I don't know about it?" The truth is that good-news railway stories are simply not being reported. I have here—or at least I did have—a list of 100 new initiatives for a better passenger railway system from the train operators. Sadly, not one has been reported. I say to Labour and Liberal Democrat Members: it is dangerous to believe that what one reads in the newspapers is what is happening on the railways. It is not.

The rebirth of and renewed interest in new railways is prompting a new excitement. The Wensleydale Railway Association wants to restore 18 of the 40 miles of railway line from Northallerton in Yorkshire to Garsdale. That is a unique, imaginative and fresh idea, which deserves to succeed. Its desire to lay track on old BR routes where the existing tracks have been removed by local authorities shows a spirit of enterprise that could never have existed under the old regime.

Elsewhere, one of the most successful reinstatements of a route that has long been closed to passengers has been the Nottingham to Worksop Robin Hood line, reopened in stages since 1993. The successful implementation of such a project, involving the co-operation of local authorities and other parties outside the industry, is doubly commendable.

New services can be expected. North West Trains is promoting a through service, direct from Manchester airport to London Euston. In the midlands, the Birmingham to Rudgley town service, already considerably developed over recent years, is to be extended through to Stafford. Great Western Trains and Thames Trains are co-operating on a joint venture that will see a through passenger service introduced between Bristol Temple Meads and Oxford. Through my constituency, Connex South Central is introducing an additional hourly London Victoria to Brighton fast service.

The wording of the motion is lacking in vision, ignorant of the past and without an understanding of the future. The Conservative party is the party with the clarity and understanding of management and business today. It introduced a policy that is turning one of Britain's great national assets, which used to struggle manfully but always just fail, into a service that will match the success of other privatised industries—that is something of which the nation will, in time, be proud.

The decline of the railways started in the previous generation, as illustrated by the Beeching cuts. Now, when we consider the ambitions of the promoters of the Robin Hood line and the Wensleydale line, we realise that it is the Conservative party that has reversed the trend, bringing life and quality of service back to our railways. Its actions are bringing out the best of the private sector, private management and private finance. I urge the House to treat this squalid little motion with the contempt that it deserves and to ignore it.

8.21 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I did enjoy that speech. I had not realised that the hon. Member for Croydon, South (Mr. Ottaway) had such a delightful sense of humour. I know that it must be complicated for him to take over such a case in the House at present, but his speech was very engaging. The fact that it bore no relationship to anything, let alone reality, pleased me enormously. We should have more amusing speeches like that in the House of Commons.

To look at the matter seriously is to consider a railway system that is now in a total state of fragmentation and chaos. If I have one thing to say tonight to my hon. Friend

[Mrs. Gwyneth Dunwoody]

the Minister, it is that I welcome the fact that the Government have taken urgent action to look at what is happening in the railway industry, to consider the means of putting it together in a usable form and to promise to come forward, not only with a White Paper, but with clear plans for the strategic rail authority.

The same John Welsby who has been quoted in the debate is worth quoting in another way. In a beautiful document, the British Railways Board's annual report and accounts, he states:

"The privatisation process imposed considerable costs upon the Board, notably in fees for lawyers, accountants and other consultants and professionals. In 1996/97, those costs amounted to £58 million, bringing the total privatisation costs for the Board"—

that is just one part of it—

"to £349 million since 1992/93—in addition to the costs imposed by the Government, Railtrack and others.

Net sales proceeds during 1996/97 amounted to £253.4 million, bringing the total net proceeds for sales by the Board to some £820 million since the privatisation process began."

How much has the taxpayer paid for London and Continental Railways so far? Let us be serious for a moment. The brutal and deliberate lopping of the railway system by the previous Government was done for one reason only: to pass directly to many of their friends considerable numbers of assets. If anyone doubts that, he has only to look at the profits made by individuals who became involved, either in individual franchises or, in the case of the rolling stock companies, in particular assets that they could sell for astonishing and frightening profits.

We have only to look at the way in which, when there was any difficulty, those same companies came roaring back to the taxpayer saying, "What we would really like from you is extra money to enable us to perform the tasks that we said we were going to perform when we took over the franchise." In addition, the taxpayer is paying at least 50 per cent. more to get half the services that he received under British Rail.

If the amount of money that has been thrown away on privatisation had been spent on the west coast main line, we should now have modern rails and modern trains, and many of the orders that were placed before the privatisation of British Rail would have been fulfilled. There would have been jobs in that industry and passengers at every level would be enjoying a first-class service.

I am not alone in receiving frantic telephone calls from constituents who are not Labour voters complaining that they, as business men, have been dumped on a Milton Keynes platform at 4.30 pm on a Sunday, with no explanation, no train and no clear view of where to go to get an alternative service. I am not alone in receiving constant complaints about the inability of timetables to relate to the way in which trains run. I am not alone in being told by many of my constituents that what is happening now is a disgrace and certainly not an integrated or properly run railway system.

The late, lamented Robert Adley told us what would happen and it has happened almost exactly as his report said it would when privatisation was first mooted. Worse than that, we must realise that some things have still not been brought into the light of day. It is important to realise that Railtrack is not differentiating between the figure that it spends on maintenance and capital investment. That company is cash rich with taxpayers' money. It is a company that began to do many of the things required of it only when it was told very firmly that unless it did so, within six months it would be in severe trouble. It is a company that is seriously contemplating taking over the running of other companies. That may be a way in which to divert some of the taxpayers' money back into investment, but let us not imagine that that company is marked either by high quality of management or by a high commitment to the railway industry.

Many hon. Members wish to speak, so I shall merely make one or two points. I am delighted that my right hon. Friend the Secretary of State came to the Environment, Transport and Regional Affairs Transport Sub-Committee when it was taking evidence on the strategic rail authority, and was so open and ready to exchange views. That report will be of great help to the House when it is printed and I certainly welcome the opportunity to go into considerable depth over the changes that we believe will be necessary.

There are certain things that we should record. The fragmentation of the system means that many of the franchisees are already beginning to think of excuses for not fulfilling their existing conditions. Many of them are using the argument that if they were allowed to extend their franchises, they would be able to do exactly what they promised to do in the first instance, although there is no evidence of that or any reason to believe that they are capable of producing the level of service that they initially promised.

I seriously counsel my right hon. and hon. Friends against extending the franchises. If companies cannot deliver the level of service that they have promised, given the enormous amount of taxpayers' money that most of them are walking away with, they do not deserve to be allowed to continue without severe penalties. We must consider the relationship between the penalties and the public subsidy. There is no point in penalising a company because it is not performing its tasks properly if it gets more money from the taxpayer at the end of the year than if it had performed properly. That is not only bizarre but unjustified. We must look at how we find out about the consumer's view. Many well-meaning people may be involved, but we must ensure that the consumer is properly represented.

We must examine the abuses of rolling stock companies. It is extraordinary that they were flagrantly left outside the control machinery. Those companies do what they like, make as much profit as they want and direct whatever terms and conditions they please to the people who use them. They are not restricted in any way.

The Government not only understand the need for a properly integrated transport system, but are working towards that. Theirs is the first serious attempt for a long time to find out what is happening. They are considering not how they can hand over assets to somebody in the City, but how to provide a good rail transport system. However, I have a warning on one aspect. As a result of the conditions that were laid on it, the British Rail Property Board is increasingly selling sites that many people will need, especially in relation to freight. That land will be needed if we are to develop new and integrated services, and ensure the movement of freight from road to rail that we require. If British Rail persists in selling railway land because it is constrained by its

existing terms, that will be counter-productive. It will not be in anybody's interests and will undermine what we seek to do.

The people who ran a 100-year-old system and kept it together with love and string are much missed. Their lack can be seen throughout the system, and the replacement of people who knew about railways by engaging young people who know nothing about them is not the way in which to achieve customer satisfaction. The private companies should look at that.

Our strategic rail authority must be given proper powers. It must have the ability to make the private companies sit up and take notice, and that means refusing to give them large amounts of money while trying to penalise them by saying that they ought to pay some money back. That is nonsense and it cannot be allowed to continue. Some famous franchises will soon fall in. Some companies will refuse to invest, and the nearer that they get to the end of the franchise, the less they will perform in the manner that they have promised. It is remarkable that we hear a great deal about what they intend to do in 2005. It would be helpful if I knew what they intend to do next week. When I use the train at the weekends, I would like to travel on one that arrives at a time that roughly corresponds to the timetable, has proper seats and is operated in a way that bears some relationship to what passengers want.

This country needs a good transport system. Above all, it needs a good, new railway system. Oddly, because the Conservatives were so brutal in their transfer of state assets to their friends and in their destruction of so much of the railways, they may have given us the chance to start at square one and build a modern, bright system that is worthy of Britain in the new century. I think that we can do it but, having listened to the hilarious tales from the Opposition, I know that we shall not do it with any assistance from them.

8.33 pm

Mr. Norman Baker (Lewes): I am pleased to follow the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). I agree with much of her damning analysis of privatisation. The rail network is in a sorry state. For many people, it is a second-class, unreliable service and it has been atomised by a privatisation that made no sense. It has been returned to a sort of Victorian structure, and that was done not for any good reason, but for the reasons that have been set out by the hon. Lady. Privatisation was driven by dogmatism and followed a scorched earth policy in an attempt to get everything finished and out of the way before the general election. That is no way to serve rail users or the general public.

The contribution by the hon. Member for Croydon, South (Mr. Ottaway), the Conservative Front-Bench spokesman, was incredible. Even he admitted that, at least for the time being, matters had got worse rather than better. There was a touching Panglossian optimism that at some time in the future, everything would be all right. The Conservative view of rail privatisation is mañana. I prefer to make a judgment on what has happened so far rather than rely on vague promises of better things to come from the party that caused the present state of the railways. The hon. Member for Croydon, South reminded me why, after 18 years, it was so important to remove the Conservatives from office on 1 May. Much as I might disagree with the Labour party, at least we are on the same planet.

I endorse the remarks by the hon. Member for Crewe and Nantwich about the sale of British Rail land. I shall give an example from my constituency. A parcel of land next to Newhaven Town station served as a taxi rank. It was held by BR and not by Railtrack or Connex South Central, the operator. Despite my protestations and those of the relevant local councils, the land was sold. As a consequence, there is nowhere for taxis to park at that station and people who depended on taxis no longer use the station, but choose instead to drive long distances.

Another parcel of land in Newhaven is owned by what is left of BR, and English, Welsh and Scottish Railways is interested in using it for rail freight sidings. The company has been on site and has told me that it is vital that that parcel of land is not sold. It would cost the Government nothing to put an immediate moratorium on the sale of all land that is currently held by BR until it has been assessed under the Government's new integrated transport policy to see what land could be used. The previous Government identified parcels of land for sale, but they had no interest in developing the railways. I think that the current Government are interested in that and they should review that land.

Mr. Matthew Taylor: My hon. Friend addresses an important issue which was also mentioned by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). Since the general election, there has been a series of auctions of land in which rail operators expressed an interest for rail use. However, that land was sold to developers for other uses. In the context of the Government working towards an integrated transport strategy and making better use of the railways, it makes no sense to remove future development potential for rail services.

Mr. Baker: I entirely agree with my hon. Friend and I hope that when the Minister replies, she will address that point.

The movement of freight by rail has been a sorry tale over the past 10 years and the service has been greatly damaged by the uncertainty of privatisation. In 1986, 9 per cent. of freight was moved by rail, but by 1995, that figure was down to just 6 per cent. In 1985, British Rail or its customers owned 54,500 wagons, but by 1994, the number had dropped to 27,500—a halving of the number of wagons. Freight has been badly hit.

In view of the situation that it inherited, English, Welsh and Scottish Railways is doing a reasonably good job. However, it is not sufficient for the Government simply to rely on rail freight grants, welcome as they are. I welcome the fact that they have been increased, but there is only so much that the rail freight company can do in terms of flexible, customer-focused services or investment in rolling stock or competitive pricing—which it has to do.

The problem of the infrastructure needs to be addressed. For example, the width of tunnels presents a problem. Some of the rolling stock cannot use Railtrack tunnels. A contract to move a commodity from Newhaven port through this country was lost because of unsuitable Railtrack tunnels north of Lewes. Similar problems must be happening throughout the country and there is a need to look at Railtrack's infrastructure if there is to be a revival of rail freight.

[Mr. Baker]

There is the question of signalling and track, and the consistency of track between this country and others with regard to the channel tunnel. What are the Government doing to deal with the infrastructure problems that rail freight companies face? What is the Government's strategic plan for freight? Are they prepared to set a target for the amount of freight that will be carried by rail, in either gross or percentage terms, in, say, the next five years? Unless they are prepared to set an objective, they are unlikely to get anywhere near it.

What is the Government's position on the tendency to move towards bigger and bigger lorries? Will they once and for all halt the move from 32-tonne to 44-tonne lorries, and possibly 48-tonne lorries? Notwithstanding access to freight heads, the bigger the lorries, the bigger the tendency to move freight by road at the expense of rail.

As my hon. Friend the Member for Truro and St. Austell (Mr. Taylor) has said, it is important that the channel tunnel is sorted out as soon as possible. I have considerable sympathy for the Government, who have inherited a complete mess from the previous Administration, but it is important to achieve the right economies of scale and distance, so that the channel tunnel is an attractive through route for rail freight, otherwise the problems involving distance will reoccur.

I have travelled on Eurostar. It is a national embarrassment that people can travel from Paris or Brussels to the channel tunnel at high speed, only to have to clank behind commuter trains all the way to Waterloo. I feel ashamed to have to experience that with people who have come from France. What on earth do they think? However, the Government are right not to be held to ransom by private piranhas. I hope that the Government will continue to adopt that policy, but I shall also look for a constructive way forward to ensure that the channel tunnel works in future.

Language is not everything, but it is important. Over the years, I for one have become fed up of hearing money that is put into roads called investment and money that is put into rail called subsidy. We must change that use of language.

I look for an assurance from the Government tonight that, when they conduct their review of trunk roads, they will look at all the alternative means of delivering transport along particular corridors, rather than simply, as the previous Government did, look at the potential for a particular road. I give one example. I declare an interest because I live next to a level crossing on a trunk road—next to the rail line and the A27 between Lewes and Polegate.

The previous scheme, which was identified by the previous Government, was for an horrific flyover through an area of outstanding natural beauty, next to a site of special scientific interest, next to a national nature reserve, and through the most beautiful countryside in Sussex. They wanted to add another four lanes to the existing two lanes between Lewes and Polegate at a cost of some £90 million. However, at no point was any assessment made of the potential of the existing parallel dual carriageway—that is to say, the railway line from Lewes to Polegate, on which the trains trundle along three-quarters empty, and which could meet significant transport needs.

Whenever anybody tried to raise the matter—Members of Parliament, councils or whoever—the Department of Transport told them that the railway line was not relevant and had to be considered separately. Roads and railways must be examined together. I argue, unusually for a Member of Parliament, not for lots of money to be spent on a big trunk road in my constituency; I want it spent on the parallel railway, to achieve a transfer of traffic, particularly passenger traffic, from road to rail. The stations along that line are based in town centres and near employment centres. That means that it is possible to achieve a transfer in this case.

Are the Government committed to capital investment in new rail lines, and not simply to moving the goal posts financially for train operating companies, rolling stock companies or whatever? In the same way as Governments have often been prepared to invest real money in roads, are this Government prepared to invest that money in railways as well?

I think in particular of a case with which the Minister is familiar—the Lewes-Uckfield line. I am sorry to be so parochial, but these examples reflect the position nationwide. One piece of rail land—the track bed is still there—six miles long was removed by the county council in 1969 to build a road bridge. That has left Uckfield straggling down from London, with a short gap to the junction at Lewes. The county council has put together a case for the re-establishment of that line, which could be done at relatively little cost compared with the cost of building new roads.

If the Government are serious about getting people back on to rail, they need to identify, first, all the lines that are at present run for freight purposes only—there are many of those—and to find out whether they could be used for passenger traffic as well. Secondly, they need to find out where track beds are in place and rail lines can be re-established. I would welcome a Government commitment to examine those two things.

The Government need to examine rolling stock. I will not repeat points about rolling stock companies, which have been well made. Suffice it to say that, like the Conservative Front-Bench spokesman, the hon. Member for Croydon, South, I travel on Connex South Central and the trains that I travel on are similar to the ones that appeared in the Beatles film "A Hard Day's Night"—I think that they are probably the same ones—from the early 1960s. The ones on the Uckfield-Oxted line further north probably come from "Brief Encounter" because they are almost pre-BR. That is a national disgrace, as well as unsafe.

Connex South Central is in many ways trying hard, but it has a policy of eliminating bicycles from trains. It is making integrated transport well-nigh impossible. People cannot take the bike to the station, get on a train and use the bike at the other end, which is an important transport pattern for many people. I hope that the Minister will consider some means of ensuring that bicycles can be kept on trains and that train operating companies are not allowed to bar them, as I fear will happen.

The public need safe stations, particularly at night and for women. They need frequent, reliable services, new, attractive rolling stock, and available timetable information that they can access with the knowledge and confidence that it is correct. They need cheap fares. One of the key ways in which to get people back on to rail is to

have cheaper fares. At present, the most expensive public transport journey in the world is one stop on the London underground. It is more expensive per mile than Concorde. That is nonsense and needs to be dealt with. We need investment in track and signalling, and the reopening and reuse for passengers of lines, where applicable.

Socially, economically and especially environmentally, the future is rail. I hope that the new Government, who I think understand the issues and mean well, will have the courage to follow that through and ensure that their application is as good as their words have been.

8.47 pm

Mr. Clive Efford (Eltham): The description by the hon. Member for Croydon, South (Mr. Ottaway) of the operation of the rail services since privatisation would not be recognised by anyone who uses the rail services to travel to and from London. The undue haste with which they were privatised and sold off very cheaply has resulted in passenger service requirements that are too low and in rail operators receiving bonuses for operating at levels that are lower than those that were provided by British Rail.

There is also an enormous cost to the taxpayer. The arrangements for sell-off cost the taxpayer about £550 million. On top of that, with debt write-offs, it cost the taxpayer £2.3 billion just to privatise British Rail. Its book value at the time of privatisation was set at £4.3 billion, and it was sold for £1.9 billion. That led to a cash bonanza for one or two people who took over some of the franchises.

For example, the Porterbrook rolling stock leasing company was sold for £527 million; seven months later, it was sold for £825 million, a profit of about £300 million. Similarly, Eversholt was sold for £580 million and sold on for £726 million, a profit of about £140 million, only one year later.

The hon. Member for Croydon, South described the rail services in his constituency as having improved. A September article in *The Independent* said that 300 trains had been cut from one flagship route, which I assume serves the area that the hon. Gentleman represents. He described Connex South Central, which runs the line, as a model of privatisation. I wonder whether the hon. Gentleman's constituents would make the same defence of privatisation that he made.

My constituents are forced to suffer the services provided by Connex, which in December was the worst performing rail operator and, as a result, suffered the highest penalty. Two or three trains a day are either cancelled or are more than five minutes late, with only 70 per cent. arriving less than five minutes late.

Overcrowding is an enormous problem across London—certainly on Connex trains. When I investigated the matter before I was elected, I was surprised to discover that pixies really do exist—people in excess of capacity. People travelling to work in the rush hour would take little comfort from being described as pixies as they squash themselves on to trains that have been reduced in length since privatisation.

My constituents have horror stories about their travel to work. One said that he arrived at New Cross station only to be told that his train was no longer heading in the direction he thought it was, and that he would have to change trains. He then discovered that a similar fate had befallen a number of other people. It was virtually impossible to step out of the train on to the central platform, which had rail tracks on either side, because it was packed with people waiting for trains.

Someone working in my office travels out from New Cross to Eltham in the rush hour. She was surprised to find that her train was packed as she was travelling towards Kent when most people were travelling towards central London. She then discovered that trains to Cannon Street were no longer stopping at New Cross, so if people wanted to get a train to Cannon Street, they had to go back to Lewisham, get off and then get on another train to their destination.

Nine out of 10 companies run overcrowded trains, especially during the rush hour. For London services, the average length of a train is now eight coaches, whereas it was 10 under British Rail. Overcrowding is usually based on a two-day study of a rail service. However, because it is such a short sample period, that does not take into account any overcrowding due to delays or cancellations.

Connex fares have risen by 2.9 per cent., and would have been greater had they not been held down because of the operator's appalling performance. Had it performed better, it would have been allowed to charge even higher fares.

People are now forced to pay extra for railcards, on the basis that they are travelling across several different operator services. They do not—most travel only on the rail service from their point of embarkation to central London, and then continue their journey on London Transport rather than by rail. Only a limited number of people should be forced to pay the additional costs that have been imposed on the assumption that passengers travel across a range of operator services.

The number of complaints has also risen. During the first six months, there were more complaints about rail services than there were for the whole of the previous year under British Rail.

Drivers of both network trains and freight trains tell horror stories about their daily experiences. One driver who works for English, Welsh and Scottish Freight complained to me because the flexible rostering that applied until July last year has been changed and he is being forced regularly to work a 12-hour shift—on a train that weighs several thousand tonnes. He claims that driver fatigue is now a serious problem.

I ask my hon. Friend the Minister to take that issue on board in any future monitoring of operator services. People should listen to the day-to-day concerns of the drivers, who say that we are playing a game of Russian roulette on London's rail network—not just with freight trains, but with passenger trains.

I understand that one operator has an attendance management scheme that means that, if a driver is off work for even a single day due to sickness, his pay is immediately stopped. That results in drivers deciding that, if they are going to have that amount of pay stopped, they might as well take an equivalent number of days off sick. I will not name the rail operator concerned, as I do not want to cause problems for the drivers, but the knock-on effect of that practice is a disrupted and unreliable service.

[Mr. Clive Efford]

Freight drivers are given personal facilities breaks, but often in places where there are no facilities—no toilets and nowhere to eat. They have to make their own arrangements.

Privatisation of the rail service has led to all those problems, which go against health and safety needs and the interests of the public. Those problems need to be tackled. We should be aware of the concerns felt by those employed in the rail services, so that we can tackle some of the dangers.

Rail privatisation has led to a worse service, and, I believe, increased danger for both the public and the people who work on the railways. Hit squads have been sent into local authorities to tackle education problems. I want my hon. Friend the Minister to think about sending hit squads into rail operators if they cannot fulfil their contracts. We should put in managers who will deliver the sort of services that the people of London who travel or work on the service want and deserve.

8.57 pm

Mr. Tim Collins (Westmorland and Lonsdale): We heard a very interesting speech by the hon. Member for Truro and St. Austell (Mr. Taylor)—sadly, he is no longer in the Chamber—who said that everything wrong with the rail service had resulted from 18 years of under-investment by the Conservative party. Those who travelled on British Rail before May 1979 will be astonished to hear that services were so excellent—or that they constantly ran on time, trains were clean and there was never industrial action.

The hon. Member went on to say that another failing of 18 years of Conservative government was that we had not built the channel tunnel high-speed rail link. It is worth noting that, although a channel tunnel had been talked about since the time of Napoleon, the tunnel was built only under the previous Conservative Government. Therefore, before we start complaining about a link to the tunnel, we should note that a Conservative Government built the tunnel.

The hon. Member was challenged by my hon. Friend the Member for Cheadle (Mr. Day) on how he would pay for his grand ambitions. It turned out that his strategy for paying for those grand Liberal Democrat ambitions was to enable local authorities to use the ticket fees and fines generated by car use. Therefore, doubling passenger numbers and rebuilding thousands of miles of track will be accomplished by using fees from car parking tickets. That is a little unusual.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) also favoured us with a very entertaining speech. Sadly, she, too, is no longer in the Chamber. I hope that she will forgive me if I use a technical term for her speech: it was utter tosh. She said that, if British Rail had carried on exactly as it had been, we would be living in nirvana—with a first-class service and trains that were clean, speedy and efficient and with no prospects of any problems. She seems to have forgotten what British Rail was like.

In its heyday, in the 1960s and 1970s, British Rail was a service that brought people together on dirty, draughty and litter-strewn platforms, making them listen to people on speakers who sounded as though they were gargling in battery acid. Passengers would be shepherded by surly, unco-operative and uninformative staff into a collection of cattle trucks, and would not be delivered to their destination in anything remotely approaching their timetable. At the end of their experience, they would be told that the problem lay with—in accelerating order—nature, God and the secretary general of the Associated Society of Locomotive Engineers and Firemen.

Let us not forget that one of the great things we have lost because of the break-up of the old British Rail is the possibility of further national rail strikes—which were recurrent if not annual events during the days of British Rail. When British Rail existed, the rail system was not run for the passenger or even for Ministers: it was run for Mr. Sidney Weighell of the National Union of Railwaymen, who was subsequently the ASLEF secretary general. We have made progress in moving beyond that situation.

I would not argue—any more than my hon. Friend the Member for Croydon, South (Mr. Ottaway) would—that the current system is perfect. I myself have had some complaints about local services, and believe that there is considerable scope for improvement. None the less, I believe that some positive developments are already occurring, and I agree with my hon. Friend's comments on the InterCity west coast main line.

Like the hon. Member for Truro and St. Austell, I represent a constituency that is some distance from the House—rather more than 250 miles away—and, like him, when I can, I prefer to travel by train. I am an unabashed fan of rail and think that, at its best, rail can be cleaner, faster, cheaper and more effective and relaxing than almost any other available mode of transport. I will therefore continue to argue very strongly for better progress on the InterCity west coast main line. However, I believe that, in Richard Branson and Brian Barrett—the twin heads of Virgin Rail—we have people who are far more likely to deliver more progress on the line over a period of years than British Rail management would ever have achieved.

Only today, I received in my post an invitation from Railtrack to attend the unveiling of a spectacular new project to rebuild and refurbish the grade 2 listed Victorian station at Grange-over-Sands in my constituency. That project was possible only because of a combination of private sector money from Railtrack, national lottery funding and co-operation by both Grange town council and South Lakeland district council. Such imaginative public-private partnerships—to use a phrase that often rings from the lips of Ministers—have been possible because of privatisation, and would not have happened without it.

We have to notice that privatisation is always controversial, and always resisted. My hon. Friend the Member for Croydon, South quite rightly pointed out how, in the early stages, every privatisation has been criticised and attacked—invariably by Labour Members and almost invariably by Liberal Democrat Members. However, after the passage of five or 10 years, we discover not only that they do not attempt to reverse privatisation, but that they do not repeat their original opposition to it; such is the success that almost always accompanies privatisations.

I believe that, in time, rail privatisation will take its place with the privatisations of British Telecom and British Airways.

Sir Robert Smith: Does the hon. Gentleman think that the people of Inverness are happy with the state of the British Airways privatisation?

Mr. Collins: Undoubtedly the hon. Gentleman knows more about the people of Inverness than do I. However, before British Airways was privatised, it was the nation's most embarrassing airline. Now—to coin a phrase—it is the world's favourite airline. If he is saying that it is now the Liberal Democrats' policy to renationalise British Airways, their magic penny on income tax—which has already managed to pay for education, transport, health and all the rest of it—is being stretched even further. Now the magic penny will apparently stretch to renationalise British Airways. I think not. As I was saying, rail privatisation will take its place alongside the privatisation of British Airways and British Telecom not only as a proven success and something that leads to a better service for British businesses and citizens alike, but as something that is envied and increasingly copied around the world.

I conclude by making four points to the Minister, who has listened patiently throughout the debate. The first is a genuine "thank you" to her for helping a constituent of mine who had difficulty obtaining a railcard after some benefit changes. I am grateful to her for her assistance in dealing with that problem.

The second thought that I should like to leave with the Minister is that I hope she will not take from this debate—I am sure she will not—the view that the enthusiasm for rail, which has been expressed by all parties, is an excuse for a war against the motorist. Many people have no realistic alternative to road transport to meet their daily needs. In that connection, I received a letter this very morning from a constituent, Mr. D. Harrison of Sedgwick, who wrote:

"The problem is 'What Public Transport?'. I live in the village of Sedgwick which is four miles south of Kendal. There is one bus on Wednesday morning but how do we carry a weeks shopping on a mini-bus? I am registered disabled and have to run a car, otherwise I would be a virtual prisoner at home. I cannot walk any great distance without becoming very tired so you can see why a car is essential."

This is not someone who is making a party political point. Of course he would like to use public transport if it was a viable alternative, but it is not and will not be. The same is true for many of my constituents and others. We would all like bus services to be improved and investment in rail increased, but for many people the car will remain essential.

I ask the Minister to pass on to her colleague in another place, the Minister for Roads, my enthusiastic support and that of the hon. Member for Barrow and Furness (Mr. Hutton) for the A590 bypass improvement. Again, there is no possible rail alternative for the link between Barrow and the rest of the United Kingdom—it is going to be that road and no other. I ask the Minister to bear in mind the fact that rail must play its part in the overall transport package; in many circumstances, it cannot be a substitute for road transport.

Thirdly, the InterCity west coast main line has many uses to Members of all parties who represent that side of the country. Naturally, I take a particular interest in the station of Oxenholme on that line. It is the gateway to the Lake district and serves the town of Kendal, the main population centre in my constituency.

When the Minister is reviewing future provision on that line with Virgin and Railtrack—something that has excited many of my constituents—I ask her to bear in mind the need to make sure that trains continue to stop at Oxenholme, and that progress on accelerating journey times between London and Glasgow is not obtained by cutting some of the stops en route. That form of progress would not commend itself to my constituents or to the many tourists from this country and beyond who wish to stop at the Lake district.

Sir Robert Smith: Does the hon. Gentleman recognise that there is a role for the Government in the management and running of the railways, given his appeal to the Minister to intervene?

Mr. Collins: I have never doubted that for a moment. The hon. Gentleman has been a party to the extraordinary attacks on private and free enterprise—"private piranhas" was the memorable phrase used. We have heard much about the terrible lack of investment in the railways—I think that the hon. Member for Crewe and Nantwich mentioned a century—but I would ask the hon. Gentleman to consider how the railway system was built 100 years ago, which was when his party was last in power. His party often invokes the memory of William Ewart Gladstone, but he would be spinning in his grave at the thought that the private sector, which built the railway network in his day, should now, according to the vision of his own party, be completely supplanted in favour of the state sector.

There is a value and a virtue in, and a role for, both the public and private sectors in rail and all other forms of transport. The Conservatives came to that recognition a long time ago. Sadly, the Liberal Democrats appear trapped, not in the 19th century, when the Liberal party had more common sense than it has now, but in a sort of 1942 or 1943 time warp. There was a time when most things had to be run by the public sector, but we are not at war now—time has moved on.

Fourthly, I have been in correspondence with the Minister on several occasions on behalf of my constituent Mr. David Kelly of Oxenholme, who has been mounting a sensible campaign on rail transport and the dangers of over-carrying. People are unable to get off trains on time at certain stops because they are not given sufficient warning time.

Mr. Kelly's sister, an elderly lady, was over-carried from Oxenholme to Carlisle, and died some time later of a heart attack that he believes was brought on by that terrible event. The Minister has been very helpful to me in correspondence, and has answered some parliamentary questions on the matter. However, I ask her again to bear in mind the case for providing proper equipment, so that staff on the station platform can communicate with train drivers and thereby minimise the chance of over-carrying.

It has become clear during the debate that no party can claim a monopoly of care or concern about rail. Everyone is concerned about rail. However, it is also clear that a safe future for rail will not result from the embarrassed and quiet socialism of the Government or the overt socialism of the day trippers on the Liberal Democrat

[Mr. Collins]

Benches; it will come only from the Conservative party, which has a clear strategy for rail and—in the policies that we introduced before the election and are being carried forward now—has set out a realistic strategy for producing a better British rail system for the future.

9.11 pm

Mr. Barry Jones (Alyn and Deeside): I am glad to follow the fluid speech of the hon. Member for Westmorland and Lonsdale (Mr. Collins). However, he should know that the great W. E. Gladstone, who lived in my constituency, produced a scheme to nationalise the railways in Britain. I thank the Liberal Democrats for shrewdly choosing the subject of the debate. I listened carefully to the speech of the hon. Member for Croydon, South (Mr. Ottaway), which was engaging but rather too sanguine. I very much support the amendment in the name of my right hon. Friends.

My right hon. Friend the Minister of Transport made a very convincing speech. The previous Government's privatisation of the railways made a large profit for a few but has been a poor deal for the taxpayer and the passenger and has fragmented the rail network.

One of Britain's biggest problems is traffic pollution, and my constituency suffers massive traffic jams day in, day out. I cannot accurately estimate the impact on the health of my constituents, but I know that it is serious. The more that the Government can implement policies that will put more car drivers on to our railways, the better. That is one reason why I shall support the Government tonight.

The railway line in my area runs from Wrexham through my constituency to Birkenhead on the Wirral. There are many stations and most of them are located in my constituency. They include Shotton, Hawarden, Buckley, Penyffordd, Hope, Caergwrle and Cefn-y-Bedd. They are in dire and urgent need of modernisation, development and investment. They are cold, dark, windswept and desolate. They have no closed circuit television, no security whatsoever and the parking is often dire. There is no staff member to turn to and no modern means of communication with another centre that can give advice and assistance to any luckless passenger. I want those stations to be served by a rail service that is more punctual, has more frequent trains and rolling stock that is modern and up to date. I should like the advertised services to be reliable.

North West Trains has small plans for some meagre investment. I thank it for that and welcome the proposed investment, but it will not come early enough to satisfy my constituents. I want the Welsh Office, Railtrack, the Welsh Development Agency and North West Trains to get together urgently and come forward with a convincing, up-to-date development strategy for my constituents' rail line. Nothing less will do. I urge the authorities to bear that in mind.

Buckley is a key station, serving one of the biggest towns in north-east Wales, but it is found at the end of a long, dark, lonely lane. It has no efficient lighting, no waiting room and no members of staff. Most of the time, it is a ghost station. It is uninviting and forbidding and is a daunting prospect for any of my constituents early in the morning or in the evenings when it is dark and very lonely.

Alongside the station is a factory owned by Optec. It is soon to close and the 70 or 80 workers will lose their jobs in a month or so after nearly 10 years' loyal service. We should have a better chance of finding a new tenant for the soon-to-be-vacated factory if the station across the road from it were modern and had up-to-date facilities. The county council and the Welsh Development Agency would then be able to attract investment to the factory. I am sure that that would result in more customers for Buckley station. I want the development agency and the county council to find a new tenant and work on plans to upgrade the ancient and uninviting station.

As I have said, the line links Wrexham and Birkenhead. It is used by commuters, shoppers, students and workers. It goes through many communities in my constituency and can enhance my constituents' prosperity if North West Trains puts in adequate and urgent investment. It runs beside the famous Deeside industrial park, which I believe is the finest in western Europe. I have suggested to the Welsh Development Agency, Flintshire county council, North West Trains and Railtrack that a station should be built on the industrial park, which employs more than 4,000 people. It would not cost the earth and would make the industrial park even more inviting for inward investment.

Wales badly needs the railways that it has. In addition to the Wrexham to Birkenhead line, the Shrewsbury to Newport line, the central Wales line and the Cambrian coast line are vital to the future of Wales, its society, its communities and its economy. I ask my right hon. Friend and his Ministers to bear that in mind in their plans.

9.18 pm

Mr. Robert Key (Salisbury): For two reasons, I am glad that I changed my mind and decided to listen to, and partake in, the debate. First, it has convinced me that the Liberal Democrats have lost their touch on community politics. I shall come back to that later. Secondly, we have heard some good speeches. The Minister gave a clear exposition of the Government's position and difficulties. Then we heard a remarkable speech from the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). It is always a pleasure to hear her in full sail on those issues. As usual, I disagreed with much of what she said, but she spoke with great knowledge and commitment, which is worth hearing in the House.

In these debates, we are always likely to hear complaints and whinges and the trivialisation of very serious issues. I have for some years believed that transport as a political issue has been far too low down the political agenda over the past 50 years. I therefore look forward to the Minister's winding-up speech. I look forward even more to her Department's White Paper on integrated transport. I hope that it will get the nation thinking about priorities and not just—justifiable—whingeing about many of the problems that we all have to face daily. This debate has been rather sad. Both the motion and the amendment are pretty silly.

I was a sceptical convert to privatisation. I believed that the rail system had gone too far for the private sector to be able to reclaim it, but the more that I understood the issues in my time as a Transport Minister, the more I realised that privatisation was the only realistic option if we were to achieve the sort of revolution in transport that I am convinced is necessary. I thought, too, that the cruel Beeching cuts had done far too much damage to our network to make it possible to reclaim the railway system.

People sometimes think that there was a golden age of the railways; I do not think that there ever was. Perhaps there was the golden age of steam, but that is about as far as it goes. There was certainly a romantic age of the railway. Indeed, we have heard several stories about little two-coach trains puffing across the countryside on picturesque branch lines. I suppose that the Rev. W. V. Awdry has a lot to answer for. There was romance in the great express trains of my youth and that of many hon. Members, with the Flying Scotsman, with sleepers to Mallaig and Fort William and observation cars, or the Cornish riviera express, which was a regular mode of transport for me for some years. There was less romance on the old Southern Railways line from Waterloo to Salisbury and Exeter, which rattled along on pretty inadequate track.

My hopes of romantic sleepers from regional railways to places such as Bordeaux via the channel tunnel with the introduction of the Eurotunnel services were dashed when it all went horribly wrong. The hon. Member for Colchester (Mr. Russell) is laughing, but he better listen carefully to why it went wrong. Hundreds of millions of pounds of taxpayers' money was wasted on ridiculous coaches in the last gasps of the nationalised industry's procurement process. I went to Birmingham to see the coaches under construction. I was told by the people who were building them that they would not work. They were so badly procured that they would either have had to run the trains at full speed and switch off the compartment lights or have had the lights on and slowed down. There was not enough power; it was that bad.

We should be concerned with the reality. I am not going to get into arguments for and against nationalisation. We have rehearsed them many times. I shall specifically leave out the great deal that I should like to say on that issue and concentrate on one aspect that has not been mentioned in the debate: the good news in our local railways. I shall not miss out some of the bad news, but I shall above all point out that the people who are running the railways—the staff, whether they drive or clean the trains, as well as the management—have an investment in the future in their own employment, and deserve our thanks and not just brickbats all the time.

The problems are not all the fault of the private railway companies. One of my constituents wrote to me before Christmas because his granddaughter had had to stand all the way from London to Edinburgh. The chief executive of Great North Eastern wrote to my constituent pointing out that, since the company took over the franchise at the end of April 1996, the number of passengers had increased by just under 14 per cent. That was placing a great deal of pressure on the company's rolling stock; 90 per cent. of all trains were in service every day compared with just over 80 per cent. two years before. Mr. Garnett told me that he was desperately keen to order additional trains, to which end he approached the Government in October 1997 with a proposal that would require an extension to the franchise—but there had been no answer from the Government. Meanwhile, the problem of congestion gets steadily worse.

Members of Parliament also receive complaints about Railtrack. I reckon that about a third of the delays and failures on my local line are down to Railtrack. One of the problems of the Regional Railways line between Bristol and Portsmouth is the fact that the company inherited poor track and a backlog of under-investment.

I have been mystified by Railtrack's attitude to safety, which must be paramount. I refer specifically to a bridge known as Broken Cross railway bridge, at Ford in my constituency. Laverstock and Ford parish council wrote to me on 29 December to say that the structure of the bridge comprises

"bits of wood, rope and hazard tape".

It is clearly very dangerous. Michael Wheway, clerk to the council, says that there is little to prevent the

"unwary motorist driving through the flimsy structure and finishing up on the railway line. Repeated requests to Railtrack have not even produced a response."

I wrote to Railtrack on 5 January but have not had an answer either. It is high time Railtrack attended to the problem. The remarks of the parish council clerk are no exaggeration.

I said earlier that the Liberal Democrats have lost their touch. Let me explain: I am all for fair criticism when things go wrong—with South West Trains, with Railtrack or anywhere else—but the little campaign that the Liberal Democrats have been waging with respect to South West Trains has been unfair, badly researched and unhelpful. Of course there have been problems on the line. The campaign circulated a long list of them—selectively—to the local media and Members of Parliament. Of the 57 complaints recorded, 16 could be directly attributed to South West Trains, and 19 to Railtrack; 19 did not include enough information to know who was to blame, and three were extremely doubtful complaints. Claiming that that constituted a massive attack on South West Trains just did not wash: it was not fair and it did not work.

We cannot afford complacency—I am certainly not complacent. For many years, I have gone with all-party delegations, including the right hon. Member for Yeovil (Mr. Ashdown) and many others, to discuss improvements to the line; by and large we have got what we asked for. We have had new trains, new loops, new signalling, new investment in stations. That adds up to a considerable improvement. By all means let us attack failure, but we should not blame all the problems on the company. There are suicides on the line, people are taken ill just before they are due to drive trains—for goodness' sake, let us be sensible.

This morning, I went to Salisbury station to talk to commuters and staff. First, the Waterloo to Exeter train arrived early. The conductor, who has worked on the railway for 30 years, said:

"Things are 100 per cent. better than they were in the old days."

A cleaner on the trains said that more people were being employed to clean more trains at the new Salisbury depot. He did point out, incidentally, that it is customers who make the mess. I talked to a guard who had worked on the railways for 26 years. He said that they were doing pretty well now, although there had been a bad patch before Christmas. He was worried about breakdowns in the air conditioning. What irony! A few years ago, he would have been worrying about what happened when he tapped the wheel; now he worries about whether the air conditioning can cope in the summer.

The travel centre staff at the railway station were busy when I went in. They said that their commonest complaint was about connections between trains and they are right, as that is a problem. Railway staff are almost unfailingly good-humoured now and the cheerfulness of the conductors has meant a revolution in customer relations. Let us give them credit where it is due.

[Mr. Robert Key]

Similarly, South West Trains has said that it will provide cycle facilities at Salisbury station and recognises the problems. Also on that line, Stagecoach has promised and delivered an integrated bus service and one can buy a ticket on the bus to go straight through to Waterloo station.

I met the management of South West Trains only last week. It is happy to consider the opening of new railway stations, particularly the possibility of one at Porton to serve the Porton Down Government establishment, which is good news.

Let us recognise the problems where they exist. However, for most people, most of the time and on most of their journeys, there is no choice of mode between car, bus, train or plane. Where there is a choice, I warmly welcome attempts to encourage the use of public transport, if and where it can cope. I must reserve judgment on the forthcoming White Paper on integrated transport. I just hope that we have more judgment and less squabbling.

9.30 pm

Mr. Tom Brake (Carshalton and Wallington): Tonight we have heard much dissatisfaction and occasional satisfaction expressed about standards of train services, disappointment at the level of investment in our railways and opposition to the previous Government's privatisation policy. I shall briefly comment on some of the contributions to the debate.

My hon. Friend the Member for Truro and St. Austell (Mr. Taylor) outlined our position with clarity and forcefulness. In turn, the Minister outlined the Government's position and made an announcement that is particularly welcome to me, which is that the franchising director is to force Connex South Central to tackle overcrowding—I am a regular sufferer of Connex South Central's service.

The hon. Member for Croydon, South (Mr. Ottaway), the Opposition spokesman, concentrated a significant proportion of his speech on the privatisation of other industries. I wonder why. By recognising that if there are to be improvements, they will happen only in five or six years, he appeared to be making a grudging apology for the disaster of rail privatisation to date. His contribution was entertaining in some ways. At one point, he mentioned the 45 per cent. increase in fares between 1980 and 1995—a very damning increase in comparison to the increases introduced by the privatised rail companies, but of course, the Conservative Government were in power at that time.

Mr. Ottaway: That is the whole point. We privatised the railways because of the increases under the nationalised service.

Mr. Brake: I thank the hon. Gentleman for illuminating me on that point. He also spoke frequently of his fixation with the coalition between Labour and the Liberal Democrats, but I will not comment further on that.

The speech by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who is unfortunately not in her seat, underlined her knowledge and commitment. I congratulate her on her ability to speak so fluently without reference to notes. I wish that I could do the same. She made an interesting point about the sale of land and the British Rail Property Board, which is now known as Railtrack Property. One concrete example of which hon. Members may be aware, is that of Battersea dogs' home. Although I am wholly supportive of the Battersea dogs' home, it has purchased land that could have been used for a rail exchange facility for a concrete plant. Battersea dogs do not require linking to the rail network, whereas the aggregates plant could usefully have been linked in and I am afraid that that is not going to happen.

My hon. Friend the Member for Lewes (Mr. Baker) raised concerns about how we can achieve the shift of freight from road to rail. I will listen with interest to the Minister's response. He also called for Concorde to replace London Underground, as travel per mile is cheaper on Concorde than it is on the underground. I look forward to that improvement in service.

As the hon. Member for Eltham (Mr. Efford) said, driver fatigue is a major problem. The fact that the number of drivers has been reduced from 17,000 to 11,000 over the past six years may have some bearing on that.

The hon. Member for Westmorland and Lonsdale (Mr. Collins) expressed support for the railways, but then talked about a war against motorists. Liberal Democrats are certainly not conducting a war against motorists, so I do not know to whom he is referring.

The hon. Member for Alyn and Deeside (Mr. Jones) highlighted security problems in stations in his constituency. Such problems may have been exacerbated by the fact that the number of station staff has more than halved over the past six years.

The hon. Member for Salisbury (Mr. Key) mentioned bridges—I shall return to that point later—and suggested that Liberal Democrats in his constituency had lost touch with our campaign on rail services. Unfortunately, he was the only Member of Parliament in the area not to support the campaign.

Mr. Key: That is misleading. I told the right hon. Member for Yeovil (Mr. Ashdown) that his evidence was so poor and badly researched that we should check it with South West Trains before we agreed how to proceed. He wanted to proceed before he knew the facts.

Mr. Brake: If that were so, it applied equally to all the other Members of Parliament who supported what my right hon. Friend was saying.

I was amused that the only maintenance problem that the hon. Member for Salisbury could identify concerned air-conditioning units. I have experienced many more significant maintenance problems on railways than that.

Whatever hon. Members think about the privatisation of British Rail, the fact is that the expense of its implementation and the continuing costs to the taxpayer have, according to the Union Bank of Switzerland, left Britain with the highest rail fares in the world. It is essential for sustainability that the railways play a greater role in moving freight and people, but that will happen only if day-to-day operational standards improve rapidly and large-scale investment is sustained for many years.

We welcome the National Audit Office's insistence that the rail franchising director tighten up procedures for verifying the train performance information that is supplied

by the train operating companies and Railtrack. We would go further; we believe that existing performance standards should be raised. Some of the train operating companies are meeting the standards, but the official complaints figures—which other hon. Members have cited and which were highlighted in the excellent report by Save Our Railways, "The Impact of Privatisation"—have increased by 96 per cent. since last year.

We believe—as does the industry—that that is because the previous Government set abysmally low standards to ensure that privatisation was seen as a success. Their definition of success was not that there should be greater customer satisfaction after privatisation but that there should be sufficient private companies bidding to run services. Under the current standards regime—which, we are told, is very demanding—suburban trains that arrive up to five minutes late are considered to have arrived on time; similarly, inter-city trains can arrive up to 10 minutes late and still be on time.

We believe not only that existing standards should be strengthened, but that other standards should be introduced and that a wider range of indicators should be used. The train operating companies should not be allowed to slacken timetables to inflate the apparent rate of train punctuality. Surveys of customer satisfaction, undertaken by the franchisees as a condition of their contracts, should be the subject of independent scrutiny. Standards of cleanliness, which are not currently measured, should be measured.

With tougher standards should go tougher penalties. Other hon. Members have referred to the penalty that South West Trains experienced, but a £100,000 fine is a pinprick in comparison to the £63 million that the company receives in subsidy. I am sure that Connex has already shrugged off the derisory fine imposed on it.

Train operating companies can do much to improve their services, but under-investment is a serious problem. Everyone accepts that large sums of money are needed to modernise the network. For 20 years, the west coast main line has awaited improvements. All over the country, the rail service has bottlenecks, and antiquated track layouts and signalling.

As well as financing improvements in those areas, money must be found for other projects, such as the London underground, which creaks and groans under a £1.2 billion backlog of outstanding repairs. Only today, we heard that it has suffered a further setback with the Jubilee line extension being delayed by another six months, making it more than a year late.

The official Opposition have no solution other than the privatisation of London Underground. One would have thought that with the collapse of London and Continental's channel tunnel link, the creation of yet more fat cats after the sale of the docklands light railway and the high levels of customer dissatisfaction with the train operating companies, the Conservatives would have made their praise of privatisation less conspicuous. The new Government still maintain a deathly silence on the issue of London Underground and the tube's future.

Hon. Members have mentioned the fast link to the channel tunnel. The sums involved are beyond the financing capacity of the Government, who today ruled out—until 2003, at the earliest—the possibility of using daily congestion charges, thereby discarding a possible source of revenue that could be used to finance transport improvements. Therefore, private sources must be tapped, and we recognise that. In such circumstances, it is the Government's duty to create conditions in which the private sector will invest. The limited public funds that are available should be used to lever in private funds on the best possible terms.

The good intentions expressed in the objectives and the concordat that the Minister of Transport mentioned will not help to secure private funding. For instance, the document mentions providing

"guidance and assistance . . . to local authorities . . . about securing finance for railways".

That will be useful, but with local authorities facing a shortfall in their budgets of up to £1 billion they are hardly in a position to fund substantial improvements in the railways. We will therefore be dependent on the private sector.

In a few weeks, Railtrack will publish its third network management statement. We sincerely hope that it will accept the role in which it has been cast and act as the steward of the network. We will expect an imaginative plan from the company to enhance the capability of the network and we look to it to use the strength of its balance sheet to finance improvements.

We remind Railtrack that its primary duty is to the existing railway network, which includes 55,000 bridges. Many of those bridges are reaching the end of their design life and will cost no less than £11 billion to maintain and renew. Railtrack has allowed just over £1 billion for such work, but it must fulfil its principal duties before directing its efforts to other projects.

In return, the Rail Regulator must consider access charges and must ensure that the network is prioritised, instead of profit for shareholders. It may be necessary to extend franchises, if that is the only way to obtain investment. If the Government will not provide investment, it must come from somewhere and franchise extensions may be a possible source. Many hon. Members mentioned the rolling stock companies. Their fat cats have already lapped up the cream and the saucer is now empty.

It is too late to do anything about the vast sums that were extracted by the people who originally bought the ROSCOs. Now, we must work with the companies to find out how we can secure the investment necessary to deal with the 1,300 mark I carriages that still operate and that, according to the Clapham disaster inquiry, should be phased out by the end of the century.

We look forward to the challenging performance standards, the creation of conditions for greater private sector investment and a quick resolution of the position of the ROSCOs. We look forward to what we hope will be a far-sighted and comprehensive network management statement from Railtrack that will show that the company has the foresight and strength to think strategically and beyond its shareholders.

I believe that none of the measures that I have outlined requires legislation. We hope that they will all be well in hand by the time that the White Paper is published. By then, the Government will have been in office for nearly a year. Any subsequent legislation will no doubt take a further year, and setting up a strategic rail authority may take even longer. We cannot wait that long for an upsurge of investment in our railways. We call on the Minister—the fat controller of the railways, if he will pardon the

[Mr. Brake]

expression—to be bold and take on board our proposals. He should not call for another review, consultation or reorganisation but accept our proposals so that we can get the train out of the station, in comfort and on time.

9.45 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): This has been an interesting debate, inasmuch as, with, I think, three exceptions, every contribution has been critical of the previous Administration's policy of rail privatisation, and very critical of the services that are being provided on our railways; underlined the failure in respect of the investment level that the previous Administration promised would flow from their policies; and highlighted the importance of a properly integrated, fully functioning railway system for our people. We share those views. We regard our railways as central in carrying both more passengers and more freight and in playing an ever increasing role in an integrated transport strategy, to ensure that we can begin to offer real choices to the travelling public and move away from over-dependence on the private car.

As I said, with three exceptions, every hon. Member has criticised, with no small expertise, the previous Government's rail privatisation policy and highlighted the desperate situation that flowed from it. The identity of those who did not accept what we regard as a proven fact was hardly remarkable; it came as no surprise. My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) decimated in her inimitable way the contribution of the hon. Member for Croydon, South (Mr. Ottaway). He said that his was the only party that was looking to the future. His ability to rewrite history and his inability to acknowledge the damage caused to our country by the political dogma of rail privatisation suggest that the future for his party is bleak.

The hon. Member for Croydon, South seemed unaware of the fact that what he called—I am probably paraphrasing—the socialist dogma of taking back Eurostar into public ownership is a requirement of an agreement drawn up by and driven through by his party. If London and Continental Railways invokes section 77 of that agreement, as it did in saying that it could not complete its contract, and after 30 days, that is still the situation, the Government of the day are required to take back the Eurostar service and ensure that it runs and continues to carry passengers and play its part.

The hon. Gentleman totally ignored the actual costs of privatisation, but my hon. Friend the Member for Crewe and Nantwich had all those figures at the tip of her tongue. She made abundantly clear the scale of the waste that had produced services of which every hon. Member, with the exception of the hon. Members for Croydon, South and for Westmorland and Lonsdale (Mr. Collins), was critical. It is hardly surprising that the hon. Member for Westmorland and Lonsdale should praise the previous Administration's policy on rail privatisation, because I understand that before he entered the House he was press secretary to a previous Conservative Secretary of State for Transport, the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney).

I should like to refer to the themes that hon. Members have referred to tonight. The debate began with a contribution from the hon. Member for Truro and St. Austell (Mr. Taylor), who asked about the specific functions of the Government's proposed new rail authority. No firm decisions have as yet been made, but it was stated in our manifesto that that authority would combine the functions of the Office of Passenger Rail Franchising and some of those that are currently the responsibility of the Department of the Environment, Transport and the Regions. We do not necessarily regard those functions as the exclusive limitations of the authority's remit. The likely areas of responsibility for the new authority will probably also include managing existing franchise contracts; developing a strategic vision for investment in the network; promoting integration between rail and other modes of transport; promoting voluntary action by train operators to win passengers; and promoting the needs of disabled passengers. Their needs were highlighted not only by the hon. Member for Truro and St. Austell, but by my hon. Friend the Member for Conwy (Mrs. Williams), who, in an intervention, spoke about the difficulties of a constituent. If disabled people wish to travel, they should contact the relevant train operating company to be given advice. In general, an escort will be arranged.

As for the more general needs of disabled passengers, the Deputy Prime Minister has made it clear that there must be strong consumer representation on our new rail authority, which will consider specific issues such as rail accessibility, which the regulator is also considering.

The contribution by my hon. Friend the Member for Crewe and Nantwich was typically pithy. She asked about appointments to rail users consultative committees. We wish to broaden their membership along the lines that my hon. Friend has detailed. We should like that membership to include people who use the railways and more young people. We also want vacancies on such committees to be filled through open advertisements, and there should be competition for those committee posts in accordance with the Nolan principles.

My hon. Friend the Member for Crewe and Nantwich and the hon. Members for Lewes (Mr. Baker) and for Carshalton and Wallington (Mr. Brake) spoke about rail freight and the need to ensure that railway land was available for the development of that traffic—the Government want to encourage that sector. We were asked what we were doing to stop the sale of railway land. In effect, Railtrack consults freight operators before disposing of land that might have a future use. Hon. Members also raised the possibility of a freeze on the sale of British Rail land. At the moment, BR is bound by statute to divest itself of surplus property at market value, but in the context of developing an integrated transport policy, we are examining whether planning guidance might be strengthened to protect suitable land for future rail use.

Hon. Members also asked what we are doing to encourage more freight on to the railways. The new freight companies are winning new traffic on to rail; English, Welsh and Scottish Railways aims to triple traffic in 10 years and Freightliner aims to increase the volume of container traffic by 50 per cent. in five years.

My right hon. Friend the Minister of Transport also outlined the measures that we have taken to improve the freight facilities grant not only in financial terms, but by cutting red tape. We have also secured commitments from the French Government and Eurotunnel to get a better deal for rail freight carried through the channel tunnel and

beyond, not only by EWS but by potential new entrants to the market. In the context of the development of an integrated transport policy, we are considering what other measures might be introduced to encourage rail freight.

On the theme of service to the travelling public, the hon. Member for Lewes and others, including the hon. Member for Carshalton and Wallington, raised the issue of bicycles on our trains. Only last year, I launched a code of practice providing for cyclists, and we encourage all train and station operators to adopt the code. Train operators are required by their franchise agreements to ensure that facilities are made available for the carriage of bicycles on trains, as far as is reasonably practicable; and the Government's new objectives, instructions and guidance to the franchising director now require that when a franchisee plans to order new rolling stock, he must discuss the provision of suitable space for accommodating bicycles with the franchise operator.

My hon. Friend the Member for Eltham (Mr. Efford) raised the issue of what he perceives to be dangerous working practices, which might not only cause harm to employees, but create possible dangers for the travelling public. Employers have a statutory duty to ensure that employees in safety-critical posts do not work such hours as would be liable to cause fatigue. The Health and Safety Commission has issued a statutory code of practice interpreting that duty; and the Health and Safety Executive's railway inspectorate is aware of drivers' concerns about new working patterns and is monitoring the situation carefully. However, if my hon. Friend would like to write to me stating specific details, I should be happy to look into the matter.

As I said, the hon. Member for Westmorland and Lonsdale was one of three speakers who could find nothing but good in the previous Government's practice of rail privatisation. He remarked on the speech made by my hon. Friend the Member for Crewe and Nantwich, who has dedicatedly served the House and her constituents for a considerable time and who honours the Environment, Transport and Regional Affairs Transport Sub-Committee by her chairmanship. For the hon. Gentleman to dub her remarks as utter tosh was quite outrageous and scandalous. He raised several constituency issues, not least that of over-carrying, about which he has written to me.

The hon. Gentleman highlighted the point that if we are to win more passengers on to our railways, the service provided by the train operating companies must be of the highest possible quality. Many Labour Members made the point that vast amounts of public money are being spent on our railways. The Government are determined to ensure that that vast sum produces a high-quality service, and that view will be part and parcel of all our policies, including our White Paper.

My hon. Friend the Member for Alyn and Deeside (Mr. Jones), who mentioned my birthplace, Birkenhead, more than once, raised the issue of stations. Again, there has to be co-operation between Railtrack, the train operating companies and those most concerned to ensure that stations, services and our whole railway system are improved for the benefit of individual travellers and the country as a whole.

In his balanced contribution, the hon. Member for Salisbury (Mr. Key) raised many of the issues that had been touched on by other hon. Members tonight. He also spoke about a bridge, but has not yet written to me on that subject. If Railtrack does not come to hear about what he said tonight, perhaps he should write to me, as a letter from me might help to move things along.

Tonight's debate has clearly demonstrated that the privatised railway system has not been the panacea promised by the previous Administration. It has a regulatory structure that often confuses; there is no long-term strategy for the development of the network; and—most important—passengers are not getting the service that they have a legitimate right to expect. Those are fundamental problems, and the Government are determined to address and to solve them. That is not to say that private train companies have not made improvements in some areas: I welcome the initiatives introduced by several train operating companies in respect of joint ticketing for bus and rail—a point also made by the hon. Member for Salisbury.

However, in opening the debate for the Government, my right hon. Friend the Minister of Transport set out in some detail the shortcomings of the railways as we found them last May. He also acknowledged that the reforms needed to remedy those failings cannot be made overnight. We shall need new legislation to establish the new rail authority and to implement some of the proposals that we plan to set out in our White Paper in the spring, on integrated transport policy. Those measures will build on the ones that we have already taken within the constraints imposed by the current complex regulatory structures. Those improvements have been widely welcomed as an important first step in creating the conditions for the railways to operate first and foremost in the public interest. That is what we have said we will do; that is what we are committed to do; and that is what we will deliver.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 40, Noes 296.

Division No. 158] **[9.59 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Ballard, Mrs Jackie
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Livsey, Richard
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'hs)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Wallace, James
Webb, Steve
Willis, Phil

Tellers for the Ayes:
Mr. Paul Tyler and
Mr. Donald Gorrie.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Barnes, Harry
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burgon, Colin
Butler, Mrs Christine
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr John *(Copeland)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fatchett, Derek
Field, Rt Hon Frank
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Michael J *(Worcester)*
Foulkes, George
Galbraith, Sam
Galloway, George
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Rapson, Syd
Raynsford, Nick
Robinson, Geoffrey *(Cov'try NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*

Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Clelland and
Mr. David Jamieson.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House deplores the previous Government's privatisation of the railways, which has made a large profit for a few, but has been a poor deal for the taxpayer and the passenger, and has fragmented the rail network; welcomes the Government's interim package of measures introduced in November 1997—new Objectives, Instructions and Guidance for the Franchising Director, new planning criteria for OPRAF and a Concordat with the Rail Regulator—which puts the interests of rail users first; and commends the Government's commitment to establish effective and accountable regulation and to set up a new rail authority so that passengers' legitimate expectations are met.

Cancer Research

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

10.12 pm

Dr. Ian Gibson (Norwich, North): Cancer remains a major medical problem in the United Kingdom. One in three people suffer some form of cancer. One in four die of it. Given the demographic changes—the population's increasing age—it is estimated that one in two people will suffer some form of cancer by 2020. A wide range of cancers was targeted as a priority in last week's Government Green Paper, "Our Healthier Nation".

Cancer research is an integral part of cancer medicine. Progress in cancer treatment has been steady, but very slow. Significant advances have been made by both scientists and clinicians working together to develop new treatments and to refine the results of such treatments. There have been important success stories in relation to testicular cancers, lymphomas and tumours of childhood, but, with common cancers such as lung, colon and breast cancer, there has been less spectacular progress. Prostate cancer has emerged as a major threat to male lives, and will require a severe strategic and clinical approach to have some form of cure.

We are at a watershed in cancer treatment and entering a new age of entirely novel therapies, where we will be able to identify people who are genetically at risk—for example, women who are at risk from breast cancer. In the past decade, an understanding of the fundamental cell defects that cause cancer, the mutant genes, has allowed us to consider discarding conventional treatments with agents such as cytotoxic drugs, in favour of a range of new, specific and effective agents.

Those new treatments include the use of the mutant gene, the so-called oncogene, as a target, which is thus selective; preventing cancer from spreading; and selectively re-engineering cancer cells to make them normal.

Such specific treatments should, we hope, eliminate many of the present debilitating side effects. At the same time, we must consider research into the care of patients and the role of organisations such as BACUP—the British Association of Cancer United Patients—the Royal College of Nursing, and MacMillan Cancer Relief, which provide information, counselling, support and nursing research for individuals, families and patients, and are key players in this area of research.

Other important research has disclosed that social class V individuals suffer more cancer than social class I; the same is true where there are marked social inequalities. That shows that environment and diet are strong influences in the differentiation between the classes, and therefore need further investigation. After all, it was in Britain that the definitive research into the link between smoking and lung cancer was carried out. The Food Standards Agency will offer support with diet and its link on cancers.

Cancer medicine requires a rigorous, reductionist, analytical approach to the disease. A knowledge of genetics, cell biology and molecular biology is increasingly needed so that clinicians can think of the clinical problem of cancer in fundamental terms and understand the scientific rationale for new treatments.

[Dr. Ian Gibson]

This essential core knowledge is included only at a very superficial level in the postgraduate training of cancer specialists.

In the past, research posts and research projects have been essential components of oncology training, but the opportunity to engage in such activities has been vitiated by the new strategies for national health service research and development introduced by the previous Government, which are heavily weighted in favour of operational and economic projects while providing very little support for clinicians wishing to pursue laboratory-based biomedical research.

Clinical research is the most widespread research activity in which clinicians participate. Clinical trials are the only way to evaluate and validate new treatments. It is vital that they are done, and done well. In the present state of knowledge, it is important that as many patients as possible with a malignant disease are offered the opportunity to participate in clinical trials. That is especially true of patients with the rarer malignancies. It is therefore important that there is support and encouragement for clinical trial participation at central and local level.

The last round of health service reforms by the previous Government unfortunately erected many obstacles in the path of clinical researchers. They have had the effect of severely restricting the scope for trial participation by non-academic departments. A recent article in the *British Medical Journal* by a senior consultant—sadly unsigned, even in this day and age, for fear of reprisals—illustrates the frustrations of trying to be both a clinician and a researcher. The lack of central support for and local commitment to clinical research activities, with NHS chief executives regarding clinical research with suspicion and as a potential drain on resources, is a major problem awaiting a solution.

Cancer research gets huge support from charities, and millions of pounds are donated each year by a generous British public. The Government can work with those private sources to underwrite long-term support. At the same time, the pharmaceutical industry—one of the success stories, we are told, in this country—seeks interaction with the wider scientific base in universities and research institutes.

I avidly await the views of Glaxo Wellcome and SmithKline Beecham on the effect of their proposed merger on these scientific issues—and, indeed, whether it will better the development of treatment for patients. The ground rules for applications to the National Lottery Charities Board need to be widened to support some of the initiatives that are needed.

We have a model—the National Cancer Institute in the United States. It supports cancer research and medicine throughout the USA. It supports a huge research and development operation in oncology, including laboratory science and clinical science at the highest level. It has pilot plant arrangements for the production of new compounds to be used in clinical studies.

Where there is co-development of new drugs with a pharmaceutical company, it has a degree of control over the pricing of the drug when it comes to market. That is extremely important for new drugs such as the Taxanes, which have been the subject of concern and rationing on ground of cost. Some women have been denied treatment for breast cancer because NHS trusts have run out of money. We need some control nationally over that process.

Moreover, the NCI is a comprehensive organisation for conducting and monitoring clinical trials. It makes comprehensive information resources available to clinicians and patients on the internet—at www.nih.gov—and not only provides but maintains those information resources in the light of emerging data. In some cases, information is reviewed and re-edited monthly. The United Kingdom has no comparable resource.

The United Kingdom urgently needs a national cancer institute that could and should work in concert with its US counterpart. The idea has support from the director general of the Imperial Cancer Research team, in London, from many consultants, and locally, as demonstrated today in our newspaper. The local Norfolk and Norwich Big C charity each year collects some quarter of a million pounds from the good people of Norwich and Norfolk, and supports the initiative to establish a national organisation.

The Royal Marsden hospital is an obvious candidate centre, but the site of the new flagship hospital, in Norwich, which is so beloved by my hon. Friend the Minister, might also be a fine place to site such an institute.

There certainly needs to be a national research initiative with support rather than obstruction at central and local level. In the USA, Clinton has given a massive budget increase to the National Institute of Health and the National Cancer Institute to boost scientific and clinical research. Those organisations have strong links with the Imperial Cancer Research laboratories, in London, and many individual scientists and clinicians collaborate with each other on both sides of the big pond.

There is currently a great opportunity to forge links and engage in jointly funded projects—all it needs is central organisation and political momentum. The failure of Nixon's so-called war on cancer will be forgotten if our new knowledge of the causes and biological basis of cancer is accepted and applied, and a proper infrastructure is established to move discoveries from laboratory to clinic to bedside.

10.21 pm

The Minister of State, Department of Health (Mr. Alan Milburn): I am grateful—as I am sure that the House is—to my hon. Friend the Member for Norwich, North (Dr. Gibson) for raising an extremely important subject, and for giving me the opportunity to stress the Government's determination to improve cancer services and our commitment to cancer research.

As my hon. Friend rightly said, cancer is a major problem. Each year, more than 200,000 new cases of cancer are diagnosed in England and Wales. Most of us are likely to know someone who has suffered from cancer. Tragically, in the United Kingdom, one in four people currently die from cancer. After coronary heart disease, cancers are the most common cause of death in our country. All that makes it vital that the Government have a strategy both for cancer care and for cancer research.

Before outlining the Government's strategy, I should like to record—I hope on behalf of the whole House—my thanks to all the organisations that help in tackling cancer,

whether they work in the field of research—organisations such as the Cancer Research Campaign or the Imperial Cancer Research Fund—or in helping patients and their families to deal with cancer, such as the services offered through MacMillan Cancer Relief and Marie Curie Cancer Care.

As hon. Members will know, cancer has an impact on the lives of most people in the United Kingdom, whether as patients, relatives, friends, neighbours or workmates. I know that the work of those organisations has often proved invaluable. I certainly join my hon. Friend in congratulating members of the public who each year donate huge sums to help in the fight against cancer.

Over the next 20 years, there are likely to be a number of major changes that will impact upon cancer care and cancer research. Research will have an important role in addressing those developments. The pattern of cancer incidence, for example, will change as the population becomes older. Cancer is mainly a disease of older age, with the majority of people in the UK who develop it aged over 70. We need also to ensure that our screening programmes continue to meet high-quality assurance standards, and that other potential population screening methodologies for other specific cancers are considered as research becomes available.

Just as important, with an increasing older population, it is likely that more people will have to live with cancer. This means that we need to ensure that research continues to improve our knowledge of palliative care so that we can further develop our support systems and improve the control of symptoms and side effects following treatment, thereby allowing patients, as far as possible, to lead a fulfilling, pain-free life.

Research can help to identify ways of preventing cancer, or spotting it in its early stages. Not all cancer deaths are preventable, but many are. Factors such as diet, smoking or the environment can cause cancer. As my hon. Friend rightly said, just last week the Government set out in the Green Paper "Our Healthier Nation" proposals to reduce the death rate from cancer among people aged under 65 years by at least a further one fifth.

That is a very challenging target, but one that it is important to meet. Had that reduction taken place in 1996, it would have resulted in some 6,000 deaths in this age group being avoided. We set out proposals for concerted action by the Government as a whole, in partnership with local organisations, to improve people's living conditions and health.

The Government believe that all cancer patients should be confident of uniform access to high-quality services, regardless of where they live. The care and treatment of cancer patients forms a substantial part of NHS work in both the primary and secondary care sectors—it accounts for around 7 per cent. of NHS resources. We want to ensure that the good working practices that already exist in many areas are developed more widely, so that we can get rid of some of the unacceptable variations in provision.

That is why the Government wish to progress the Calman/Hine framework set out in the document "A Policy Framework for Commissioning Cancer Services". As my hon. Friend will know, that recommended a strategic framework for delivering cancer services so that variations are eliminated.

A great deal of work has already been undertaken within the NHS to implement the recommendations of the Calman/Hine framework, with much being achieved locally. A key element has been the identification of cancer units and centres and local agreement on where and what cancers should be treated at individual hospitals. In many regions, this has involved site visits by multi-disciplinary teams to assess cancer provision against agreed cancer standards, to identify strengths and weaknesses, and to agree a time scale for change.

Full implementation cannot be achieved overnight, but we are determined to see some early improvements in services. We have set out a commitment in our White Paper "The New NHS" to

"improve prompt access to specialist services so that everyone with suspected cancer will be able to see a specialist within two weeks of their GP deciding they need to be seen urgently and requesting an appointment".

We will guarantee these arrangements for everyone with suspected breast cancer by April 1999 and for all other cases of suspected cancer by 2000. As my hon. Friend also knows, we have already made £10 million available to be used specifically for breast cancer services. It is being used already to give women rapid access to good diagnostic services and shorter waiting times for treatment. Indeed, some £120,000 of this investment has gone into services in Norwich.

The current reorganisation of our cancer services, based on the Calman/Hine recommendations, will enable patients to move through the system more effectively and to benefit from earlier diagnosis and treatment given by specialised multidisciplinary teams. It has been estimated that this alone could increase survival by as much as 10 per cent. when fully implemented. The publication of evidence-based guidance in support of the cancer strategy and the guidelines issued by the professions for the various cancer sites is allowing the benefits of research to be disseminated and translated into practice across the country.

I deal now with some of the specific issues raised by my hon. Friend. Let me assure him that the Government remain committed to encouraging research into the causes, prevention, early detection and treatment of all cancers. There are three main routes by which the Government currently fund research: through the Department of Health policy research programme, the NHS research and development programme, and the Medical Research Council.

First, the Department of Health's policy research programme funds high-quality research to provide a sound knowledge base for health services policy, social services policy, and central policies directed at the health of the population. It has an extensive portfolio of work on research into cancer. It provides long-term funding for two well-established and highly regarded research groups: the cancer screening evaluation unit at the Institute of Cancer Research, and the childhood cancer research group at the university of Oxford.

The programme also contributes to research external to the Department of Health. For example, it is making a substantial contribution to the United Kingdom Co-ordinating Committee on Cancer Research's breast cancer screening trials, one of which is studying the potential value of screening women from the comparatively earlier age of 40. Other cancers being

[Mr. Alan Milburn]

researched include lung cancer, liver cancer and childhood tumours, and there are also studies on smoking and radon in houses.

Secondly, there is the NHS research and development programme which funds more than 300 studies and plays a key role in strengthening the scientific basis of health care. There is a specific NHS research and development cancer programme, which, after a detailed consultation process with key organisations in the cancer field, identified 25 priority areas including aetiology, palliative care, screening and treatment. Through the NHS research and development levy, the NHS also provides service support for externally funded clinical and basic research undertaken in NHS trusts. About £30 million was spent on service support for cancer research.

Thirdly, there is the main agency through which the Government support medical and clinical research—the Medical Research Council, which receives its grant in aid from the Department of Trade and Industry. The council is an independent body, deciding what research to support on its own expert judgment.

In 1994-95, the latest year for which figures are available, the council spent almost £15 million directly on research into cancer. The figure would rise considerably if a proportion of the council's spend on metabolism, molecular structure, genes and chromosomes, the immune system and other areas of basic medical research that may yield results relevant to cancer were included. The Department of Health has a concordat with the Medical Research Council that ensures discussion between the two organisations on their priorities for research.

The Medical Research Council is currently funding a number of research projects that will have a significant impact on the future of cancer services. For instance, the MRC is funding research looking at the application of new technologies, including imaging and molecular pathology, for improving tumour diagnosis, and for the prediction of tumour behaviour and response to therapy.

As my hon. Friend said, invaluable work is undertaken by the cancer research charities, such as the Cancer Research Campaign and the Imperial Cancer Research Fund. In 1995-96, it is estimated that charities affiliated to the Association of Medical Research Charities spent £124 million on cancer research. Together with the estimated £115 million spent each year on cancer research by the pharmaceutical companies, that means that, in total, an identified £263 million a year is spent on cancer research. It is a considerable sum of money, but it is not simply a matter of funding. We must be confident that appropriate research is undertaken, and that we build on the lessons from research.

My hon. Friend has called for a strategic body for cancer research. The National Cancer Institute in the United States of America is a well-respected and effective organisation. It is an interesting proposal, but the current arrangements in the United Kingdom are different, although equally effective.

Here, we have a national forum with representatives from the NHS, the pharmaceutical industry, the medical research charities and the research councils. It was established to ensure that the NHS fully understands the priorities, strategies and requirements of its research partners, and in turn ensures that they understand where NHS priorities lie. It covers research generally, but provides a forum for sharing information and taking a strategic overview of research activity.

On cancer in particular, there is the United Kingdom Co-ordinating Committee on Cancer Research, which is jointly funded by the Cancer Research Campaign, the Imperial Cancer Research Fund and the Medical Research Council. It provides a useful forum for the exchange of views and information among funding bodies and other organisations specifically on cancer. It plays a major role in facilitating and co-ordinating joint initiatives. Importantly, it recommends proposals for the co-ordination of policies to sponsors, and advises on issues of relevance to the conduct of cancer research.

The co-ordinating committee also has a number of site-specific sub-committees developing basic science and clinical trial initiatives, including ones on breast, colorectal and gynaecological cancers and melanoma, as well as ad hoc groups advising on the current status of biomarkets and new technologies in clinical cancer research. I assure my hon. Friend that the co-ordinating committee maintains close links with my Department, and we have observer status on it.

I agree with my hon. Friend that clinical trials are the best way of evaluating and validating new treatments. All treatments in the NHS should be subject to clinical trials. We have recently appointed a clinical trials adviser to support and develop trials.

The debate has highlighted the potential for cancer prevention and, we hope, cure. Our knowledge of cancer is increasing year by year—indeed, day by day. We need to be confident that we have in place co-ordinated and appropriate research, and, most importantly, that we have the ability fully to exploit the results of that research for the benefit of the population. That is the challenge for the national health service and the country. I assure my hon. Friend and the House that we shall work with all concerned to help meet that challenge.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes to Eleven o'clock.

House of Commons

Tuesday 10 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

LLOYDS TSB BILL *[Lords]*

Order for Second Reading read.

To be read a Second time on Tuesday 17 February.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

Europe-Asia Conference

1. **Mr. Hill:** If he will make a statement on the agenda for discussion at the Europe-Asia (ASEM2) Conference to be held in London in April. [26427]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): We look forward to holding the ASEM2 summit in London on 3 and 4 April, the first of its kind in Europe. The summit will give my right hon. Friend the Prime Minister a unique opportunity for wide-ranging, informal and productive discussions with 25 world leaders, representing countries that account for half the economy of the globe. We expect ASEM2 to discuss the financial turbulence in the region, measures to improve business and trade links and co-operation in response to environmental threats such as forest fires.

Mr. Hill: I thank my right hon. Friend for his reply. As he has remarked, south-east Asia has gone through great political and economic turbulence in recent times, and he will be aware how important a growing and dynamic Pacific rim is for British exports. What steps is the Foreign Office taking to promote British exports to the region?

Mr. Cook: I am pleased to assure my hon. Friend that, when I was in the region last autumn, I lobbied successfully on behalf of British companies. We have ensured that a third of staff at our embassies in those posts are dedicated to commercial promotion work. As a result, they are winning orders for Britain.

My hon. Friend is right to draw attention to the financial turbulence in the area. We will undoubtedly discuss that issue at ASEM2, because we are well aware that that financial turbulence can have an impact on us. That is precisely why Europe is one of the leading contributors of funds to ensure that we quell that turbulence and enable those countries to resume their growth trend.

Arms Sales

2. **Mr. Berry:** What measures are included in the United Kingdom proposals for an EU code of conduct on arms sales to close loopholes on brokering and licensed production. [26428]

8. **Mr. Cohen:** What measures are included in the United Kingdom proposals for an EU code of conduct on arms sales to close loopholes on brokering and licensed production. [26437]

Mr. Robin Cook: The Government are currently considering the recommendations of the Inter-Departmental Committee on Trafficking in Arms. We will announce our conclusions during this Session and will have particular regard to the legal loophole that permitted a UK company to broker the supply of small arms to Hutu extremists.

The proposals for an EU code of conduct, which we have tabled jointly with France, deal with the export of arms produced domestically and therefore do not deal directly with the brokering of arms that are produced by a third country. I am pleased to tell the House that our proposed code of conduct has been well received throughout Europe and will ensure that all member states apply the same tough standards against the supply of small arms to countries that might use them to repress freedom.

Mr. Berry: I thank my right hon. Friend for his answer. Does he share the concerns of many people who responded to the Department of Trade and Industry consultation on the Scott report—which is two years old on Sunday—that UK export controls do not cover brokering and licensing arrangements? Will he confirm that some European countries have introduced controls that cover brokering: Germany, Netherlands and soon Belgium? Will he give further consideration to the inclusion of such controls in the UK's proposals for an EU code of conduct on arms exports?

Mr. Cook: I would be very reluctant at this stage to go back to square one on the code of conduct. We have achieved agreement with the other major arms exporter in Europe—France. Those proposals have been circulated to all EU partners and have been overwhelmingly well received by them. I would therefore be reluctant to introduce new matter into the proposals, but I assure my hon. Friend that we are vigorously examining how we might respond nationally to the issue that he highlights. In the meantime, as he reminds me that we are approaching the second anniversary of the Scott report, may I say that we are determined to avoid the previous regime's experience in supplying export cover for arms and other equipment to the tune of £800 million, which is still unpaid by Saddam Hussein and has become a charge on the taxpayer.

Mr. Cohen: Will my right hon. Friend take action to stop licensed production becoming a major loophole in

the European Union code of conduct on arms sales? Has he seen reports that the Nottingham-based company, Heckler and Koch, won a technology transfer contract to produce the latest assault rifles in Turkey, and similar rifles then found their way to Iran and the Sudan under the licensed production procedures? Is it not essential that licensed production is covered by an arms control export system that applies to both the United Kingdom and the European Union?

Mr. Cook: My hon. Friend raises a serious issue, but in practical terms it is extremely complex and difficult to control the transfer of technology in the same way that we can license the physical export of weapons. Where licensed production takes place, we try to encourage an arrangement by which we have control over future exports and their end use.

Mr. Wells: Would the proposed EU code of conduct prevent France from exporting arms to Iraq?

Mr. Cook: The code of conduct that we are proposing is based on the rules that Britain adopted last summer. Under those rules, we could not export arms to Iraq. It is one of the great regrets of our history that the previous Government exported machine tools to Iraqi armaments manufacturers.

Mr. Streeter: I notice that the right hon. Gentleman did not answer the point about France. If, for example, under the code of conduct, a British company is refused a licence to supply a certain order for arms and a notice to that effect is circulated to all European partners as proposed by the code, what is to prevent the Government of another member state from interpreting the code of conduct in a different way and permitting a company in that member state to meet the order? Is not that precisely what happens in the real world, and what do the Government intend to do about it?

Mr. Cook: The hon. Gentleman rightly describes exactly what happened throughout the past 18 years under the previous Government, who made no attempt to establish a binding code of conduct. The code of conduct provides that any country contemplating taking up an order that another member state has refused must first notify that member state and then enter into dialogue with it. I assure the hon. Gentleman that, if any country proposed to take up a contract that we had denied, we would pursue the matter through all 14 member states.

Algeria

3. **Mr. Gareth Thomas:** What steps his Department has taken to reduce conflict and human rights abuses in Algeria. [26429]

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): We believe that in order to achieve progress in Algeria, we must keep the Algerians engaged in political dialogue, express our points of view to them and discuss their concerns and requirements. I led a European Union troika mission on 19 and 20 January 1998. The mission's report led to the conclusions that my right hon. Friend, the Foreign Secretary announced after the General Affairs Council on 26 January. They have given us a sound base on which to build.

Mr. Thomas: I am grateful to my hon. Friend for that reply. Will he confirm that when the United Nations Commission on Human Rights meets in Geneva next month, human rights abuses in Algeria will be fully debated?

Mr. Fatchett: It is important that there is a full debate on human rights in Algeria. During the troika mission we took the opportunity time and again to say to the Prime Minister and Foreign Minister of Algeria that we wished for greater openness and transparency on those issues. We urged the Algerians to invite the United Nations special rapporteurs, but unfortunately they declined to do so. We continue to maintain pressure in that direction. We believe that it is important that Algeria invites the special rapporteurs.

Mr. Faber: In view of the Government's ethical foreign policy, has the Minister had a chance to reconsider his views of 19 November, when he said that the situation in Algeria was an internal problem? Is he aware that Mary Robinson, the United Nations High Commissioner for Human Rights, expressed exactly the opposite view, saying that human rights had no international borders and that the international community should seek to end such violence? Does he now share her views, and if he does, should not the Government propose more concrete action during the United Kingdom presidency of the European Union?

Mr. Fatchett: It is difficult to understand where the hon. Gentleman has been over the past month. The simple fact is that, under Britain's presidency, the European Union has taken action. We sent a troika mission to Algeria. The United Kingdom is the first country to have taken such an initiative. Rather than complaining, it is about time that the hon. Gentleman applauded the Government for the action that they have taken.

Ann Clwyd: Does my hon. Friend agree that there is overwhelming evidence from human rights organisations that Algerian generals use torture as an instrument of rule, and that no one believes that the 80,000 victims of the war have been killed by only one side?

Mr. Fatchett: That is why we urge the Algerian Government to be more open and transparent, and therefore to be more accountable, on human rights issues. That is also why we urge them to invite United Nations special rapporteurs. We think that that is the right way of dealing with all the fears and innuendos that there may be about Algeria's record. We will continue to make that argument to them.

Sudan

4. **Rev. Martin Smyth:** What assessment he has made of progress of negotiations in Sudan. [26432]

Mr. Fatchett: The resumption of peace negotiations—on 30 October, in Kenya—between the Government of Sudan and the Sudan People's Liberation Army under the

sponsorship of the Inter-Governmental Authority on Development is a significant step forward in the search for peace in Sudan and an end to the suffering of the Sudanese people. We understand that the negotiations focused on the two central issues of self-determination and the relationship between state and religion. Unfortunately, the talks were suspended on 11 November and are due to resume in April.

Rev. Martin Smyth: I appreciate the Minister's response. With him, I welcome movement in the negotiations but regret their suspension. Does he agree that there is also need for the Government to try to develop Sudan's infrastructure—particularly in the southern, western and northern parts of Sudan—and to ensure that aid sent by aid organisations outwith the country get to the places for which it was designed?

Mr. Fatchett: I agree with the hon. Gentleman that there is a need for that infrastructure development and a need to ensure that aid reaches those who are desperately in need. The best circumstances in which we can achieve those objectives will be achieved by ensuring that there is a peace settlement between the warring parties, which is why we have supported and will continue to support the IGAD initiatives.

Mr. Flynn: Has the Minister seen today's report by the charity Christian Solidarity International stating that tens of thousands of Christian children are held as slaves in northern Sudan? Is it not in itself a tragedy that the wars in that country, which have killed more people than have died in Rwanda, are unknown because they have not been observed by television cameras? Is it not time that we acted, in so far as we can, to use our influence in the area to establish peace and elementary standards of human rights?

Mr. Fatchett: My hon. Friend is right in saying that the events which he describes and which have been described by various organisations are a tragedy. The holding of young children by forces in the north of Sudan is more than a tragedy—it is an evil practice which I am sure that every hon. Member will condemn. I assure him that, through IGAD, we will do all that we can to help the peace negotiation process, which is crucial for everyone living in Sudan.

Citizenship

5. **Dr. Tonge:** If he will make a statement on the review his Department is currently undertaking into British citizenship for the people of British dependencies. [26433]

Mr. Robin Cook: Last week, I announced the progress on our review of the dependent territories. We propose to improve their administration through a single specialist department, to require of them the highest standards of financial regulations and observance of international obligations on human rights, and to rename them UK overseas territories. We have also announced that the Government are exploring the possibility of granting British citizenship to all the citizens of those overseas territories who do not already have it. We are examining the matter sympathetically and urgently. We are currently in discussion on all elements of that package with the Governments of the overseas territories.

Dr. Tonge: Will the Foreign Secretary assure the House that the Government are doing everything possible to persuade the dependent territories to amend their laws against homosexuality? Is he aware that, in October, a written answer from the Foreign Office assured me that the Governments of the dependent territories had received an instruction to review their laws on homosexuality, yet in January the Office of the Governor of the Cayman Islands said that it had heard about the communique but not received anything officially? Have the Government contacted the dependent territories on the issue or not?

Mr. Cook: First, I encourage the hon. Lady and other hon. Members to use the new term of overseas territories. The term dependent territories does not do justice to the territories' very strong economies and self-government. That is why we propose to rename them.

On the particular human rights point, I singled out the issue of corporal and capital punishment in my speech to the Dependent Territories Association, which we shall be consulting. I also stressed the need to ensure that the territories' laws fully conform with international obligations, which will require some—not all—to address their statute on homosexuality.

Ms Abbott: The Foreign Secretary will be aware that his speech at the dependent territories conference last week was widely appreciated by representatives of the territories that attended. On the question of nationality, does he agree that we are talking only about 180,000 people? The largest single territory, Bermuda, has only 60,000 people, none of whom are likely to want to leave their very high standard of living to come here. Overseas territories simply want help with access to education and an end to the humiliation of black politicians and white politicians having to go through different channels at Heathrow airport. Does he recognise that it would be widely appreciated outside the House, as a graceful gesture as we approach the millennium, if citizenship were granted to overseas territories citizens?

Mr. Cook: I think that I would be wise to welcome my hon. Friend's appreciation while it is available. I fully agree with what she has just said. She slightly overstates the number of people concerned, because citizenship is already available to the citizens of Gibraltar and the Falkland Islands. That of course gives rise to some sensitivity in other territories of a different racial mix. She also rightly identified two points of great irritation to the citizens of dependent territories: when they come to Britain they have to go through the "other nationality" channel, and if they go to Europe, they need a visa. I hope that it will be possible for us to remove those irritations.

Mrs. Virginia Bottomley: In the light of the Foreign Secretary's answer, what assurance can he give that such treatment will be consistent with the handling of the people of Hong Kong?

Mr. Cook: Our proposal is to improve the consistency of treatment of citizens of overseas territories. At present,

two territories have citizenship and the rest do not. Our proposal provides even-handed and consistent treatment for all our remaining overseas territories. Those who still represent or live in our overseas territories find it hard to be told that they cannot have citizenship because of what were the rules for Hong Kong, but now it is no longer a dependent territory.

Middle East

6. **Mr. Jim Marshall:** If he will make a statement on his Department's assessment of likely progress on the middle east peace process. [26435]

Mr. Robin Cook: We believe strongly that the best hope for progress towards a lasting peace in the middle east is through the current process, based on the Oslo agreements and the principle of land for peace. In particular, we believe that significant and credible Israeli troop redeployments from the west bank and an end to the expansion of Israeli settlements in the west bank are essential to restore confidence. We shall continue to work for an outcome that offers peace with security to the Israeli people and peace with justice to the Palestinian people.

Mr. Marshall: I thank my right hon. Friend for that reply, but may I push him a little further? Does he agree that Israel should comply fully with international agreements, into which it freely entered some years ago, and with successive United Nations resolutions on the middle east? Does he further agree that, if Israel were to do that, it would not only progress the middle east peace process but make it easy for Arab states which wish to support further action against Saddam Hussein to do so?

Mr. Cook: My hon. Friend is correct to draw attention to the read-across in the minds of the population of many Arab countries between the current confrontation in Iraq and the stalemate in the middle east peace process. To ensure that we are not vulnerable to any charge of double standards, and for the sake of peace in the middle east, it is important that we are robust in insisting that the terms of the Oslo accords are carried out. I therefore assure him that we shall continue to condemn any breach of the Oslo accords. In particular, we call on the Government of Israel to honour the agreement entered into by the previous Israeli Government, which, because it has the force of a treaty, is binding on successor Governments.

Mr. Flight: What information, if any, does the Foreign Secretary have on the production of biological and chemical weapons in other parts of the near east? I am thinking in particular of Syria and Libya, which are a factor in the stability of the area and the peace treaty.

Mr. Cook: I am not aware of such production in Syria. Libya, as the hon. Gentleman knows, is also subject to very tight sanctions, one of the aims of which is to ensure that there is no possibility of that country developing any chemical or biological weapons.

Mr. Wyatt: Can my right hon. Friend say what new European initiatives to push forward the middle east peace process will be made during Britain's presidency of the European Union?

Mr. Cook: I am pleased to tell my hon. Friend that the European Union is the major provider of funds to the peace process. During Britain's presidency, we shall consider how we roll forward that budget to ensure that we continue to support the peace process practically. In particular, we shall look for initiatives to boost confidence in the middle east and address the economic problems of the Palestinian authority, perhaps through supporting the Gaza sea port and airport. I shall visit the middle east next month to take forward those initiatives.

Mr. Menzies Campbell: Is it not clear that an overwhelming obstacle to the peace process—indeed, one that causes the most offence to the Palestinian people—is the Israeli Government's persistent breaches of international law on settlements? If the Government, and those of us who support them in their attitude to Saddam Hussein and his breaches of international law, are to carry any credibility, must not we be even-handed in our condemnation of other countries in the middle east that so obviously breach the principles of international law?

Mr. Cook: I agree absolutely with the hon. and learned Gentleman. We have done precisely what he says—only last week in the middle east, the Minister of State, my hon. Friend the Member for Leeds, Central (Mr. Fatchett), condemned the settlement programme and the expansion of the settlements. The Israeli Government should be under no illusion: whatever they gain in domestic opinion, they lose in international opinion by jeopardising the peace process.

Mrs. Ellman: Does my right hon. Friend agree that the Palestinian demonstrations in support of Saddam Hussein that took place over the weekend will not help the cause of peace, as they intensify the anxieties about security of those Israelis who genuinely want peace for land? Given that the memory of the 39 Iraqi Scud missiles that landed on Israeli towns is still uppermost in Israeli citizens' minds, will my right hon. Friend call on the Palestine National Authority to act responsibly, just as he rightly calls on the Israeli Government to act responsibly?

Mr. Cook: We would welcome support for our position on Iraq from any quarter, including the Palestinian authority. I agree that the Israeli people are fully entitled to be secure and to feel that their safety is catered for in any peace settlement. It is also important that we remember that those who voted for the current Israeli Government did not vote for a suspension of the peace process; they voted for peace with security. Unless the Palestinian people are offered peace with justice, there can be no peace with security.

Mr. Howard: The Foreign Secretary has not told us what action he has taken under Britain's presidency to help break the logjam. Will his third planned visit to the middle east, which is due to take place next month, be cancelled as the other two were? Does he accept, as the hon. Member for Leicester, South (Mr. Marshall) suggested, that the logjam in the peace process is hindering and complicating any action to solve the situation in Iraq? Will he impress that on the Government of Israel, with all the status of his presidency of the European Union Council of Foreign Ministers?

Mr. Cook: Just for the record, one of those visits was cancelled because of religious holidays in the middle east

and the other because of the previous Iraqi crisis. To respond to the right hon. and learned Gentleman's points about the presidency—*[Interruption.]* If the House will allow me to deal with the question, I can tell him that we had a discussion on the middle east peace process at the last meeting of the General Affairs Council and as a result I have been in close contact with Madeleine Albright. We anticipate that we may have a freer and closer access to the American-brokered initiatives on the peace process. As part of that, we are producing our own complementary measures on the Gaza sea port and airport, to which I referred.

Mr. Ernie Ross: May I warmly congratulate my right hon. Friend on his robust comments about Prime Minister Netanyahu at the weekend? There is a problem as far as the Netanyahu Government are concerned. On the one hand, the Ministry of the Interior is allowing 132 housing units to be built in Ras al-Amud and on the other, the security service is trying to suggest that the Palestinians will complain about that simply to cause problems in the area. Will my right hon. Friend take this opportunity to condemn any attempts to build on the Ras al-Amud area of Jerusalem?

Mr. Cook: I am very happy to condemn that, and to repeat the statement made by the Minister of State, who did exactly that in the middle east. The Government of Israel are in no doubt as to our views and the overwhelming views of the international community. If they want to return to the peace process, they have to abide by the interim agreements, which means ending the expansion of the settlements and the closure programme, which interrupts the free passage of the Palestinian people.

Recruitment Policies

7. **Mr. Hawkins:** What plans he has to change the recruitment policies of his Department. [26436]

18. **Mr. Ruffley:** If he will make a statement on his Department's policy on the appointment of non–career civil servants. [26448]

Mr. Fatchett: Recruitment to civil service appointments must follow the civil service commissioners' recruitment code. We are working to make the Foreign and Commonwealth Office a more open and diverse organisation representative of modern Britain. We have appointed Mr. Linbert Spencer as an adviser on minority ethnic issues to help promote the FCO as an attractive career opportunity for members of minority ethnic groups. Separately, we have established a short-term business attachment scheme to strengthen our export promotion efforts by placing secondees from business into posts overseas.

Mr. Hawkins: The Minister and various other Labour Front-Bench spokesmen both before and after the election were fond of making portentous statements about the rights of women in the work force. In the light of those, will the Foreign Office now release the ban on Anne Bullen responding to the outrageous attacks on her by Labour Front-Bench spokesmen and their spin doctors? In the light of the Foreign Secretary's recent answer, is not it clear that to avoid religious holidays in the middle east, he probably needs yet another diary secretary?

Mr. Fatchett: Given what I have read in the newspapers, I am not sure that there is any ban on Anne Bullen—she seems to have been quite vocal. If anyone had been watching the response to my earlier answer, they would have seen one of the reasons why the modern Conservative party is unelectable. As soon as I mentioned the needs of the ethnic minority communities, all that Conservative Members could do was to find it amusing. It is a serious issue, and I do not treat that section of our community with contempt.

Mr. Ruffley: Does the Minister now accept that, if an individual from outside the civil service is being considered for a post within his Department, any personal involvement with any Minister should be declared at the first opportunity? If he accepts that principle, can he explain why the Foreign Secretary did not follow it in the case of Mrs. Gaynor Regan.

Mr. Fatchett: All those issues were explained in full last week. I find it wholly depressing that a modern opposition party—I understand why it is in opposition—cannot deal with important issues of state. Opposition Members stay in the gutter and they have got even lower than the gutter in some of their questions. I understand that the hon. Gentleman and some of his colleagues were special advisers to previous Conservative Governments—I wonder how they were appointed.

Mr. Gerrard: Does my hon. Friend accept that, to those of us who represent constituencies with significant numbers of ethnic minority constituents, it is no laughing matter that people from those communities have been shut off for so long from jobs in the civil service, especially jobs at its higher levels? Will he tell us what his Department is doing to put that right and to ensure that at the top level, including that of ambassadors, we have people who are representative of the communities that we represent?

Mr. Fatchett: My hon. Friend asks a valid question. One of our reasons for appointing Linbert Spencer is so that we have help and advice on those issues. I look forward to the day when British ambassadors throughout the world truly reflect the multiracial and multi-ethnic nature of modern Britain.

Mr. Sheerman: I congratulate my hon. Friend on broadening the scope of recruitment, and especially on the temporary secondments from business. However, will he do more in terms of getting business acumen around the world to open up our embassies and make them more approachable and accessible? Will he also expand the policy to bring in senior local authority officers and academics, as adding such people to our permanent foreign service could bring nothing but gain?

Mr. Fatchett: The short-term business attachment scheme is working well. There has been substantial private sector interest, which shows the extent and depth of the partnership between private industry and the new Labour Government. We shall continue to develop the

scheme. I agree with my hon. Friend that bringing in expertise and experience is extremely useful to the Foreign Office.

Sir Peter Tapsell: When I was a very young man, Anthony Eden said to me that he thought that attacks ad hominem in the House were nearly always a mistake. Would not the institution that we are proud to serve do itself far more credit if hon. Members on both sides of the House abandoned them?

Mr. Fatchett: I wholly agree with the hon. Gentleman, who makes his point remarkably well. I suspect that he read the *Hansard* report of last Wednesday's Adjournment debate and realised that his party had shot itself in the foot on that occasion.

Brazil (State Visit)

9. **Mr. Blizzard:** If he will make a statement on the recent state visit of the President of Brazil. [26438]

The Minister of State, Foreign and Commonwealth Office (Mr. Doug Henderson): The state visit by the President of Brazil was a significant milestone in the steady strengthening of UK-Brazil relations in recent years. The clear, highest-level commitment to the further development of our relations was demonstrated by my right hon. Friend the Prime Minister and President Cardoso in signing a joint action plan identifying key areas for future co-operation.

Mr. Blizzard: I thank my hon. Friend for that reply; it is clear that relations between Brazil and Britain are the best they have been for many years. Does my hon. Friend agree that that is a reflection of the consolidation of democracy in Brazil, where the President was freely elected with more than 50 per cent. of the vote, and of the tremendous trading opportunities between our two countries, with each seeing the other as the gateway to a larger market—the European Union in Europe and Mercosur in south America? In view of that and of the fact that Brazil's is the seventh largest economy in the world, would my hon. Friend consider making an official visit to Brazil in the near future? Would he also be willing to ask my right hon. Friend the Prime Minister to make a bilateral official visit to that country, the first bilateral official visit to Brazil ever made by a British Prime Minister?

Mr. Henderson: I am grateful to my hon. Friend for raising that point. It is important steadily to build relations with Brazil, because it is a large country with a huge potential export market for our manufacturers. As part of our export forum programme, an export forum will be established in Brazil to try to boost that trade.

The question of a prime ministerial visit is a matter for the Prime Minister, and he no doubt discussed that with the President of Brazil. The Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), who normally deals with such matters, has already been to Brazil and visited his counterpart. He has also received his counterpart here, as the beginning of the process of building relationships.

Mr. Wilkinson: Following the most successful and welcome visit by His Excellency the President of Brazil to this country, will the present Government continue the "link up with Latin America" programme of the Department of Trade and Industry, sponsored by the previous Administration, with particular emphasis on the Mercosur countries of Paraguay, Uruguay, Argentina, Brazil—of course—and, last but not least, Chile, which is associated with Mercosur? All those countries have economies that have greatly reformed and offer remarkable opportunities for British business.

Mr. Henderson: I am happy to agree with the hon. Gentleman. It is important that we build trade links throughout south America. Huge and increasing markets are potentially available to our manufacturers, and democracy is increasingly becoming established in those countries. I met the Foreign Ministers of Mercosur in New York in September and many of those issues were under discussion. I hope that we will continue to press them.

Mr. Corbyn: During the meetings with the representatives of Brazil, did my hon. Friend have a chance to discuss the rapid deforestation of the Amazonian rain forest and the problems that that poses for the world's climate and environment? Did he also have an opportunity to discuss the denial of human rights to many of the indigenous people of the Amazonian rain forest, who have seen their land and rivers polluted by illegal mining activities, often conducted with western finance and by western companies?

Mr. Henderson: Those matters were discussed by my hon. Friend the Minister of State when he visited Brazil and when he received the Foreign Minister here. My hon. Friend took up the question as part of the dialogue. The need to help the Brazilian Government to realign their agricultural industry was also part of those discussions and we are currently involved in a bilateral agreement with the Brazilians to the sum of £16 million. We have given them £6.5 million in aid to help the diversification process, and we hope that that will benefit the environment.

Geneva Conventions

11. **Ms Ryan:** If he will make a statement on the ratification of the additional protocols to the 1949 Geneva conventions. [26441]

Mr. Doug Henderson: I am pleased to say that we have ratified the additional protocols to the Geneva conventions. The Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), announced that to the House in a written answer to my hon. Friend the Member for Dartford (Dr. Stoate) on 28 January.

Ms Ryan: I thank my hon. Friend for that answer. What measures will the Government take to ensure that that ratification is genuinely meaningful in practice?

Mr. Henderson: I am grateful to my hon. Friend for that question. The Foreign Office will of course undertake continual monitoring of those matters. On the same day the protocols were signed, the Government announced a £5.8 million aid scheme to the International Red Cross, and part of its endeavours include ensuring that those protocols are adhered to.

Diary Secretary

12. **Dr. Julian Lewis:** If he informed his officials of his relationship with his nominee for the post of diary secretary when he proposed her for that post. [26442]

Mr. Robin Cook: Madam Speaker—*[Interruption.]* I think I know which question the hon. Gentleman is asking.

As I have already told the House on 29 January, no. I myself concluded that, in view of my relationship with Ms Regan, it would not be right to appoint her as my diary secretary. The nominee for the post was then chosen by officials from career civil servants through normal routine procedures. What has happened in this case is that a personal appointment under the previous Government has been replaced by a public appointment under this Government.

Dr. Lewis: I thank the Foreign Secretary for that answer. On reflection, does he realise that, if he had chosen to confide in his officials, it would not have taken him nine days to come to the blindingly obvious conclusion that what he was proposing was an unethical policy for someone in his position in the Foreign Office?

Mr. Cook: During those nine days, I attended the intergovernmental conference in Noordwijk, I attended the formation of the NATO-Russia Joint Permanent Council in Paris and I attended the Sintra meeting on Bosnia. I know that the hon. Member and some of his colleagues have spent the past 19 days doing nothing but think about my diary secretary, but I have to say that Foreign Secretaries often find other things to work on in nine days as well.

Mr. Gapes: Does my right hon. Friend agree that the position of diary secretary in any organisation, especially in government, is an extremely important political position, the occupant of which must have the total confidence of the person for whom they are working? In those circumstances, does he agree that it would be very unusual, if not ridiculous, to have an active Conservative, appointed by a political appointee of a previous Government, continuing and working for a Labour Foreign Secretary of an incoming Government?

Mr. Cook: Miss Bullen was recruited by the previous Foreign Secretary, from a post where she was working as personal assistant to a Tory peer who had been formerly a Minister in a Tory Government. She was appointed by a totally exceptional method, by Order in Council. What is especially regrettable is that she was appointed in preference to three career civil servants who had applied for the job.

Mr. Howard: Was anything said to the right hon. Gentleman between 21 and 30 May that had any bearing on the decision not to appoint Gaynor Regan as his diary secretary?

Mr. Cook: Absolutely nothing. The right hon. and learned Gentleman persists under the fantasy that MI5, the permanent secretary or the Prime Minister were involved. Nothing was said to me that altered my own personal judgment. If I may say to the right hon. and learned Gentleman, as he is notorious for having dismissed Derek Lewis, the Director General of the Prison Service, at a cost to the taxpayer of £300,000, in view of his expensive track record a period of silence from him would be welcome.

Iraq

13. **Mr. Viggers:** If he will list the measures taken by Her Majesty's Government to support the effectiveness of UN weapon inspection teams in Iraq. [26443]

Mr. Robin Cook: The UK is one of the main providers of specialist personnel to the United Nations Special Commission. We have been at the forefront of measures both in New York and in the Gulf to press Saddam to grant UNSCOM the full access required by Security Council resolutions, which is essential if UNSCOM is to carry out its work effectively. Later today, I shall make a further statement on Iraq.

Mr. Viggers: Does the Foreign Secretary agree that, whereas everyone understands that high-technology nuclear weapons pose a threat to the world population, many may find it difficult to realise that a small jar of biological agent can similarly kill millions of people? Does the Foreign Secretary agree that the possession of chemical and biological weapons by Saddam Hussein, and his continued flouting of Security Council resolution 687, poses a threat to world stability, and will he use all diplomatic channels to seek to ensure that we now have full support for taking any measures necessary to ensure that resolution 687 is accepted?

Mr. Cook: The hon. Member is correct in everything that he says. Saddam Hussein has the capacity to produce 200 tonnes of the VX nerve agent. If he had the means to deliver it, that would be sufficient to wipe out human life from the planet. It is very important for us, therefore—not only for the countries immediately adjacent to Iraq—that every possible diplomatic pressure, and the clear resolve to use military force if necessary, is applied to ensure that he is not left in possession of such an arsenal of terror. After all, he has already used nerve gas against his own people, in Halabja 10 years ago. He is perfectly capable of using it against the people of other countries.

Ms Squire: Does my right hon. Friend agree that what are at stake are not only the policy objectives of the United Kingdom and the United States but the authority of the United Nations? We have a stark choice: either we agree to face up to evil dictatorship and support the United Nations or we turn our back on ever trying to achieve human rights and world peace.

Mr. Cook: My hon. Friend is correct. This is not a confrontation between the UK and the US and Iraq; this is a confrontation between the United Nations and Iraq—and if Iraq were to win in this confrontation, the UN and the Security Council would have no authority in any future confrontation against any future dictator.

14. **Mr. Amess:** What recent representations he has received on the position of Kuwaiti nationals held in Iraq. [26444]

Mr. Fatchett: We take a keen interest in the issue of Kuwaiti detainees and play an active role in the tripartite

commission. We continue to insist that Iraq provide full information on the whereabouts of the detainees. We assume that Saddam Hussein's recent offer to release Arab prisoners will include the more than 600 Kuwaiti detainees held in Iraq since the Gulf war. That would at last mean the end of their seven-year ordeal.

Mr. Amess: Notwithstanding his comments and in light of the Government's professed ethical foreign policy, does the Minister agree that the release of 600 Kuwaiti civilians—many of whom are women and children—held as prisoners of war in Iraq should be made a condition of removing sanctions, in addition to allowing the United Nations Special Commission's work of examining and destroying chemical and biological weapons?

Mr. Fatchett: The detainees' fate underlines the point made by my right hon. Friend the Secretary of State and others during the exchange on the previous question. We know the record of Saddam Hussein as a dictator and the threat that he represents to others. We shall certainly continue to work through the tripartite commission to make the return of the Kuwaiti detainees to their families in Kuwait a priority. There is no question of that not being in line with an ethical foreign policy: there is nothing more ethical than ensuring that those detainees are returned to their families. We shall work towards that objective, which I am sure everyone shares.

Export Promotion

15. **Mr. Martlew:** What assessment he has made of the impact of the current financial turbulence in Asia on his Department's export promotion work; and if he will make a statement. [26445]

Mr. Fatchett: It is too early to say what the full impact of the current financial turbulence in Asia will be on British companies doing business in the region. We shall continue to provide the full range of overseas trade services. We are confident that, with full implementation of the necessary policy reforms, Asia's impressive growth performance will continue over the medium term and that there will be excellent opportunities for British companies.

Mr. Martlew: I thank my hon. Friend for that answer. Does he agree that this is a glitch in the Asian countries and that there will be continued growth in the region? What efforts have the British Government made to ensure that British exporters can take advantage of the situation in those Asian countries when their economies improve?

Mr. Fatchett: We have urged the Asian countries that have been affected by the financial turbulence to take the measures urged on them by the International Monetary Fund. We feel that there is a need for greater transparency, accountability and openness in financial markets, and those countries are now taking heed of the programmes. We have worked hard alongside other countries to assist the IMF efforts.

As to the long-term future of British exports, we continue to see the Asian market as viable and vibrant and, through our overseas trade services, we shall certainly assist all British companies.

Mr. Ian Taylor: As one of those recovering from a hard night at the Brit awards, I urge the Minister to continue to work with the music industry to ensure that its exports to Asia remain as buoyant as they have been in recent years. Will he work with his right hon. and hon. Friends at the Department for Culture, Media and Sport and at the Department of Trade and Industry to ensure that intellectual property is protected? One of the greatest threats to our music industry exports is the thieving of intellectual property, which is still carried out by one or two leading Asian countries.

Mr. Fatchett: It is good to see that the hon. Gentleman is dry after his night out at the Brit awards—I understand that, in terms of his politics, he is not always held in that regard by his colleagues.

We recognise the important role that the music industry plays in British exports, and we have talked on many occasions about the successes of British groups around the world. Britain's cultural exports now account for about £10 billion a year. We shall certainly continue to promote them, as they are important to the image and the long-term success of the British economy. I assure the hon. Gentleman that we understand the importance of British intellectual property rights and we shall continue to work hard to ensure that those rights are guaranteed.

Foreign and Security Issues

16. **Mr. Coaker:** When he last met his European Union counterparts to discuss common foreign and security issues. [26446]

Mr. Doug Henderson: I met my counterparts at the General Affairs Council on 26 January.

Mr. Coaker: Will my hon. Friend outline the progress that has been made by the EU Foreign Ministers in achieving a peace agreement in Bosnia? The area has gone out of the news recently, with attention understandably focused on Iraq, but the situation in Bosnia is none the less serious, and we must do all we can to bring about a speedy resolution.

Mr. Henderson: I assure my hon. Friend that we are doing everything that we can to continue to press for settlement of the various issues in Bosnia. At the General Affairs Council on 26 January we took an initiative two weeks after President Dodic's new Government was elected in the Republika Srpska to give the country some assistance from council funds to enable it to reinforce its democracy. Specifically, we gave it 6 million ecu to help the payment of public servants, which is essential if a civic society is to be established.

Mr. Colvin: Does the Minister agree that membership of the European Union carries with it a mutual security obligation, although no guarantee? Does he therefore agree that, for the countries of central and eastern Europe, enlargement of the EU is as important to their security as enlargement of NATO?

Mr. Henderson: I think the hon. Gentleman recognises the importance of economic and social links. Regardless of any arrangements that they may make through NATO or any other organisation for their security, many of the

countries in central and eastern Europe recognise that full membership of the European Union brings economic and social stability, which provides security for their nations.

Israel

17. **Mr. Eric Clarke:** If he will make a statement on Israeli settlement expansion in the west bank. [26447]

Mr. Robin Cook: The EU position on settlement building in the occupied territories is clear. It is both illegal under international law, and damaging to the peace process. The building of settlements pre-empts final status talks and destroys hard-won trust between Israelis and Palestinians.

Mr. Clarke: Does my right hon. Friend agree that the situation there is critical and is inhibiting a peaceful settlement? I was delighted to hear this afternoon your previous statement on the matter, and I give you full support—

Madam Speaker: Order. The hon. Gentleman must speak through the Chair. I think the Foreign Secretary has got the question—a very complimentary one, which I am sure he can answer.

Mr. Cook: As I understand it, I have my hon. Friend's support, as well as his question. I fully share his concern on the matter.

Two issues of great concern to the Palestinian people arise from the Ras al-Amud development—first, the illegal continuing occupation and building of settlements on territory occupied by military force; and, secondly, the longer-term implications for Jerusalem, as it appears to be part of a strategy to make sure that Jerusalem does not continue to be a mixed city with a division between the two peoples there. For those reasons it is very important, if Israel wants the peace process to proceed, that it halts that particular expansion and refrains from all further settlement development.

Mr. Nicholas Winterton: There is no doubt that the expansion of Israeli settlements on the west bank and elsewhere is impeding the peace process in the middle east. Bearing in mind the exceptional relationship that exists between the Prime Minister of the United Kingdom and the President of the United States, and the fact that, through its funding of Israel, the United States is undoubtedly contributing to the expansion of the settlements, what action is the Foreign Secretary prepared to take to bring pressure on the Government of the United States to influence what is going on in Israel?

Mr. Cook: I discuss the middle east peace process at least every second day with my opposite number in the United States, the Secretary of State. I entirely and thoroughly endorse her call on the Government of Israel to take time out from settlement building. During Mr. Netanyahu's recent visit to the United States, President Clinton made perfectly clear the impatience of the United States at gestures that make it more difficult to take forward the peace process.

The hon. Gentleman raises the very real financial and economic consequences of doing that. Israel has prospered well from the peace process and the extra investment that peace and stability attracted. Israel has more to lose than anyone else if that peace and stability now appear to be at risk.

Iraq

19. **Mr. Savidge:** What assessment he has made of the welfare of children in Iraq; and if he will make a statement. [26449]

25. **Mrs. Anne Campbell:** What assessment he has made of the welfare of children in Iraq, and if he will make a statement. [26455]

Mr. Fatchett: The children of Iraq have suffered enormously at the hands of a ruthless dictator who cares nothing for their welfare. Unlike Saddam Hussein, we are concerned for their plight. We have provided £94 million in aid to the people of Iraq since 1991, much of which has been specifically targeted towards projects for children. Our co-sponsorship of oil-for-food resolutions has ensured that food and medical supplies reach all Iraqi people. We welcome the recent recommendations of the Secretary-General that the oil-for-food programme be expanded. That will also help to improve the situation for all vulnerable groups in Iraq.

Mr. Savidge: Does my hon. Friend agree that, given the estimate that some 1 million under-fives are underfed, it is obscene that Saddam Hussein should have squandered some $1,000 million on building luxury palaces for himself, and it is dishonest that he should have sought to put the blame on United Nations sanctions?

Mr. Fatchett: My hon. Friend makes a strong and valid point. In many of the comments that we hear about the current crisis, one of the grotesque ironies is the fact that Saddam Hussein has argued about access to what may be 40 presidential palaces. At a time when, because of his own actions, his own people have been suffering, a dictator has no moral right to indulge in luxury for himself and to build palaces in those numbers. Saddam Hussein's record speaks for itself. Again, my hon. Friend makes the point on why we have to ensure total access to the United Nations inspectors.

Iraq

3.30 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): Madam Speaker, at the end of last week I visited the Gulf and held meetings with leading figures in Saudi Arabia and Kuwait. With your permission, I should like to share with the House the three key points that they made. First, they have real fears about the threat that Saddam Hussein poses to their region. Secondly, like ourselves, they would prefer a diplomatic solution. But lastly, if Saddam does not accept the diplomatic initiatives that have been offered to him, as Prince Saud said, it is the Iraqi regime that will bear responsibility for the consequences. I agree with them on all three counts.

On the first point, there is no room for doubt over the scale of Saddam's chemical or biological capability, nor over his repeated attempts to conceal it. Last week, I published a paper setting out the statistics of Saddam's arsenal of weapons of mass destruction and documenting his persistent deception.

Saddam claimed that he had only 650 litres of anthrax. The figure turned out to be 8,400 litres. He continues to have the capability to manufacture enough extra anthrax to fill two more warheads every week. One such warhead could depopulate an entire city. Saddam also has programmes to produce at least three other germ agents.

Saddam claimed that his VX nerve gas programme had ended in failure. The truth turned out to be that he has the capability to produce 200 tonnes of the VX agent. One drop of it is enough to kill. Ten years ago next month, Saddam used chemical weapons to kill 5,000 Iraqi citizens at Halabja. He also used them against fellow Muslims in his war with Iran. He will not scruple to use them again.

As Richard Butler, the executive chairman of the United Nations Special Commission has noted, Saddam

"avoids answering questions and prevents UNSCOM from finding the answers."

In the past nine months he has delayed or denied access to four out of five sites where UNSCOM believed concealment was taking place.

The UN inspectors are our only guarantee that Saddam will not fulfil his ambition to acquire the weapons that could wipe out whole cities. However, that guarantee is of little value if they are not allowed to carry out effective inspections of the sites where they suspect chemical or biological weapons, or vital information on them, are concealed.

We also agree with our allies in the Gulf that it would be better if we could resolve this confrontation by diplomatic means. That is why Britain took the lead in proposing to the Security Council and our partners a new resolution condemning Saddam's repeated obstruction of UNSCOM's work. That approach has received widespread support among Council members. Japan has offered to co-sponsor the resolution.

We are also in close touch with the attempts at diplomatic mediation by Russia, France and the Arab League. Saddam has a history of backing down under pressure, and we welcome the recent signs that Iraq is ready to consider a diplomatic solution. However, I have to say to the House that, as yet, the proposals coming out of Baghdad fall well short of our requirement that any agreement should be convincing and should enable UNSCOM to resume its work without restrictions, without deadlines and without any no-go sites. While we want a peaceful solution, an outcome that left him able to develop chemical and biological weapons would make it only too likely that the peace of the region would be broken again by Saddam himself.

Our quarrel is with Saddam Hussein, not with the Iraqi people. We support the territorial integrity of Iraq and would like to see it rejoin the international community. Meanwhile, we are at the forefront of the diplomatic efforts to bring relief to the Iraqi people. We have led the negotiations at the UN to more than double the oil-for-food programme. We are the second largest donor of humanitarian aid to Iraq. There are no sanctions against food or medicine. It is Saddam, not the UN, who has decided to use his resources to construct presidential palaces for himself and to create weapons of mass destruction for his regional ambitions, rather than to purchase food and medicine for his people.

Finally, we agree with our major Gulf allies that, if diplomacy fails, the responsibility for the consequences will rest solely on Saddam. The best prospect for a diplomatic solution is to leave Saddam in no doubt of our resolve that, if he persists in his ambition to develop chemical and biological arsenals, we will not allow him to continue. He would be making a major miscalculation if he mistook our reluctance to use force for a lack of determination to use it if necessary. I hope that hon. Members on both sides of the House will support that clear and firm message to Saddam.

Mr. Michael Howard (Folkestone and Hythe): The House will be grateful to the Foreign Secretary for his statement, and I hope that we shall have an opportunity to debate the situation in Iraq in full in the near future. As my right hon. Friend the Leader of the Opposition and I have consistently made clear, we support the Government in their efforts to ensure that Saddam Hussein respects the will of the UN and the world community. We agree that he cannot be allowed to flout Security Council resolutions—to which he himself agreed—with impunity. We agree that every diplomatic avenue must be pursued, but that if diplomacy fails, it would be right to contemplate military action.

We have also said consistently that the military action must have a clear objective. Last Monday in this House—and again on the radio this morning—the Foreign Secretary said that the objective of any military action was to ensure that the UNSCOM inspectors could complete their task. Last Friday in Washington—with the Prime Minister beside him—President Clinton said that the objective was to reduce Saddam's ability to use weapons of mass destruction against his neighbours. On Sunday, the Secretary of State for Defence was talking about the risks to the survival of Saddam Hussein and his regime. Is there not a danger that those different descriptions of the objectives will lead to uncertainty and confusion? Do we not owe it to the British service men and women whose lives may be put at risk to spell out a clear objective and to stick to it?

On the Security Council resolution to which the Foreign Secretary referred, could he tell us a little more about what it is intended to achieve? Is it the Government's position that resolution 687 provides

sufficient authority for military action? What would be the effect on any such military action of the presence of Turkish troops in Iraq?

Finally, could the Foreign Secretary tell us a little more about the attempts that he has made, as President of the European Union Council of Foreign Ministers, to secure a consensus in the European Union on this question? Does not the complete absence of any such consensus illustrate yet again the emptiness of ambitions to develop a common foreign and defence policy in Europe?

Mr. Cook: On the right hon. and learned Gentleman's first point, we are well aware of the acute interest in this matter in the House and of the importance of ensuring that the House has adequate opportunities to debate these issues. I am consulting the Leader of the House and the usual channels about what might be an appropriate day for such a debate.

The right hon. and learned Gentleman is perfectly correct to draw attention to the fact that Saddam Hussein agreed to the UNSCOM regime, and accepted the inspection provided for in those resolutions. It was part of the ceasefire agreement to which he signed up. To take one of the right hon. and learned Gentleman's later points, there is therefore adequate authority already in that ceasefire agreement and in those resolutions.

It is nevertheless very important that we demonstrate that it is the international community that condemns Saddam Hussein's repeated violation of those resolutions. It is therefore important that the Security Council, on behalf of the international community, registers its criticism and rejection of Saddam Hussein's behaviour, and calls on him to abandon his plans to develop chemical and biological arsenals.

I see no conflict between what I have said and what the right hon. and learned Gentleman quotes from the Prime Minister. The objective is, indeed, to achieve compliance with the Security Council resolutions and to deny Saddam Hussein his ambition to develop weapons of mass destruction. Much the most effective way of doing that would be for the UNSCOM regime to be allowed to return to work. To increase the pressure for that to happen, we have made it perfectly plain that we have the resolve, if necessary, to use military force. If we cannot achieve an agreement by which UNSCOM can effectively hinder Saddam from developing chemical and biological weapons, military force will be applied to ensure that what UNSCOM inspectors cannot achieve can be achieved by direct action, so that Saddam is not left with arsenals of terror with which he could then seek to bully his neighbours.

I regret that the right hon. and learned Gentleman, at a time of immense international crisis, chose to make his own point about European policy. For the record, I have to say that he is behind the times. We are in close and continuous contact with the Government of France, and only this weekend Chancellor Kohl made it perfectly clear that he is willing to back and support us.

Mr. Donald Anderson (Swansea, East): May I avoid the textual analysis and the anti-European swipe by the right hon. Learned Member for Folkestone Hythe (Mr. Howard) and deal with the question of weapons inspectors? Clearly, the only real guarantee of the implementation of Security Council resolution 687 is effective and competent weapons inspectors. We cannot allow Saddam Hussein to pack the jury by picking and choosing whom he wants in that team. Nevertheless, is it not important to show our reasonableness by responding to the appeals of many other countries and trying to ensure a greater spread of nationalities among those inspectors?

Mr. Cook: The present teams cover a large number of countries. Indeed, the last team to which Saddam Hussein took particular exception consisted of 44 inspectors from 17 different countries. It is wrong to suggest that a team containing members from 17 UN countries is dominated by one or two countries. We would welcome additional inspectors from other countries if they chose to take part in the exercise, if only because Britain pays for its own inspectors and therefore carries a share of the direct financial burden of the exercise. Inspectors must be effective, knowledgeable and capable of communicating in the common language of UNSCOM, which is English. We have no difficulty constructing an UNSCOM-plus, but we shall not settle for any outcome that gives us an UNSCOM-minus.

Mr. Menzies Campbell (North-East Fife): I commend the terms of the Secretary of State's statement, which was balanced, firm and inherently logical. When he was making it, did it occur to him that it is symptomatic of Saddam Hussein's deception and obstructionism that, seven years after the end of the Gulf war, he has not yet fulfilled the terms and conditions of the peace settlement that he undertook? Had he done so, the condition of the children in his country might have been much improved. The Secretary-General of the United Nations, Mr. Kofi Annan, says that the parties must not be purist in their attitude, and must be willing to be flexible. Could that approach be adopted, so long as it was applied to the practicalities of the implementation of the resolutions, and not to the principle?

Mr. Cook: I wholly agree with the hon. and learned Gentleman that it is remarkable, and entirely down to Saddam's behaviour, that, seven years after the ceasefire, we are still debating whether he will comply with the terms of the ceasefire. Nobody at the time when the sanctions were first imposed foresaw that we would still be here seven years later. The only reason why we are here seven years later is that Saddam persistently attempts to obstruct, to conceal and to prevent the UNSCOM inspectors from going about their job.

It is important that we make it plain to the world and to the Iraqi people that, if Saddam Hussein complies with the terms of the ceasefire, and if he abandons his plans to develop weapons of mass destruction, sanctions can be lifted and the people of Iraq can return to their normal life.

As to flexibility, of course we are willing to consider any creative proposal that would help us to achieve a diplomatic solution. But we are absolutely resolute in our belief that there is no point in accepting flexibility if it means that UNSCOM cannot carry out effective inspections. The objective of the exercise is to ensure that we find and dismantle those weapons. Any flexibility that prevents us from doing that leaves us with an agreement that is not worth having.

Mr. Tony Benn (Chesterfield): Is the Secretary of State aware that the most obvious gap in his strategy is that no diplomatic efforts have been made by the United States

[Mr. Tony Benn]

Government or the British Government to send Ministers to Baghdad, as many other countries have done? The impression is created that they are only playing for time to build up the military force for the strike that has already been decided.

Is the Secretary of State further aware that articles 41 and 42 of the United Nations charter make it clear that military action may be authorised only by the Security Council? If action were taken by Britain and America, it would be illegal in international law, and would undermine the authority of the United Nations. The moral responsibility for the deaths of civilians that could follow would rest with those who took that decision. For that reason, it would not be possible for those who believe in the rule of law and in the United Nations to support the military action that, in the view of the House, the Secretary of State clearly intends to take.

Mr. Cook: There is no question of our merely playing for time, nor has any decision been taken that force will be used or will be used on any specific date. It is not a play: we are trying very hard to increase the pressure on Saddam Hussein to ensure that he responds to the many diplomatic overtures that are being made, perhaps by people who are more likely to be heard in Baghdad than me or my United States counterpart.

It is a bit rich to complain that the United States and the United Kingdom are undermining the authority of the United Nations. Saddam Hussein plainly demonstrates daily his contempt for the United Nations, for the resolutions that it has passed and for the agreement that he entered into with the UN. Britain is in the lead in New York in trying to obtain agreement on a text that makes that quite clear. If my right hon. Friend wishes to follow through the logic of his position, he should condemn Saddam Hussein, not the British or American Governments.

Mr. Tom King (Bridgwater): If the increased obstruction by Saddam Hussein in recent months may owe something to his perception of divisions within the Security Council, a lack of resolution there and, perhaps, divided views among our Arab friends, will the Foreign Secretary accept that I consider his efforts in the Arab countries to be commendable, and believe that they need to be reinforced? Does he also accept that, if we are to ensure that Saddam Hussein understands that the United Nations is determined in its position, it is essential for other members of the Security Council—senior and permanent members—to give clear backing to the position of the United States and the United Kingdom? The Foreign Secretary will recall that, on the earlier occasion, France was somewhat slow in reaching that position. I hope that he will succeed in his efforts to ensure that it speaks very clearly on this occasion, and that the Security Council has a united voice.

Mr. Cook: I am grateful to the right hon. Gentleman for his observation about our efforts in the Gulf.

The Governments of the Gulf countries fully understand the nature of Saddam Hussein. Riyadh, after all, had Scud missiles delivered on it during the Gulf war. Had those missiles contained anthrax, Riyadh would be uninhabitable to this day. Kuwait suffered invasion and looting, and 600 of its citizens were taken away by Saddam Hussein with his retreating army. To this day, seven years later, we have knowledge of only three of those 600; none has returned to Kuwait. The Governments of those countries therefore fully understand the importance of not leaving Saddam in possession of weapons of mass destruction.

I agree that it is desirable for us to demonstrate unity among the permanent members of the Security Council. Unfortunately, it was the appearance of disunity in October that sparked off the present confrontation, because it encouraged Saddam Hussein to be bolder. I hope that the Security Council resolution will give the clear message that members of the Security Council are unanimous in condemning Saddam's activities.

Mr. Gerald Kaufman (Manchester, Gorton): Is my right hon. Friend aware that the military action taken in 1991 to enforce United Nations Security Council resolutions was authorised not only by the Security Council, but—in relation to British participation—by an overwhelming vote in the House of Commons? Is he further aware that, if another such vote took place in the House, the result would be at least as overwhelming as it was then?

May I take up the question put by the hon. and learned Member for North-East Fife (Mr. Campbell)? Does my right hon. Friend recollect that, in 1991, military action was brought to an end on the basis of an undertaking by the Government of Iraq to comply fully with the resolutions of the United Nations Security Council? From that day to this, Iraq has not complied fully, or anywhere near fully, with those resolutions.

Although it is welcome that the League of Arab States, along with Russia and other countries, is attempting to facilitate a settlement by diplomatic means and not by force, will my right hon. Friend assure the House that there can be no acceptance of attempts to broker a deal based on concessions by the Security Council, or on the lifting of Security Council resolutions? Will he reaffirm that total compliance by Iraq with Security Council resolutions is not negotiable?

Mr. Cook: I am happy to give my right hon. Friend that assurance. The way in which Saddam and the Iraqi Government can obtain the lifting of the sanctions imposed by the resolutions is very simple: it is to comply with those resolutions, and to abandon their weapons of mass destruction. That is something that Saddam could have done at any time in the past seven years.

Nor can we accept the current demand by the Iraqi regime for eight presidential sites to be designated no-go areas for the inspectors. It is important for the House to understand that we are not simply talking about some kind of historical heritage palace; one of the sites is understood to be as big as Paris. We cannot allow such major loopholes in the inspection regime.

Mr. John Major (Huntingdon): Is the Foreign Secretary aware that, in dealing with Saddam Hussein, he is dealing with a psychopath without conscience, who has repeatedly pushed the international community to the limits of its tolerance? Is the right hon. Gentleman further aware that, although diplomacy must be given the chance of success, there must be no concessions to this man and

that, if it is necessary to use military action, first, the right hon. Gentleman will deserve the support of Opposition Members—and I hope that he will get it—and, secondly, he needs to take action that will not just be successful in the short term, but limit Saddam's ability to play these games with the international community again in future? If that required the difficult decision to target specifically the Republican Guard, which sustains his evil regime in his own country and which has been his shield thus far against the rest of the world, that would again deserve the support of the House.

Mr. Cook: The right hon. Gentleman speaks with experience, and I am grateful for his support. I wish that the nature of the regime with which we are dealing were better understood. It might be helpful to mention that, in the past two months, Iraq has cleansed its prisons by executing every prisoner who had been sentenced to more than 15 years: in that time, 1,200 prisoners have been shot in prison courtyards in Iraq. That is the nature of the regime with which we are dealing.

The right hon. Gentleman will understand if I do not respond on any specific targeting plans, but Saddam does keep himself in power through fear and force. He should be under no illusion that, if military force is required on this occasion, the military power that keeps him in power will be hit hard.

Mr. Tam Dalyell (Linlithgow): Does the House have the clear, unambiguous undertaking that, before military action is taken, we will return to the Security Council of the United Nations for its clear, unambiguous endorsement of that military action?

Mr. Cook: A large number of diplomats in the Foreign Office have been working towards precisely that objective for several days. We hope to table the resolution in New York this week and I hope that the resolution will gain the support of the Security Council, so I certainly give my hon. Friend that assurance.

Mr. Michael Colvin (Romsey): During the visits to the Gulf by the Foreign Secretary and the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leeds, Central (Mr. Fatchett), was any contact made with the Gulf Co-operation Council to find out whether economic sanctions against Saddam Hussein could be strengthened, and whether greater unity among Arab states could be achieved, which is always difficult to do?

Mr. Cook: We have explored the possibility of having a meeting with the Gulf Co-operation Council, to be attended by myself and Madeleine Albright. In practice, there have been difficulties in getting such a meeting together. However, by the end of this week, every member state in the Gulf will have been visited by myself or by a Minister of State from the Foreign Office or from the Ministry of Defence. We are rightly making a sustained effort to ensure that those Governments understand our position and support it.

Mr. George Galloway (Glasgow, Kelvin): Does the Foreign Secretary agree that far more weapons of mass destruction have been destroyed by UNSCOM inspectors over the past seven years in Iraq than were destroyed in the pulverising of Iraq by air power and land forces in the last Gulf war? Will he say how unleashing another Gulf war, and dropping tens of thousands of tonnes of high explosives on the Iraqis, is likely to convince them to allow those UNSCOM inspectors back in, to continue their important work?

Does the Foreign Secretary realise that many Labour Members are extremely uncomfortable at some of the militarist rhetoric that we hear from the Treasury Bench, outstormin' Norman Schwarzkopf and General Sir Peter de la Billière, both of whom have expressed extreme scepticism about military action? Has the Foreign Secretary had time to read the letter in *The Times* this morning from Field Marshal Sir John Stanier, who says:

> "Perhaps if we attempted to improve the lot of Saddam Hussein's people by offering a reduction in sanctions in exchange for evidence of his abandonment of weapons of mass destruction, a more realistic result might be achieved"?

Madam Speaker: Order. This is still Question Time, when we do not have quotations. I remind the House that, although this is a serious matter, these questions are much too long. Hon. Members are standing to be called, and I hope that they will come to the point. Will the hon. Member for Glasgow, Kelvin (Mr. Galloway) not quote because it is Question Time and we do not have quotations, but we have paraphrases?

Mr. Galloway: Thank you, Madam Speaker. You have my sincere apologies. The field marshal knows much more about military affairs than some of the green-room generals who have been commenting in the media during the past few days. His words should be given appropriate weight, and I wonder what my right hon. Friend has to say about them.

Mr. Cook: I have sought throughout my statement to maintain a calm and measured tone. I do not think that anyone could fairly accuse it of being militarist rhetoric. We wish, if possible, to resolve the matter through diplomatic means. If we cannot, the obstacle is Saddam himself and not anyone at the Dispatch Box. On my hon. Friend's concluding point, I agree up to a point with the letter from which he quoted, although I have not had the opportunity to read it all. We want sanctions to be lifted from the Iraqi people and for them to be able to resume normal life.

The way to achieve that is perfectly plain. It is for Saddam Hussein to comply with what he himself agreed to at the time of the ceasefire. At present, an exercise is being conducted between international experts and representatives of the Iraqi Government on the technical evaluation of what has been achieved so far by UNSCOM and what has yet to be done before we can say that all the programmes have been dismantled. That was offered to the Iraqi regime as a means of meeting its desire to understand what it needs to do to have the sanctions lifted. The Iraqis now understand that, and I hope that they will comply with it.

Mr. Crispin Blunt (Reigate): Yesterday the Secretary of State for Defence told me that the political objectives for any possible military action would be the enforcement of the UN resolutions. Does the Foreign Secretary accept that, short of a land invasion of Iraq, it is frankly impossible to enforce the resolutions, and that, if we are forced into military action, political targets such as the

[Mr. Crispin Blunt]

destruction of the Republican Guard and the sites to which the inspectors have been denied access are the proper political objectives, which will command political support in the country and enable military success to be identified?

Mr. Cook: Again, the hon. Gentleman would not expect me to specify which sites we might be considering targeting. However, much can be achieved that does not involve military action on the ground. We shall continue to make sure that, given that Saddam understands that there is the possibility of military force and the real probability that, if used, military force would be of a substantial character, under that pressure, he may yet respond to the deadline and back down, as he has in the past. We are quite clear that the world cannot back down in the face of Saddam Hussein's threat.

Mr. Dennis Skinner (Bolsover): If, after the military strike has taken place, the evil dictator Saddam is still in situ, will it be regarded as a victory?

Mr. Cook: The objective of any military strike would be to ensure compliance with the Security Council resolutions or, in default of that compliance, through military action the reduction of the chemical and biological weapons that Saddam is preventing the UNSCOM inspectors from achieving. If we succeeded in removing a large part of those arsenals and the equipment and capabilities that produce them, I would regard that as having secured an objective of military action. However, it is not an issue in which anyone is looking for victory. Everyone is looking to make sure that the will of the international community is enforced, because, if that will is broken by Saddam Hussein, it will be of no value in any future confrontation with any future dictator.

Mr. Nicholas Soames (Mid-Sussex): Does the Foreign Secretary agree, nevertheless, that the response of the European Union has been disappointingly incoherent and ineffective? Does he further agree that, at the very least, the Foreign Affairs Council should reach a unanimous conclusion that Saddam Hussein must be obliged to honour his obligations to the UN resolutions?

Will the right hon. Gentleman assure the House, even while wholly agreeing with the words of my right hon. Friend the Member for Huntingdon (Mr. Major), that, before a single missile or bomb is launched against Iraq, he will go to Iraq as head of the Foreign Affairs Council to tell the Iraqi regime the views of 15 countries and 370 million people, all of whom demand that Saddam Hussein be obliged to honour his obligations?

Mr. Cook: I would have no difficulty in obtaining agreement from all my Foreign Affairs Council counterparts that Saddam Hussein must comply with the UN resolutions. However, I counsel the hon. Gentleman not to go too far down the road of turning this into a European Union issue. We act at the UN not as the President of the European Union but as the representative of Britain. In case of any military action, we act on our own national initiative under UN authority. We would not welcome—as I doubt many Conservative Members would welcome—an explicit European Union involvement in any decision on such military action.

Currently, I am not encouraged to believe that any useful purpose would be served by my visiting Baghdad. Should circumstances change, we can examine the matter then.

Mr. David Winnick (Walsall, North): I am sure that there is not a single Member in the House who does not hope, at least, that diplomacy will triumph in the end. However, has my right hon. Friend seen the latest survey of public opinion, published today, showing that a clear, substantial majority in Britain support military action if it is required? It is the same type of support that was demonstrated when we had to fight past wars of aggression.

In view of the propaganda not only in the United Kingdom but particularly abroad, will the British and American Governments and the allies do their utmost to nail the malicious, poisonous lie—which it is—that Britain and the United States and other countries are engaged in warmongering? The full responsibility for the crisis lies with the criminal regime in Iraq: it lies with Saddam Hussein. Those who put responsibility for war and loss of lives on the allies are telling a lie, and they should be told so, whether they are in the House of Commons or outside.

Mr. Cook: I very much agree with my hon. Friend, and I also took encouragement from the results of that opinion poll. It is very important that we take every opportunity to get it across to our public why it is so important that Saddam is stripped of those weapons. That is why, last week, we put into the public domain a document that made a considerable impact on public opinion, listing the weapons that he possesses and the number of times that he has denied UNSCOM the right to inspect, to find those weapons. I am pleased to tell the House that a number of other countries are now considering producing a similar document of their own for their own domestic audience.

Mr. Jonathan Sayeed (Mid–Bedfordshire): Chemical, biological and nerve agents are not targeted weapons of war, but weapons of mass terror. As such, they do not require missiles to be delivered; a garage full of trucks will do equally as well. That being the case, and because an air war is unlikely to take out either the means of delivery or all those weapons of mass terror, should not the twin objectives be, first, to get rid of as many of the weapons as possible, and, secondly, to encourage the overthrow of Saddam Hussein?

Mr. Cook: In the event of military force, we would of course seek to destroy as much of his capability in developing chemical or biological weapons as it was possible to do in such a strike. As for Saddam's own future, it is important that we keep ourselves very clearly fixed on the objective, which is to ensure that we degrade his capacity to retain those weapons of terror. If in the course of that strike his own military power was badly hit, his own capacity to remain in office might well be undermined. I hope that that is an issue on which he will reflect carefully in the days ahead, and that he will realise that it is in his interests as much as anyone else's that he should come to a diplomatic solution.

Mr. Bernie Grant (Tottenham): May I say to my right hon. Friend that the question is not whether Saddam

Hussein is an evil dictator—that has been proven—but how we shall deal with him? My right hon. Friend must have heard that King Hussein of Jordan, Kofi Annan—the Secretary-General of the United Nations—and, recently, Nelson Mandela himself have said that there should be a diplomatic and not a military solution. President Mandela said that America should not be involved in regional conflicts, and that America is not the policeman of the world.

If my right hon. Friend is—as, today, he again claimed in the House—speaking on behalf of the world community, will he put the question of military action to the General Assembly of the United Nations, which is a much more representative body than the Security Council? I assure him that, if he were to do so, he would find that he does not have a majority, and is therefore not speaking for the world community. I wish that he would say that he is speaking for certain vested interests and not for the world community.

Mr. Cook: I robustly resist the idea that I am speaking for any vested interest in this matter. Britain has an interest in ensuring that the world regime of international law and international resolution of disputes is upheld. In pursuing that interest, we are acting not in any particular British vested interest but as a responsible and leading member of the world community.

Yes, the Security Council contains five permanent members; it also contains 10 non-permanent members that are elected by the General Assembly of the United Nations. They are deliberately and quite properly balanced by the General Assembly. They include countries from the third world and from each hemisphere. In our consultation with those 10 non-permanent members, we are getting overwhelming support for our resolution.

Mr. John Wilkinson (Ruislip–Northwood): Should not Saddam Hussein be fully aware of the awesome, coercive power of allied air power? Could not at least his generals comprehend its potential? At the start of the Gulf war, whole Iraqi formations were obliterated by the allied air forces, but since then, they have acquired further precision munitions and sea-borne cruise missiles of great accuracy. If the UK were to back down, would not American opinion take an extremely jaundiced view of our reliability as a security partner in Bosnia and other areas of mutual security interest?

Mr. Cook: In response to the hon. Gentleman's last point, we have come to the view that we have and are pursuing the policy that we are, first, because we wish to ensure stability in the Gulf and that that is not undermined by Saddam Hussein and his weapons of mass terror, and, secondly, because as a permanent member of the UN we have a particular responsibility to uphold such stability. The hon. Gentleman is right to say that, at present, we are seeing an excellent example of close co-operation between the two Atlantic powers, but that is not why we are taking this action. We have come to the conclusion for our own reasons and on the balance of policy that, on this, we are right to ensure a resolute stand against Saddam Hussein.

I echo the hon. Gentleman's point that weapons have moved on since the Gulf war. Saddam Hussein should not be under any illusion about what might happen if military force were used. That is why, when I was in Kuwait, I took the opportunity extensively to make statements on television stations that we know are beamed into Iraq and received in Baghdad.

Mr. Terry Davis (Birmingham, Hodge Hill): Has my right hon. Friend considered the possibility that both Saddam Hussein and President Clinton, for different reasons, need a war?

Mr. Cook: It is not the case that anybody needs a war. Saddam would be badly wounded, hurt and undermined in his power base if there were a military strike. Madeleine Albright and I have repeatedly explored all possible ways in which we can achieve a diplomatic solution. I understand the deep concern of hon. Members who are reluctant to see military action. However, if they want to avoid military action, it would be helpful if they outlined the alternative course of action that would be open to us if Saddam failed to respond to diplomatic initiatives.

Rev. Martin Smyth (Belfast, South): The question of sanctions has been raised constantly, yet we all know that they have not worked in the past and cannot work at present. Does the Foreign Secretary agree that the greatest help that Saddam has been getting is prevarication among international spokesmen, who give him credibility when he is acting incredibly? If people criticise the United States of America and the United Kingdom for their roles in the UN, they should stop asking us to bear the other burdens of the world. Will I cause consternation in the House if I suggest that those who have been holding back from supporting the concept of pressure on Saddam should be reminded that they, with Saddam, will share the guilt when innocent lives are lost?

Mr. Cook: I put it to the hon. Gentleman that many hon. Members have genuine concerns. One of our strengths is that, unlike Iraq, we have a constitution that allows those concerns to be expressed. If Saddam had allowed 1 per cent. of the freedom that we claim for ourselves in Britain, he might well have been flung out of power by the Iraqi people.

In the meantime, the Government will continue to be resolute. I hope that Saddam Hussein will by now have grasped the fact that the United States and the United Kingdom are resolute in seeing this through, and that we have very wide backing throughout the international community. Countries that may not necessarily join us in military action will most certainly join us in exerting diplomatic pressure and in condemning Saddam Hussein.

Mr. Dennis Canavan (Falkirk, West): Will my right hon. Friend rule out the possibility of a nuclear attack on Iraq?

Mr. Cook: Yes, I can rule that out straight away.

Mr. Andrew Robathan (Blaby): The Foreign Secretary said that our quarrel is with Saddam Hussein and not the people of Iraq. It is therefore particularly unfortunate that we are about to punish the people of Iraq for the transgressions of the dictator. Seven years after the end of the Gulf war, does the right hon. Gentleman accept that there can be no lasting peace in the middle east while Saddam Hussein remains in power? In preparing for

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military action, which I fully support, will he take steps to drive a wedge between the people of Iraq and the dictator by indicting him through the Security Council for crimes against humanity?

Mr. Cook: The Government strongly support the case for an international criminal court. One of the reasons why, since the general election, we have come out robustly in support of such a court is precisely that it could provide an international legal framework before which a person such as Saddam Hussein could be arraigned. Regrettably, the court does not exist at present and will not exist in the time scale of the current confrontation. However, the confrontation reminds us why we need to strengthen the international law regime.

Ann Clwyd (Cynon Valley): Everyone must hope that the outcome of the present situation, whatever it is, will arise through diplomacy. May I support the call of the hon. Member for Blaby (Mr. Robathan)—I have made it myself many times in the Chamber—for indicting Saddam Hussein before an international criminal court? Such a court is, by all accounts, likely to be set up by the United Nations after its conference in Rome in June. Can we then call for his indictment, as he will remain a problem, whatever the outcome of the present situation? Indeed, he and his closest associates are the problem, and they should be brought before the court on charges of crimes against humanity, war crimes and crimes of genocide.

Mr. Cook: I assure my hon. Friend that we support Indict's campaign. As I said, if there was an international court before which we could bring Saddam Hussein, we would certainly now be trying to do so. My hon. Friend has a deep knowledge of the Iraqi situation; she is well aware of the immense suffering that has been imposed on the Iraqi people not by the international community, but by the direct oppression of Saddam. One of the reasons why he maintains his military force is that he has been known to amputate the hands of anyone who deserts his army. This is the behaviour of someone who has created immense suffering, hardship and grief for his own people, not to mention the other countries of the region.

Several hon. Members *rose—*

Madam Speaker: Thank you. We must now move on.

Mr. Benn: On a point of order, Madam Speaker. Last week, I asked about the possibility of a debate. Time is passing and we are approaching the moment when the option of military force may be taken. Neither the Government nor the Opposition have chosen to table a motion that would allow the House to debate the matter and, if necessary, vote on it. I wonder whether you could use your good offices to ensure that the House is a place not just for discussion, but where real decisions may be made.

Madam Speaker: I recollect that the Foreign Secretary, in answering a question today, informed the House that he was in negotiations with the Leader of the House about a debate on this matter. I shall certainly keep that, and the right hon. Gentleman's point of order, in mind.

War Memorials Preservation

4.19 pm

Mr. David Maclean (Penrith and The Border): I beg to move,

That leave be given to bring in a Bill to provide for the preservation of war memorials; to ensure their proper transfer to a suitable location if their present site is redeveloped; to amend the War Memorials (Local Authorities' Powers) Act 1923; and for connected purposes.

The immortal words of Laurence Binyon stir most of us:

"They shall grow not old, as we that are left grow old:
Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning
We will remember them."

Yes, we will remember them and, for the most part, we do. There is a new interest in remembrance. The undoubted success of the Royal British Legion's 11.11.11 campaign shows that people of all ages appreciate how important it is never to forget. Young people too, who could never be accused of wanting to glorify war, realise that remembrance of past suffering is the prerequisite to the avoidance of future conflict.

At remembrance services, we not only honour the dead who made the supreme sacrifice, but renew our determination never to let it happen again if at all possible. Those services take place at thousands of well-kept memorials up and down this land. One might be forgiven for concluding that there is no problem, but there is indeed a problem or, more correctly, a few problems.

First, we do not know exactly how many war memorials we have in the United Kingdom or where they all are. The charity Friends of War Memorials estimates that there are at least 50,000 and possibly up to 70,000. The national inventory of war memorials, started by Alan Borg, director general of the imperial war museum, is doing excellent work, but has recorded only about 26,000 of them so far. That inventory is vital. We cannot ultimately prevent a memorial from being lost, if we do not know of its existence in the first place.

For the most part, the vast majority of our war memorials are in good repair, well tended and not vandalised, and the names of those honoured are legible. However, not all are thus. Friends of War Memorials has disturbing documented evidence that hundreds of war memorials are in a state of disrepair or neglect. I have a file of photographs here, taken across the country, showing memorials broken, damaged or so eroded that the names have disappeared, while others tucked away at the back of a municipal park or garden are so overgrown with weeds that they are practically invisible.

However, there is an even worse problem. Some memorials no longer exist at all. When we see the awe-inspiring solidity of the Cenotaph, or the other great memorials to the Royal Navy, the Army and the Air Force around the country, or the marble, stone and bronze monuments commemorating the fallen in all our towns, villages and parishes, it is difficult to accept that some memorials are disappearing for ever, or are being disposed of inappropriately.

The problem is not those on public land or in civic ownership, but largely those in churches that have become redundant. In the past few years, hundreds of churches

have closed down and in many cases, the war memorials, rolls of honour and commemorative plaques have ended up in scrap yards or architectural salvage shops. In October last year, Mr. Ian Davidson, the founder of Friends of War Memorials, purchased for £35 from an antique dealer in Surrey a wooden memorial roll of honour containing the names of 109 war dead. That is just £3 per name. That memorial came from a redundant church, and he is searching for a suitable site for its rededication.

How has that appalling state of affairs come about? As a result of the sheer scale of losses in the first world war, every community was affected and wanted to build a war memorial. Of course, there was no legislation to control the construction and as a result, Britain now has a great wealth of memorials, some of outstanding architectural design and others much more plain, but all worth preserving. Thus we have memorials in churches, outside churches, in public parks, private gardens and cemeteries, in village halls, town halls and community centres, police headquarters and scout huts, hospitals, railway stations and private company offices, in small Government buildings in the provinces and great Departments of state in Whitehall and, of course, here in the royal palace of Westminster itself.

In most cases, no arrangements were made for future maintenance or upkeep when the memorials were built. It was just assumed that they would be maintained and there was no question of them being disposed of, just as no one thought in the 1920s that churches would become redundant one day. The first legislation to be passed was the War Memorials (Local Authorities' Powers) Act 1923, which gave power to local authorities, including parish councils, to spend reasonable sums on

"the maintenance, repair and protection of any war memorial within their district".

However, it is a power, not a duty.

There is also legislation relating to the disposal of memorials in disused churches, but that is primarily concerned with burial grounds, the proper reinterment of human remains and the appropriate disposal of any accompanying monuments or memorials. The legislation is weak on memorials to people who are not buried in church grounds and, of course, it does not apply to all those buildings which do not have burial grounds attached. That is why so many memorials are being destroyed or sold off, or turning up in scrap yards. The legislation even states that memorials shall be broken or defaced before being otherwise disposed of. It is obvious to me that the legislation is intended to deal with individual tombstones in old cemeteries and that it was never envisaged that war memorials should be disposed of in that way.

The House will agree that there are loopholes in our existing law and that there is a problem that is growing daily. I am not asking the Government to take responsibility and therefore pay for any action, because that would be wrong in principle. The Government should be responsible only for national war memorials and those on Crown land; it cannot be right to make them responsible for memorials in churches, village halls, community centres and the thousands of private buildings and places that currently house war memorials. Nor should we make local authorities automatically responsible, as that might impose a large new financial burden. It is only where there are no alternative carers for memorials that local authorities might be given a duty to be the carer of last resort. However, I can envisage some possible solutions, which I want to examine carefully with some Government assistance. My only request to the Minister today is that she permits me to seek advice from the relevant officials in the Home Office who are knowledgeable on these matters.

The suggestion has already been made that all war memorials should be treated as listed monuments and so be made subject to the same planning controls as apply to all listed buildings and ancient monuments. That was the subject of an early-day motion tabled by my hon. Friend the Member for Gosport (Mr. Viggers), which attracted support from hon. Members on both sides of the House. That idea has considerable merit and we need to explore what changes to the legislation would be necessary and to consider whether there might be unforeseen consequences. There are many memorials that are lovingly tended by veterans associations, regimental trusts and existing military units. Any solution to protect the vulnerable or neglected war memorials should not impinge on the excellent work being done by those who already care for so many of our memorials.

We also need to explore new ways in which to raise finance to ensure that all war memorials are maintained in pristine condition, irrespective of who owns them. Memorials must be maintained, not only because to do otherwise is grossly offensive to the memories of those who made the supreme sacrifice so that we could live in freedom and because the memorials are a precious part of our national heritage, but because destruction and neglect of memorials sends the wrong signal to our younger generations—that war and the death it brings are of little importance.

When the veterans form up in Whitehall on Remembrance Sunday, television usually shows us scenes from impeccably kept Commonwealth war graves from around the world: mile upon mile of white crosses or simple stones bearing the names of the fallen, which are as carefully tended today as they were 50 or 70 years ago. When we see that stark picture of the destruction that war brings, do we not strengthen our resolve to prevent that in future?

I have with me here another stark picture, of a large brass plate containing the names of 35 men from the Southampton area who died in the great war. It is boldly inscribed:

"Their name liveth for evermore",

but it was found a few months ago lying tarnished and rusty in a scrap yard. It has been restored, and the finder is now searching for a suitable home for it.

If we can so easily betray the memory of past generations by throwing their memorial into a scrap yard, why should today's generation have any confidence that they too would not be betrayed? As the right hon. Member for Berwick-upon-Tweed (Mr. Beith) wrote in the Royal British Legion's "Golden Book of Remembrance":

"As those who are left grow old, it falls to those who have derived the great benefits of peace and freedom in succeeding generations to say of the fallen, 'We will remember them'."

My Bill is a step towards ensuring that in all cases, their names will live for ever more.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Maclean, Mr. A. J. Beith, Mr. Menzies Campbell, Mr. Frank Cook, Sir Peter Emery, Sir Geoffrey Johnson Smith, Mr. Barry Jones, Sir Peter Lloyd, Rev. Martin Smyth, Mr. Nicholas Soames and Mr. Peter Viggers.

WAR MEMORIALS PRESERVATION

Mr. David Maclean accordingly presented a Bill to provide for the preservation of war memorials; to ensure their proper transfer to a suitable location if their present site is redeveloped; to amend the War Memorials (Local Authorities' Powers) Act 1923; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 24 April, and to be printed [Bill 120].

SCOTLAND BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Standing Order No. 82 (Business Committee),

That the further Report [9th February] from the Business Committee be now considered.—[*Mr. Allen.*]

Question agreed to.

Report considered accordingly.

Resolved,

That this House doth agree with the Committee in its Resolution.—[*Mr. Allen.*]

Following is the report of the Business Committee [9 February]:

That it had come to a further Resolution in respect of the Scotland Bill, which it had directed him to report to the House:

That the Resolution of the Committee reported to the House on 22nd January be varied so that—

(a) the third to eighth days allotted under the Order [13th January] to proceedings in Committee of the whole House shall be allotted in the manner shown in the Table set out below, and

(b) each part of the proceedings shall, if not previously brought to a conclusion, be brought to a conclusion (in accordance with the Order) at the time specified in the third column of the Table.

TABLE

Allotted day	*Proceedings in Committee*	*Time for conclusion of proceedings*
Third day	Clause 41	6.00 p.m.
	Clauses 42 to 47	7.00 p.m.
	Clauses 48 to 53	8.30 p.m.
	Clauses 54 to 60	10.00 p.m.
Fourth day	Clause 61 (up to and including the word "determine" in subsection (2))	7.00 p.m.
	Clause 61 (remaining proceedings)	
	Clause 62	8.45 p.m.
	Clauses 63 to 68	10.00 p.m.
Fifth to eighth days	Remaining proceedings (according to time limits to be determined by a further report or further reports of the Business Committee)	10.00 p.m. on the eighth day

Orders of the Day

Scotland Bill

[3RD ALLOTTED DAY]

Considered in Committee [Progress, 29 January].

[MR. MICHAEL J. MARTIN *in the Chair*]

Clause 41

THE SCOTTISH EXECUTIVE

4.31 pm

Mr. Michael Ancram (Devizes): I beg to move amendment No. 303, in page 18, leave out lines 7 and 8 and insert—

'(1A) Any devolved Law Officer shall not be a member of the Scottish Executive'.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss the following amendments: No. 274, in page 18, line 10, at end add—

'(3) The Solicitor General for Scotland shall be the law officer to the Scottish Executive'.

No. 10, in clause 45, page 19, line 24, at end insert—

'(1A) The Lord Advocate and Solicitor General for Scotland shall be qualified as either

(i) an advocate, or

(ii) a solicitor under the Solicitors (Scotland) Act 1980.'.

No. 314, in page 19, line 25, after 'Advocate', insert

'or by an official or agent appointed by and responsible to him'.

Clause 45 stand part.

Government amendment No. 321.

No. 289, in clause 59, page 25, line 6, after 'Ministers', insert

'or the Scottish Law Officers'.

No. 290, in page 25, line 9, after 'Ministers', insert

'or the Scottish Law Officers'.

No. 11, in clause 82, page 37, line 40, at end insert—

'(1A) The Advocate General for Scotland shall be qualified as either

(i) an advocate, or

(ii) a solicitor under the Solicitors (Scotland) Act 1980.'.

No. 12, in page 38, line 5, after 'writing', add

', provided that the office shall not be vacant for a period of more than one month.'.

Mr. Ancram: Amendment No. 303 is an important amendment which we are debating with several other amendments. Amendments Nos. 289 and 290 do not relate to the main purpose of my argument and I shall deal with them briefly by saying that they seek to ensure that provision for the transfer of functions, which we shall debate later in Committee, should apply to the Law Officers as much as to other Ministers of the Scottish Executive if the other amendments in my name fail. That would make sense in those circumstances.

Mr. Tam Dalyell (Linlithgow): The right hon. Gentleman mentioned Ministers of the Scottish Executive.

Does he include junior Ministers, because there is some confusion over whether they are included in the term "Ministers of the Scottish Executive"? That may be a pedantic point, but it arises from the Bill.

Mr. Ancram: It is a good point and it will be relevant when we consider the functions of Ministers in other groups of amendments that we will discuss later today. The hon. Gentleman will have gathered from our amendments that we think that it is highly questionable whether there should be a plethora of Ministers in Scotland to do the job that is now being done by the Secretary of State for Scotland, two Ministers of State and three junior colleagues. However, I do not wish to steal the thunder of my hon. Friend the Member for Woodspring (Dr. Fox), who will move those amendments in due course. I merely wished to take amendments Nos. 289 and 290 out of the argument that I am making now, because it is right to concentrate on the matter in hand.

Amendments Nos. 303 and 274 would mean that neither the Lord Advocate nor the Solicitor-General would be members of the Scottish Executive, and also that only the Solicitor General would be a Law Officer to the Executive. This is a matter of substantial importance to us. It has a legal aspect as well as a constitutional aspect, and it is important that we consider it carefully.

In paragraph 4.8, the White Paper "Scotland's Parliament" accepted that there was something different about Law Officers and the Lord Advocate in particular, and said:

"The traditional independence of the Lord Advocate as public prosecutor will be maintained."

That independence really causes us concern in relation to the amendments before us and the Bill as it stands.

The amendments seek to do two things. The first is to try to achieve a situation where the Law Officers are not part of the Scottish Executive. We believe especially that it is wrong in principle to devolve the office of Lord Advocate, because he is, as the White Paper says, an independent public prosecutor, and as such he must act at all times in the public interest of the whole United Kingdom, not the Scottish public interest alone.

It is important to realise that the Lord Advocate, in whatever guise, will continue to be responsible for the prosecution of offences enacted by both Parliaments. Many crimes—such as those involving drugs, firearms and Customs and Excise matters—will be reserved matters on which the Lord Advocate will prosecute, and do not fall solely within the matters that will be in the control of the Scottish Parliament.

Therefore, we believe that the role that the Lord Advocate will perform, having a United Kingdom dimension, is not recognised in the legislation as it stands and, indeed, would be precluded by clause 41(1)(c), which we seek to remove from the Bill, which states that the Scottish Executive shall also have as its members

"the Lord Advocate and the Solicitor General for Scotland."

Interestingly, in 1978, the importance of the United Kingdom dimension was recognised, and the position of Lord Advocate was not devolved for very much those reasons. I know that the hon. Member for Linlithgow (Mr. Dalyell) remembers some of the debates that took place at that time.

It may be useful to illustrate the point with hypothetical examples. There could be a case where a Westminster Member of Parliament from a Scottish constituency was to be prosecuted for electoral improprieties after devolution. *[Interruption.]* The Minister for Home Affairs and Devolution, Scottish Office smiles and laughs, as though he believes that it could never happen. I suspect that he might like to reconsider whether he is wise to so mock that example.

Let us say that a procedural blunder occurs, the prosecution founders and the Member of Parliament is acquitted on a technicality. In those circumstances, no Member of Parliament or peer at Westminster would be able to call any Minister to account for that, although it would affect the membership of the House, because there remains no ministerial responsibility at Westminster for the Scottish prosecution service. We need to think very carefully about that.

We might also consider the case of the Lockerbie bombing. The United Kingdom public interest would loom large in any prosecution that might take place in Scotland. If the case were ever to come to trial, evidence would be given by members of United Kingdom agencies such as the intelligence services and the forensic science services. I pose the question to the Minister: would it not be wrong in principle for a situation to be created whereby no accountability would be reserved to Westminster for the conduct of what might be one of the most prominent trials of all time?

Mr. Dalyell: The Minister for Home Affairs and Devolution, Scottish Office knows—because he had to answer one of them—that I have initiated 14 Adjournment debates on Lockerbie. This is a very difficult hybrid question, and I hope that, when the Minister speaks, he will cast some reflection, in the light of his experience of answering one of the debates on Lockerbie, on how the problem is to be resolved. It is a very real one.

Mr. Ancram: I am grateful to the hon. Gentleman because it is a good example, which he calls a hybrid situation. Such a situation could occur in other eventualities and, with all respect to the Minister, I do not think that the Bill covers these points sufficiently, so I hope that he will consider our amendments carefully.

The reverse situation might occur also. Let us take the hypothetical case of an English citizen charged with putting drugs on board a train in London that is bound for Glasgow as part of a drugs cartel to supply drugs to Scotland. The Englishman could be arrested by the Scottish police and prosecuted in Scotland although he might, in the commission of the crime, never have set foot in Scotland. Those of us who have practised at the criminal Bar know that such situations can arise. His Member of Parliament, who would be an English Member of Parliament, would have no opportunity to question in the United Kingdom Parliament the Minister with responsibility for the case in which his constituent was involved. Once again, lack of accountability could create great unfairness in terms of the representation available to citizens. I shall give way to the hon. Lady.

Dr. Lynda Clark (Edinburgh, Pentlands): I would have more sympathy with the right hon. Gentleman's argument if he could say when the Lord Advocate was last a Member of the House of Commons.

Mr. Ancram: At present, no Law Officer answers for the Scottish Law Officers in this place. However,

[Mr. Ancram]

during my time in government, the Solicitor-General for Scotland was a Member of the House of Commons. Lord Fraser of Carmyllie was Solicitor-General in this place before he became Lord Advocate. Law Officer questions were separate from questions to the Scottish Office, which underlines the importance of making that distinction. I give way again to the hon. and learned Lady—I apologise for not remembering her full title.

Dr. Clark: I am much obliged. It may be a figment of my imagination, but I think that a Law Officer was last a Member of the House of Commons in 1983.

Mr. Ancram: I think that it was 1987. The hon. and learned Lady makes an important point. When considering our amendments to the Bill, we pondered whether it was right to insist that Law Officers be Members of the Scottish Parliament for those reasons. However, we resisted putting down such an amendment, as we thought that it might preclude those who might hold that office with distinction from being able to do so.

Mr. Alex Salmond (Banff and Buchan): In the 10 years between 1987 and 1997 when the Solicitor-General was not a Member of the House of Commons, did the right hon. Gentleman make any representations to his party or argue in this place that that was an unacceptable situation that should be changed?

Mr. Ancram: I think that the hon. Gentleman misses my point. There was an acceptance that the Lord Advocate had a United Kingdom role. This part of the Bill categorises the Lord Advocate as a member of the Scottish Executive, who is therefore responsible within that Executive and not on a wider basis. I am making a serious point. If we are not careful, we shall create a situation whereby the necessary role of the Lord Advocate in terms of United Kingdom prosecutions could be compromised by the fact that he is a member of the Scottish Executive. I am surprised that hon. Members have difficulty with that. I believe that it is part of the tradition of the office of Lord Advocate that it should not only relate to Scotland, but have a wider perspective, which is important to Scottish law as well as to the office of Lord Advocate.

Ms Roseanna Cunningham (Perth): The last time that we debated the matter in this place, we had a long and heated discussion about clause 23. In the debate, it became quite clear that we could require anyone to appear before Parliament and give evidence. That did not necessarily please several hon. Members, but it was stated that that would continue to be the case. Does that not cover the point about which the right hon. Gentleman has expressed concern?

Mr. Ancram: With respect, I do not think that it covers the point—otherwise I would not have moved the amendment. We must ensure that the independence of the Lord Advocate is sustained as far as possible. I must concede that the Bill tries to do that; many clauses in the Bill seek to achieve that aim, but I do not think that there are enough.

The Lord Advocate's ability to act in a role that is beyond the powers that will not be reserved to this Parliament and therefore available to a Scottish Parliament is a second important point. There is a third key point to which I shall turn in a moment. However, I do not think that the Bill, as it stands, resolves the question.

The Opposition question the need to have two Law Officers in the Scottish Parliament—whether they are members of the Executive or not. Therefore, our amendment seeks to ensure that the office of the Lord Advocate is not devolved, which would allow him to retain a wider role. The Solicitor-General for Scotland could be devolved and made answerable to the Scottish Parliament, which would have the added advantage of eliminating the so-called "Harry Lime" position, whereby a third man is suddenly introduced by the Bill.

that third Law Officer would be a new animal—no one is quite certain what the Advocate General for Scotland will do. I believe that the simple procedure whereby the Lord Advocate is answerable to the United Kingdom Parliament and the Solicitor-General is answerable to the Scottish Parliament would resolve the issue without getting into the technicalities of creating a new position.

Mr. James Wallace (Orkney and Shetland): Does the right hon. Gentleman not see a difficulty with the proposal, in that, if a Member of the Scottish Parliament wished to raise a question about a Scottish prosecution, he would not be able to tackle the person who was ultimately responsible—the Lord Advocate? The buck would stop with the Lord Advocate who would not be answerable to the Scottish Parliament regarding the overwhelming number of prosecutions compared with the one or two hypothetical exceptions that the right hon. Gentleman has suggested.

4.45 pm

Mr. Ancram: I appreciate that it would be nice for the Scottish Parliament to be able to call to account the person who is in charge of all prosecutions. However, it could call to account the Solicitor-General—that is nothing new. The hon. and learned Gentleman was a Member of Parliament when the Solicitor-General for Scotland used to sit in this place. I do not think that we argued then that that was second best. I make the point with some seriousness, as I know that it concerns members of the legal profession in Scotland. The matter was considered carefully in 1978, and the then Labour Government decided not to go down that path.

Another effect of the amendment is to ensure something rather different: the devolved Law Officers will remain distinct from the Scottish Executive. That is not clear in clause 41(1)(c), which states that they would be members of that Executive. We are trying to create a situation that mirrors the current position, whereby the Crown Office and the Scottish Office are strictly separate entities—and are so described in any Government lists. They are not in the Cabinet and they are not Ministers outside the Cabinet; they are always declared separately. That is right and proper. This position is significant.

Clause 48(3) of the Bill states:

"Statutory functions of the Scottish Ministers shall be exercisable by any member"—

I stress that point—

"of the Scottish Executive."

If the Bill is left unamended, Scottish Law Officers will be included in the definition of Scottish Ministers. If Law Officers could exercise the functions of other Ministers—according to my reading of the Bill, it could not happen the other way around—it would create an extraordinary anomaly that could lead to conflicts of interest. On my reading of the Bill—I shall be interested to hear the Minister's comments—the Lord Advocate could grant planning permission, because that is a function of a member of the Executive. Therefore, the Lord Advocate would not be precluded from doing that.

Through these amendments, we are trying to protect the position of Lord Advocate, which is not only historic, but extremely valuable in terms of the constitution of this country and the Scottish legal system. We believe that it is not sufficiently protected at present, either in terms of independence or in terms of distinction from the Executive. On that basis, we hope that the Government will consider our arguments seriously.

Mr. Dalyell: Hon. Members have been asked to be succinct, so I shall limit my speech to two points. First, clause 41 defines the Scottish Executive. It is a matter of some importance to return to the question of junior Scottish Office Ministers. Will they be construed as being members of the Scottish Executive? What is their status? I do not think that the Bill makes that clear.

Secondly, the right hon. Member for Devizes (Mr. Ancram) raised the example of Lockerbie. Surely it is where the criminal act has its effect that the courts and prosecution system would have jurisdiction. If that is a correct understanding of the Scottish Parliament's responsibility for a hybrid situation such as that, I should be grateful if it could be confirmed.

Mr. Wallace: Before I speak to the amendments tabled by my hon. Friends and me, may I respond to some of the comments of the right hon. Member for Devizes (Mr. Ancram), who tried to address the issues and made some reasonable points.

I pointed out in an intervention that the overwhelming majority—99 per cent. or more—of cases in respect of which the Lord Advocate will ultimately have the responsibility for bringing the prosecution will be matters that affect the constituents of those who will be in the Scottish Parliament. The right hon. Gentleman's reply was that, for a long time, we accepted a Solicitor-General coming to the House and answering questions, and that did not work too badly. Let us be honest: it was better than nothing, and nothing is what we have had since 1987.

Although the right hon. Gentleman was not in Parliament at the time, it was a Conservative Government who took away the 10 or 15 minutes allocated at Question Time to the Law Officers' responsibilities. Several of us raised the matter on several occasions, and the balance was only latterly redressed in a small way by the provision that allowed the Lord Advocate, because he happens to be a Member of another place, to appear before the Scottish Grand Committee. As I understand it, that is done only with his permission, because he is a Member of another place.

In the case of the Scottish Parliament, the amendment that the Conservatives considered but decided not to table is not necessary, because under clause 26, if the Lord Advocate or the Solicitor-General is not a Member of the Parliament, he may still participate in the proceedings of the Parliament to the extent permitted by the Standing Orders. It will not be a question of whether the Lord Advocate deigns to appear; the standing orders will make the Law Officers part and parcel of the proceedings.

Moreover, I understand that, in Standing Committees of this House, it is possible to require a Law Officer to be present, not necessarily when the Committee is dealing with criminal matters, but when advice on points of law on other matters is needed. That has not been possible in Scottish legislation since 1987, when Mr. Peter Fraser—now Lord Fraser—lost his seat. There has been no Scottish Law Officer in the House of Commons. The scheme for which the Bill provides offers considerable advantages.

The right hon. Gentleman makes a fair and valid point—which those of us who have been brought up and trained in the Scottish legal tradition readily recognise and support—about the rigorous independence of the Lord Advocate when he fulfils his duties as the person who prosecutes in the Queen's name in Scotland. Specific provision is made for that in the Bill, which states:

"Any decision of the Lord Advocate in his capacity as head of the systems of criminal prosecution and investigation of deaths in Scotland shall continue to be taken by him independently of any other person."

That is set out in statutory form, and I support it.

Amendment No. 314 expands that and makes it clear that any official or agent appointed by and responsible to the Lord Advocate—in the Crown Office, advocate-deputes and procurators fiscal—will also have that independence guaranteed to them by the provisions of the Bill. The Minister may respond that that is already implied. The Government have not been over-generous in accepting amendments. Perhaps they will accept this one, which sets out the position. It would guarantee that independence and put it on a statutory basis and beyond question at any future date.

The Lord Advocate must be answerable to the Scottish Parliament, and he would not be answerable if he remained a Member of this place or the other place and a member of the United Kingdom Government.

Let us forget all the fancy stuff about the Law Officers being totally independent. Although they are independent, and rightly so, and any Lord Advocate whom I have known has jealously guarded his independence with regard to the prosecution, nevertheless they have not been above partisanship in their other activities, and I make no complaint about that. They are there to help the Government to implement their policies and to give legal advice, and one would expect that they would generally be in step with the Government; but the idea that recent Lords Advocate have been above the political battle does not stand up. I do not criticise them for that. They have made no secret of it in some cases, and it is part of their job.

If the Law Officers did not sit in the Scottish Parliament—if they were the creatures of Westminster—the Solicitor-General could answer questions, but there

[Mr. Wallace]

would be no right of the Scottish Parliament to question the Lord Advocate. Although there has been no Law Officer in the House of Commons, the Law Officers are still ultimately responsible to the House of Commons and to another place. Technically, the Secretary of State answers questions on their behalf.

As the hon. Member for Linlithgow (Mr. Dalyell) knows, if we had a Law Officer in this place, some of his Adjournment debates on Lockerbie would have been answered by a Law Officer, but they have had to be answered by a Minister—indeed, the Minister for Home Affairs and Devolution, Scottish Office has had to answer them—as a stand-in for the Law Officers. That would not be the case if the Lord Advocate was not a Member of the Scottish Parliament.

The hon. Member for Perth (Ms Cunningham) rightly pointed out in the battles that we had over clause 23 that it would be possible for the House of Commons to call the Lord Advocate or the Solicitor-General if it was felt that he was not executing his duties or there were questions to be answered.

Amendment No. 10 would require that the Lord Advocate and the Solicitor-General should be members of the Faculty of Advocates or a solicitor under the Solicitors (Scotland) Act 1980. That would ensure that those who hold such high office were suitably qualified.

I am grateful to Mr. Michael Clancy of the Law Society of Scotland for giving me some of the historical background. The Lord Advocate has always been an advocate, as far back as anyone can trace. With regard to the Solicitor-General, the first appointment of a King's Solicitor dates to 1587, when a commission was granted to William McCartney,

"one of the King's Clerks, writer and special agent".

That might suggest that he was a solicitor rather than an advocate, but during the 17th century the office became the preserve of members of the Faculty of Advocates. In 1684 the King's Solicitor was authorised to prosecute with similar jurisdiction to that of the King's Advocate.

In more recent times, during the first Labour Government, the Prime Minister, Mr. Ramsay MacDonald, attempted to have a Glasgow solicitor, Rosslyn Mitchell, appointed Lord Advocate, but after an encounter with the Lord President of the Court of Session, Ramsay MacDonald thought again and Mr. Mitchell was not appointed, as he had no rights of audience in the Court of Session.

The position has been different since the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.

Mr. Dalyell: If the Mitchell case, to which the hon. and learned Gentleman rightly refers, were repeated today, would he agree to a solicitor of the distinction of Rosslyn Mitchell being appointed? Personally, I would.

Mr. Wallace: Subject to what I am about to say, yes. My amendment would make provision for a solicitor to become Lord Advocate or Solicitor-General for Scotland—a solicitor under the Solicitors (Scotland) Act 1980. Of course it is now possible for solicitors to have rights of audience in the High Court, the Court of Session, the House of Lords and the Judicial Committee of the Privy Council.

I hope that the Minister will be minded to accept the amendment, which would build in a guarantee that whoever holds those high offices will be suitably legally qualified.

Amendment No. 11 contains a similar requirement in relation to the Advocate General for Scotland and clause 82. It is perhaps even more important that the qualification be included here. One wonders whether, in times to come, a short cut might be taken and it might be thought a good idea to let the Attorney-General for England and Wales also be the Advocate General for Scotland.

5 pm

Clause 82(3) states:

"If that office is vacant or the Advocate General is for any reason unable to act, his functions shall be exercisable by such other Minister of the Crown as the Prime Minister may determine in writing."

That suggests that someone, somewhere along the line, has thought that the Advocate General's functions might be carried out by, for example, the Lord Chancellor's Department, or possibly the Secretary of State for Trade and Industry. The field is wide open.

Amendment No. 12 would allow the vacancy to exist for only one month. Important Scottish legal considerations would come to bear on matters which are still the reserved powers of Westminster. It is important that advice on the Scottish dimension is given by someone suitably qualified in Scots law.

Mr. Ancram: As a Scottish lawyer, I have some sympathy with the idea of creating more jobs for Scottish lawyers. But does not the hon. Gentleman's point on the Advocate General substantiate something that I was trying to say, which is that the safest form of Advocate General within the United Kingdom is the Lord Advocate? It is clear that he is qualified as a Scottish lawyer but can also bring to that role the influence and weight of the office. To create this new third man, Harry Lime-type creature will not do anything for the law of Scotland or the advice given to the Government here.

Mr. Wallace: I do not agree, because one cannot serve two masters. As I have already said, we are not talking about the prosecution function, which I think we are all agreed should be separate. If one had a Government of a particular complexion in Edinburgh and one of a different complexion in London, one could not honestly expect the Lord Advocate to deliver legal advice to both. The right hon. Gentleman says that that problem would not arise because the Lord Advocate would not be involved in the Scottish Parliament, and I have given the reasons why that would not be appropriate.

It is important to have someone available in Westminster to give advice on Scottish legal matters and, by the very character of the being, it must be someone in step and in political sympathy with the Government of the day.

Mr. Andrew Rowe (Faversham and Mid-Kent): As a non-Scottish lawyer, I seek a piece of information. If a constituent of mine from Kent crosses the border into Scotland and falls foul of the procurator fiscal service in circumstances that I regard as oppressive and improper, with whom can I take up my anxieties?

Mr. Wallace: It would not be the Advocate General, because he would not have responsibility. The practical

answer is that the hon. Gentleman could take the matter up with the Lord Advocate. I would fully expect the Lord Advocate of the day to treat seriously any such letter from an hon. Member of this House. We write to European Commissioners who are not answerable to us, but we expect and hope to have our letters treated seriously, which, for the most part, we do.

In terms of theoretical accountability, as I have already said, at the end of the day, because of the clause that we have already debated, it would be possible for the Lord Advocate to appear before a Select Committee of this House and, in that way, there may be some indirect accountability. The practical point is that, if the hon. Gentleman had an aggrieved constituent, he would take it up with the Lord Advocate and I would fully expect any Lord Advocate worth his or her salt to give a decent and considered reply, in the same way as a Member of the Scottish Parliament would get such a reply if he wrote. In practical terms, that is not a problem.

The balance struck by the Government of the two Law Officers being part of the Scottish Parliament and the Scottish Executive shows the seriousness of our intent with regard to the creation of the Parliament. If, somehow or other, the Lord Advocate were thought to be too grand a person for the Scottish Parliament, it might lead to questions as to what kind of Parliament we are creating in the first place. The Government have struck the right balance, but my amendments would secure the position and the independence of the procurator fiscal service and the advocate-deputes in terms of prosecution.

Mr. Salmond: I can help with the reason why the right hon. Member for Devizes (Mr. Ancram) keeps referring to the third man and Harry Lime. As I remember the plot of the film, Orson Welles kept disappearing down the drains of Vienna. Given the state of the Tory party, that seems an apt analogy.

I come now to the humbug behind the right hon. Gentleman's formulation. The current system of Law Officers' accountability to this place is clearly unsatisfactory. The hon. Member for Linlithgow (Mr. Dalyell) made the point. His 14 Adjournment debates had all been answered by proxy because it is 10 years since a Law Officer sat in this place who could answer the hon. Gentleman directly. Perhaps it was because the Law Officers were facing the hon. Gentleman that they decided no longer to be in this place, but that is an unsatisfactory position that the right hon. Member for Devizes was perfectly happy to allow for 10 years.

Clearly, under the Bill, Members of the Scottish Parliament will be able to make the Law Officer directly accountable by questioning, by proper democratic process. That must be an enhancement of the current position. It may be an incentive for the hon. Member for Linlithgow to stand for the Scottish Parliament so that he can pursue the Lockerbie debate directly with the Solicitor-General and the Lord Advocate—who knows? But whoever does it, whether it be the hon. Member for Linlithgow or his Scottish National party replacement, the provision will enhance the democratic process.

The right hon. Member for Devizes is perfectly happy in his amendments to remove the Lord Advocate from the provenance of the Scottish Parliament so that the senior Law Officer in Parliament will not be available directly to the Members of the Scottish Parliament, despite the fact that the vast majority of the issues will fall under the matters devolved to that Parliament. In place of that, he brings forward a few exceptions in terms of the reserved matters.

In one of our debates two weeks ago, it became clear that, against my wishes and those of many other hon. Members, it would not be within the ability of the Scottish Parliament to summon UK Ministers. It could invite UK Ministers in much the same way as we can invite the Lord Advocate to the Scottish Grand Committee at the moment. But it would still be within the rights of this Parliament's Select Committees to summon Scottish Ministers before them, as they summon other people, if so required.

The Opposition—in their amendments and in the position celebrated by Conservative Members when they congratulated the Government on the question of witnesses only two weeks ago—are perfectly happy to allow a democratic vacuum, whereby the senior Law Officer is not available to Members of the Scottish Parliament for questioning, in pursuit of a few isolated cases in which they think Westminster's responsibility should prevail. It is that attitude of trying to limit the Scottish Parliament's powers—

Mr. Ancram: If the Lord Advocate, although still remaining the adviser to the United Kingdom Government, could give answers to the Scottish Parliament, would the hon. Gentleman withdraw his objection?

Mr. Salmond: Of course not. I argue that the Law Officer should be directly accountable to the Scottish Parliament. It is the right hon. Gentleman who has to account for the situation that he is prepared to allow which would mean that the Scottish Parliament did not have the ability to hold the senior Law Officer in Scotland directly accountable. That attitude towards the legislation—trying to draw back whatever can be saved for this place and the other place at Westminster—is the real reason for the miserable, down the drain, 9 per cent. that the Conservative party faces in the elections to the Scottish Parliament in a year's time.

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): I wish to start by referring to the initial comments of my hon. Friend the Member for Linlithgow (Mr. Dalyell) on the many Adjournment debates he has had on Lockerbie. As a newly appointed Minister about to face the 14th debate, I sat with some trepidation. As it was an Adjournment debate, however, I thought that I could relax until 10 o'clock. This historic moment was the evening before the publication of the White Paper and, at 6.10 pm, the business in the House collapsed.

My hon. Friend was on stage at that point. Remarkably, after an hour, he started to read from his notes—after speaking for one hour without any. We finished at 8.50 pm, and it was an important occasion for me in dealing with Lockerbie. My hon. Friend answered the question on prosecution—it is about the jurisdiction in which prosecution takes place. I shall deal with some of the points made about the Lord Advocate in a moment, but that is an important point.

[Mr. Henry McLeish]

We have had a useful debate on the role of the Law Officers and the way in which they will be dealt with under devolution. Before dealing in detail with the amendments. It may help if I clarify first what is proposed for the Law Officers in the Bill.

The policy that the Bill reflects was summarised briefly in the White Paper, which recognised that the Scottish Executive would require the services of Law Officers to provide them with advice on legal matters and to represent their interests in the courts. In addition, the role and responsibilities of the Lord Advocate as prosecutor were to be devolved, with his traditional independence maintained. The Bill delivers that policy and safeguards the Lord Advocate's independence in a number of its provisions.

At present, the Lord Advocate and the Solicitor-General for Scotland are the Scottish Law Officers to the United Kingdom Government. The Bill provides for them to cease to be members of the UK Government and to become members of the Scottish Executive. They, along with the other Ministers, will be known as the Scottish Ministers. The effect of clause 45(3) is that the Lord Advocate and the Solicitor-General will cease to be Ministers in the UK Government and will cease to be the UK Government's Scottish Law Officers. Clause 45(1) provides for the appointment and the removal from office of the Law Officers, and makes this subject to the agreement of the Scottish Parliament.

All the functions conferred on the Scottish Ministers will be capable of being exercised by any of them. It will be for the First Minister to determine the portfolios of individual Scottish Ministers. However, the Lord Advocate and the Solicitor-General for Scotland are to be the Law Officers to the Scottish Executive, and the intention of the Bill is that their functions as Law Officers should not be exercisable by any other Scottish Minister—a point alluded to by the right hon. Member for Devizes (Mr. Ancram).

The Bill ensures that these Law Officer functions are retained by the Law Officers in their own names. The functions of the Law Officers principally involve their being the main legal advisers to the Government in matters of Scots law, and representing the Crown and the Government in civil and criminal proceedings. While the term "Law Officer" in itself does not, as a matter of law, confer any particular function or status, certain specific functions are conferred upon the Lord Advocate in his capacity as Law Officer.

Retained functions include the functions of the Lord Advocate as Her Majesty's Advocate—as the head of the systems of criminal prosecution and the investigation of deaths in Scotland. The Lord Advocate will be entrenched in that role by clause 28(2)(e), and clause 45(2) confirms the continued independence of the decisions of the Lord Advocate in his capacity as the head of the systems of criminal prosecution and the investigation of deaths in Scotland. These provisions secure the protection that the Lord Advocate requires to fulfil those responsibilities in a way which will uphold his traditional independence.

All the other functions currently exercisable by the Lord Advocate that do not relate to his Law Officer functions—whether they concern devolved or reserved matters—will require to be transferred from him before he ceases to be a Minister of the Crown or becomes a member of the Scottish Executive. Transfer of function orders will need to be made to effect this and, for the information of the House, I have today laid three working drafts of the orders in the Library.

Mr. Ancram: We understand that, under the Bill, the legal functions of the Law Officers are protected from being exercised by anyone else. However, I am interested in where the reverse could be the case. Under clause 48(3), a Law Officer might find himself exercising the statutory functions of another Minister of the Executive, and I gave planning as an example. Am I right in thinking that, under that provision, that is possible? If it is, does the Minister think that it is desirable?

Mr. McLeish: It would be possible, but it would be ridiculous and certainly would not reflect any precedent in the current distribution of functions within a ministerial team. The right hon. Gentleman once again picks an extreme example on which to base his case. That will not happen. We want to ensure that the ministerial functions are capable of being exercised by Ministers of the Executive. There is nothing surprising about that, and it is a reasonable step forward.

Mr. Ancram: If the Minister is right to say that that position will never arise, and that there is no possibility of a Law Officer exercising the functions of another member of the Executive, what is the point of having them as members of the Executive? The purpose of our amendment is not to prevent them from advising the Scottish Parliament, but to remove them from the Executive. We cannot see the purpose or benefit of the Law Officers being members of the Executive, but we can see a lot of dangers in blurring the distinction between their office and the offices of other members of the Executive.

5.15 pm

Mr. McLeish: I do not see the danger. At present, I am the Minister responsible for home affairs, devolution and transport, but there may be occasions within my ministerial work when I am working on health or education matters. It is common sense to allow members of the Executive to carry out these functions.

Mr. Ancram: The Minister has missed the point.

Mr. McLeish: No, I have not. We are suggesting that the Lord Advocate and the Solicitor-General will be Ministers and part of the Scottish Executive. There is nothing remarkable in that proposal, and I hope to explain why it makes so much sense.

I referred to the fact that a draft transfer of functions order had been placed in the Library, and I hope that hon. Members will avail themselves of the opportunity to look at it. There will also be another order to transfer certain functions from the Lord Advocate to a new UK Minister called the Advocate General for Scotland, who will become the Scottish Law Officer to the UK Government. His office is provided for in clause 82.

Before the Lord Advocate becomes a member of the Scottish Executive, certain of his functions that relate to reserved matters will be transferred to the Advocate General by the order. Apart from the functions that the Lord Advocate is retaining, the functions he currently exercises in relation to devolved matters will be

transferred first to the Secretary of State under one of the transfer orders. They will then be transferred to the Scottish Ministers under clause 49, when they will become exercisable by any of the Scottish Ministers as determined by the First Minister.

The reason why these functions have to be transferred first to the Secretary of State is that they have to be transferred from the Lord Advocate to another UK Minister of the Crown before the two Scottish Law Officers cease to be part of the UK Government. This allows the functions then to be transferred to the Scottish Ministers under clause 49. Functions currently exercisable by the Lord Advocate in relation to reserved matters will be transferred by the draft orders to UK Ministers of the Crown. Most will subsequently be transferred to the Scottish Ministers by the draft Transfer of Functions (Scottish Ministers) Order, which will be made under clause 59. I have made available to the House a draft of that order.

In light of that background, I wish to address myself to the amendments. Amendments Nos. 10 and 11 would require the Law Officers to the Scottish Executive—the Lord Advocate and the Solicitor-General for Scotland—and the new Scottish Law Officer to the UK Government, the Advocate General for Scotland, to be legally qualified in Scotland, either as an advocate or as a solicitor.

As the hon. and learned Member for Orkney and Shetland (Mr. Wallace) will be aware, the offices of Lord Advocate and Solicitor-General are, by custom, held by distinguished members of the Scottish Bar. It has not been felt necessary in the past to prescribe the qualifications for office of the Scottish Law Officers, and it is not clear why this should be necessary now. To do so would be inconsistent with the Government's intention to legislate for a responsible Parliament and Executive, which can be expected to ensure that holders of these vital offices of state are qualified for them.

Some reference was made to the history of the offices. I referred to the holders of the offices as being distinguished members of the Scottish Bar. That has been the case for the Lord Advocate's office for some 400 years and, for the Solicitor-General's office, for some 300 years. Custom has served us well in Scotland, and there is no reason why that should change.

Mr. Wallace: Does the Minister accept that it could be possible for a solicitor, particularly one who holds rights of audience in the Supreme Court, to become Lord Advocate or Solicitor-General? In the case of the Advocate General for Scotland, which is a new appointment, there might be a temptation for the Government to cut corners and double up on a salary, possibly with the Attorney-General. In that case, would it not be worth while spelling out the qualifications required?

Mr. McLeish: The question of the possible appointment of a solicitor to one of those offices is not an appropriate one for the Bill. The advent of rights of audience for solicitors and of solicitor-advocates may well give rise to the question whether it is strictly necessary for the Lord Advocate and Solicitor-General to be drawn only from the Faculty of Advocates. There are a number of interests which it would be appropriate to consult before proceeding with any change on that matter.

In view of the wide range of the Lord Advocate's responsibilities, both formal and informal, it is essential that he or she should command the full confidence of the courts. That may be an issue which, in the fulness of time, the Scottish Parliament will wish to consider, but it is not an appropriate subject for the Bill.

Similar considerations apply to the appointment of Advocate General. Clearly, the UK Government would wish to appoint only an eminent Scottish lawyer to a ministerial office of that nature, but there is no need to specify those qualifications in legislation. This is an area in which we can rely on long-established custom and practice, and I therefore ask the hon. Gentleman to withdraw the amendment.

Amendment No. 12 provides that the functions of the Advocate General may be exercisable by another Minister of the Crown in the event of a vacancy or the incapacity of the Advocate General, provided that a vacancy lasts for no more than a month. The effect is to make it impossible for there to be a vacancy for longer than a month. Although I appreciate that the amendment is intended to ensure that the office of Advocate General for Scotland is not left vacant for too long, the matter can safely be left to the good sense of all concerned, as it might have other consequences.

Clause 82(3) provides for the Prime Minister to determine that another Minister of the Crown should carry out the Advocate General's functions if the office is vacant, or if the Advocate General cannot act, for example, because of illness. I fully accept that it would be in no one's interest for the office to be left vacant for long and, except for circumstances beyond anyone's control, I cannot envisage the office being left vacant for longer than a month.

I cannot agree that it is necessary to prescribe time limits to the provisions in clause 82. In any circumstances in which there was a vacancy or incapacity, whoever was appointed by the Prime Minister to hold the fort would be advised by the Scottish legal experts in the Advocate General's Department. There would be no question, therefore, of the UK Government taking decisions without regard to Scottish law.

Mr. Salmond: May I press the Minister on his opinion on Law Officers' independence? We have had Law Officers who have been anything but politically independent—Lord Mackay of Clashfern kept making interventions in the constitutional debate; each was described as "unprecedented". The last Solicitor-General stood for a seat unsuccessfully in the general election. I am genuinely interested to know what the Minister thinks the question of Law Officers' independence means, because there has been no tradition of political independence.

Mr. McLeish: The hon. Gentleman asks a reasonable question. We should look at the totality of the Lord Advocate's functions and responsibilities in the new Scottish Parliament. He will be a member of the Scottish Executive and would therefore advise on legal aspects of political policy as it unfolds, but in relation to the prosecution function and overseeing investigations into

[Mr. McLeish]

deaths, his independence is absolutely vital. As in any democracy, an important balance must be struck. The proposals before us contain the right balance.

Mr. Dalyell: It may be unlikely, and it would not happen often, but in the event of a difference of opinion between the Advocate General and the Lord Advocate, who would resolve it?

Mr. McLeish: Such points were raised at previous Committee sittings. We assume that the balance of common sense will prevail in many of the issues that will be dealt with between Westminster and the new Parliament at Holyrood. If we reach the point where matters must be resolved, the systems of debate and dialogue must come into play. When we have discussed such matters, we have always considered the most pessimistic scenario. That is understandable, but I would hope that, especially in this area, which is absolutely vital to the freedom of individuals and to the public interest, those matters will be fully resolved.

I am grateful to the right hon. Member for Devizes (Mr. Ancram) for saying why he considers amendment No. 274 to be desirable. The amendment is both unnecessary and, I am afraid to say, would run counter to what is envisaged by the Bill.

As I explained, the Bill provides that the Lord Advocate and the Solicitor-General for Scotland should be members of the Scottish Executive. It does not, however, need to provide expressly that they will become the Law Officers of the Scottish Executive. The Solicitor-General will continue to be able to carry out the functions of the Lord Advocate in terms of the Law Officers Act 1944.

The amendment describes the Solicitor-General as the Law Officer to the Scottish Executive. I am left wondering where the amendment would leave the Lord Advocate. The right hon. Member for Devizes said that Scotland could deal with one Law Officer, not two. The amendment would, by implication, deprive the Lord Advocate of his intended role as principal Law Officer to the Scottish Executive.

The Government believe that both the Lord Advocate and the Solicitor-General should be the Law Officers to the Scottish Executive, and that the two offices should continue to have the sort of relationship that has existed for more than three centuries. The amendment would destroy that.

Mr. Dalyell: May I also ask about the back-up to the Advocate General? Clearly, the civil servants and the Crown agent are responsible to the Lord Advocate and the Solicitor-General, but what about the civil servants responsible to the Advocate General? Will they be UK civil servants, or responsible to the Scottish Parliament?

Mr. McLeish: It is a UK appointment and they will be UK civil servants. The Government will deal in due course with the details and procedures behind setting up the office and the specific functions.

Amendments Nos. 289 and 290 allow the subordinate legislation under which functions may be executively devolved to determine whether the functions should be exercised by the Scottish Law Officers rather than by Scottish Ministers generally. The purpose appears to be to try to allow particular functions to be assigned specifically to the Scottish Law Officers rather than to the Scottish Ministers.

That goes against the general approach in the Bill, which is to make fully and executively devolved functions exercisable by any Scottish Minister. In legal terms, they will be equally capable of exercising those functions. In practice, that will leave the First Minister with the proper degree of discretion to decide which of his Ministers should exercise particular functions. Only in respect of the Lord Advocate's retained functions, which are his Law Officer functions and his functions as head of the systems of prosecution and deaths investigation service, will the Law Officers exercise functions that cannot be exercised by another Scottish Minster.

I expect that the First Minister will wish to allocate functions in accordance with the Scottish Ministers' portfolios. In practice, it is likely that certain policy functions that relate to the Scottish judicial system will be exercised by the Scottish Law Officers.

In line with the devolution of responsibility for the judicial system in Scotland, the draft Executive devolution order lists a number of functions currently exercised by the Lord Advocate and the Secretary of State in relation to tribunals concerned with reserved matters. Those functions involve making or being consulted about appointments, and procedural rules and other procedural matters. Executive devolution will enable the functions to be exercised by the Scottish Minister. We expect the First Minister to allocate the functions in question to the Scottish Minister responsible for civil justice matters, whether he be the Lord Advocate or some other Scottish Minister. In exercising those functions, the role of the relevant Scottish Minister would relate to his involvement in the civil justice system rather than to any other policy interest of the Scottish Executive in the matter concerned.

However, there would be no justification for fettering the discretion of the Scottish Ministers as the amendment proposes. The Committee has to make up its mind whether it wants power and responsibility to be devolved to a Scottish Parliament and a Scottish Executive that can stand on their own feet and be responsible for their own decisions. There is no need for the type of provision proposed in the amendments.

I ask the Committee to resist amendment No. 303, which appears to be intended to prevent the Lord Advocate and the Solicitor-General for Scotland from being members of the Scottish Executive. That would be quite inappropriate. The Lord Advocate and the Solicitor-General will be the Law Officers to the Scottish Executive. That means that they will be expected to provide advice from a legal perspective on the formulation and implementation of policy. They can only properly do that if they are members of the Scottish Executive.

Amendment No. 303 would therefore severely restrict the role of the Law Officers, which I am sure is not what the right hon. Member for Devizes intends. It is vital to the Scottish Executive that the Law Officers should play a full and effective part in it. The devolution of the Law Officers and their responsibilities is one of the key respects in which the Bill improves on the 1978 Act. The amendment would be a significant weakening of the Bill. For those reasons, I ask the right hon. Gentleman to withdraw amendment No. 303.

Amendment No. 314 would extend the provision on the independence of the Lord Advocate to officials and agents appointed by and responsible to the Lord Advocate, such as Crown Office staff, procurators fiscal and Crown counsel.

The amendment is defective because clause 45(2) protects any decision of the Lord Advocate in his capacity as head of the systems of criminal prosecution and investigation of deaths in Scotland. It does not make any sense to refer, as the amendment does, to any decision by such an official or agent taken in that capacity because the official or agent is not the head of those systems. Furthermore, the amendment could be taken to mean that any decision of an official or agent of the Lord Advocate is required to be taken independently of the Lord Advocate.

5.30 pm

The amendment is unnecessary. It presumably seeks to protect any decision for which formal responsibility rests with the Lord Advocate but which in practice is taken by one of his officials for whom he is responsible. Any such decision is regarded as the decision of the Lord Advocate. It is important to underline that point. The reference to the Lord Advocate will therefore include any such official. Accordingly, the guarantee of independence of the Lord Advocate should be sufficient to protect officials from outside pressures without express mention.

I should also point out that clause 28(2)(e), which entrenches the position of Lord Advocate as head of the systems of criminal prosecution and investigation of deaths, will also have the effect of ensuring that any officials and agents who are appointed by the Lord Advocate in connection with those functions will remain answerable to him. That reinforces the guarantee of independence.

In the light of that explanation, I trust that right hon. and hon. Members will agree that the amendment is unnecessary.

Government amendment No. 321 is a drafting amendment that is intended to clarify clause 48(6) by making it clear that what the Bill refers to as the Lord Advocate's "retained functions"—those functions that are exercisable by him alone—include any functions that may be conferred on him alone in future legislation.

It is not intended to refer to any statutory functions that are at present conferred on him because, to the extent that he retains them, they will be caught by the reference in clause 48(6)(a) to

"any functions exercisable by him immediately before he ceases to be a Minister of the Crown".

The amendment refers to any functions that the Scottish Parliament may confer on the Lord Advocate in connection with the criminal prosecution or deaths investigation systems. It is simply a clarificatory point.

Mr. Ancram: A familiar and depressing atmosphere surrounded the Minister's reply. His standpoint is that his legislation is unamendable. I hope that he will consider that point carefully. Several amendments were tabled in good faith, including those of the hon. and learned Member for Orkney and Shetland (Mr. Wallace), yet we were told that they were not necessary. That attitude comes from a mind-set that assumes that legislation is perfect. As a lawyer, I can tell the Minister that, if legislation had ever been perfect, there would not be much work for lawyers. It is because legislation is so often imperfect that many of us manage to earn a living as lawyers.

I was slightly surprised to be lectured about the fact that the Conservative Government did not have a Law Officer in this House.

Mr. McLeish *indicated dissent.*

Mr. Ancram: Not necessarily by the Minister, but by others.

It is obvious that the Government do not believe that a Law Officer should sit on the Treasury Bench to deal with legal matters in Scotland. They do not have the excuse that they have no one who is appropriately qualified. The hon. and learned Member for Edinburgh, Pentlands (Dr. Clark) is perfectly qualified to hold that position, but for reasons best known to themselves the Government decided that the Law Officer should speak in the other place. There is a question mark over the sincerity of their view of the importance of having the Lord Advocate in the Scottish Parliament to answer questions, because they have not adopted that position for this House.

The hon. and learned Member for Orkney and Shetland tabled some good amendments that we would have supported, but we were told by the Minister that they were not acceptable. I am now used to the interventions of the right hon. Member for Banff and Buchan (Mr. Salmond). Is he right honourable?

Mr. Salmond: No.

Mr. Ancram: Honourable but not right yet—that clarifies matters.

The hon. Gentleman seems to regard everything that is proposed, certainly by Conservatives, as part of a conspiracy to destroy the Scottish Parliament. I do not think for a moment that he believes that, because he has no interest in making the Scottish Parliament work. He wants it to fail so that we move towards independence. I suspect that he criticises our proposals because he believes that they give the Scottish Parliament a better chance of sustaining itself within a devolved system, which will ensure that it does not go down the slippery slope towards independence.

Mr. Salmond: It is early days, but it seems that my point of view on the Scottish Parliament elections is doing rather better than that of the right hon. Gentleman. Does he not think that, if the Scottish Parliament works, and if people have confidence in that new institution, it will lead to a move towards independence?

Mr. Ancram: The hon. Gentleman wants conflict and dispute between this House and a Scottish Parliament, because he believes that that will operate in favour of his ambitions and objectives. Throughout the referendum campaign, we argued that the creation of a Scottish Parliament would not diminish nationalism but would create a focus for it, and that nationalism would increase. If anything, the opinion polls show that our fears were right. The urbane reassurances that we were given by Labour Members are now seen for what they are.

[Mr. Ancram]

The Minister gave us some interesting information about the clause. I thank him for that, because we learned much about the intentions behind the clause. However, he did not answer our questions on the amendments. On one amendment, he said that the matter could safely be left to the good sense of all concerned. It is not an answer to say that a provision need not be in the legislation because we can rely on the good sense of all concerned. I do not share his touching faith in human nature. People who want the Scottish Parliament to work would be wise not to rely on faith in human nature: they should ensure that the right statutory provisions are in place.

The Minister gave no reason why the Law Officers should be members of the Executive. He said that it was so that they could give legal advice on political events as they unfolded. Why can they not do that from outside the Executive, as do other legal advisers? They do not have to be part of what they are legally advising: in fact, their advice is often better for their not being part of it.

The hon. Member for Linlithgow (Mr. Dalyell) made two important points about the Advocate General. He asked what would happen if there were a dispute between the Lord Advocate and the Advocate General. We received a wittering answer that did not tell us whether there was a mechanism to resolve such a dispute, which would be very serious for the law of Scotland.

in answer to the question who would service the Advocate General's Department, we were told that civil servants would be made available. Where will they come from? The Crown Office? Will they be trained in Scottish law? Will they be seconded from among the civil servants who would otherwise look after the Lord Advocate and the Solicitor-General? We have no answers to those questions. Yet again, we are told that we must leave it to the good sense of all concerned. We are not prepared to leave such matters to the good sense of all concerned. I ask my colleagues to support my amendment.

Mr. Dalyell: To whom will the civil servants who work for the Advocate General be responsible? Are they part of the home civil service and ultimately responsible to its head, who is currently Sir Richard Wilson, or to the permanent secretary at the Lord Chancellor's Department, or will they be responsible to the Scottish Parliament? That is an important question. Before we reach the later stages of the Bill, something more must be said about the possibility of a difference of opinion between the Advocate General and the Lord Advocate, because such a dispute is not so arcane, esoteric or hypothetical as we may suppose.

Mr. Wallace: I want to take up some of the points raised by the Minister in response to amendments that I tabled. First, however, let me take up what the right hon. Member for Devizes (Mr. Ancram) said when he was engaging in his bit of banter with the hon. Member for Banff and Buchan (Mr. Salmond).

I think that there will be a penalty to be paid by any party that tries to wreck the Scottish Parliament, and I do not think that it is in any party's interest to do so. That is why I want the Scottish Parliament to be as fully fledged as possible. I think that a measure that took away a wing of it by refusing to allow the principal Law Officer of Scotland to be accountable to, or to be a Member of, the Scottish Parliament would give rise to conflict and frustration. I am not saying that that was the motive behind amendment No. 303, but I believe that it could be the consequence of it. If the right hon. Member for Devizes wants to know how the wrecking would happen, let me tell him that I think it would result from not having the Lord Advocate as a Minister in any Scottish Executive.

I was disappointed by the Minister's reply, which was traditionally conservative with a small "c": "It has happened for years, and therefore it will go on happening." I take the Minister's point that we do not want to circumscribe the Scottish Parliament in too many ways, but he ought to accept that, far from circumscribing the Parliament by tradition—which, I think, is what he was trying to do—my amendments would open it up, making the pool from which the Lord Advocate and Solicitor-General might be chosen somewhat wider than tradition would allow it to be. I do not intend to press the matter to the vote on this occasion, but I think that what was said will be noted.

I want to reserve our position on amendment No. 11, which relates to clause 82 and requires the Advocate General to be properly qualified in the law of Scotland. The right hon. Member for Devizes referred to the "good sense" of all concerned. When the Conservatives were in government, I used to apply what I have always considered to be a very good test: "How would you like the powers to be in the hands of the Opposition?" Does the Minister really think that the good sense of all concerned would necessarily be exercised in the right way if, as may happen, the Conservatives returned to office? After all, they have been in office before, and they may be again. Does the Minister trust the Conservatives to exercise good sense, or does he think that they may try to take a short cut?

In the case of the Advocate General, I do not think that we can rely on centuries of tradition, because there is no tradition. We are creating a new post. It will be an important post, because large areas of responsibility affecting Scotland will remain with the House of Commons, and we hope that the advice on Scottish law that the Government of the day are given will be of the best quality. I do not think that we can leave the matter to chance, good sense, good luck and good will.

Especially with regard to the Advocate General, we should not leave things to tradition. There is an old story about someone saying, "As from tomorrow, this college will have a new tradition." I think that the Minister was saying, "As from the time when the Bill is enacted and a Scottish Parliament is established, there will be the tradition of the Advocate General."

Mr. Nick Hawkins (Surrey Heath): The hon. Gentleman speaks of changes in traditions. Is he aware that recently, when it came to breaking traditions in regard to legal matters, the Government decided to introduce special legislation so that, for the first time, a non-lawyer could become permanent secretary to the Lord Chancellor's Department? Is it not consistent with the hon. Gentleman's argument, rather than with the Government's argument, that in certain circumstances—

when it suits them—the Government are prepared to depart from legal tradition, while on this occasion they are not?

Mr. Wallace: I was not aware of that. I have not been paying close attention to the machinations of the Lord Chancellor's Department. Perhaps I have read more in the press about the Lord Chancellor's wallpaper than about his permanent secretary. The hon. Gentleman makes a good point, however: traditions can be overturned. One of my amendments would allow for the development of a tradition, but in the context that we are discussing there is no tradition, and I think that there ought to be rules. As I have said, we shall reserve our position in respect of clause 82.

5.45 pm

Mr. McLeish: I find it remarkable that the right hon. Member for Devizes (Mr. Ancram) is always so keen to reinvent the wheel. At present, the Lord Advocate is a member of the Government, and I submit that in past Conservative Administrations the position was probably the same. What is the great remarkable discovery about the Lord Advocate in the Scottish Parliament being a member of the Scottish Executive? I think that the point is bogus. We are seeking to strengthen the legal advice on policy within the Scottish Executive, while ensuring that the independence that the Lord Advocate requires to exercise his function is there in a real sense. We have presented a clear and coherent package in terms of that accountability, which should be commended.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) referred to the discussions between the Advocate General and the Lord Advocate. As I have said, Labour Members feel no malice in regard to what may happen between a Scottish Parliament and the Westminster Parliament. That said, two parts of the Bill refer to policy resolution and the question of vires. My hon. Friend was right to stress the fact that, ultimately, there will be ways of resolving disputes, and one way will be through the courts.

My hon. Friend asked about the Advocate General's staff. They will of course be United Kingdom civil servants, responsible to the Advocate General at Westminster rather than to the Scottish Parliament.

The practical strength of our proposals lies in the attempt to provide a coherent package for the Lord Advocate and the Solicitor-General. I take on board my hon. Friend's comments, because he has taken a passionate interest in ensuring that we get the balance right, but we believe that the right balance has been struck. I therefore urge the right hon. Member for Devizes to withdraw his amendment.

Question put, That the amendment be made:—

The Committee divided: Ayes 138, Noes 352.

Division No. 159] **[5.46 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Townend, John
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. John Whittingdale.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh

Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Ms Roseanna *(Perth)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livsey, Richard
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'dns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*

Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Graham Allen and
Mr. Greg Pope.

Question accordingly negatived.

It being Six o'clock, THE CHAIRMAN, *pursuant to the Order [9 February] and the Resolution [this day], put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 41 ordered to stand part of the Bill.

Clause 42

THE FIRST MINISTER

Mr. Dennis Canavan (Falkirk, West): I beg to move amendment No. 44, in page 18, line 11, leave out from 'be' to end of line 13 and insert

'elected by the members of the Parliament'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 254, in page 18, leave out lines 19 to 27.

No. 313, in clause 43, page 18, line 36, leave out 'or'.

No. 275, in page 18, line 38, at end insert

'or—

(e) the First Minister being admitted to a hospital under the Mental Health (Scotland) Act 1984, becoming subject to a guardianship order or having a curator bonis appointed on his estate'.

No. 76, in clause 44, page 19, line 9, leave out

'with the approval of Her Majesty'.

No. 276, in page 19, line 10, after 'appoint', insert

'up to a total of ten'.

No. 277, in page 19, leave out lines 11 and 12.

No. 87, in page 19, line 11, leave out

'seek Her Majesty's approval for'

and insert 'make'.

No. 88, in page 19, leave out line 14.

No. 89, in clause 46, page 19, line 32, leave out

'with the approval of Her Majesty'.

No. 75, in page 19, line 35, at end insert—

'(2A) The First Minister shall not make any appointment under this section without the agreement of the Parliament.'.

No. 90, in page 19, leave out line 37.

Mr. Canavan: I shall speak to amendment No. 44 and the other amendments in my name and that of my hon. Friend the Member for Dundee, East (Mr. McAllion). Amendments Nos. 44, 76 and 75 are substantive and the others are consequential.

Amendment No. 44 proposes that the First Minister should be elected by Members of the Scottish Parliament rather than being appointed by the Queen and holding office at Her Majesty's pleasure. As the First Minister will be primus in paribus, or first among equals, it is more appropriate that he or she is elected by his or her parliamentary colleagues than appointed by the Crown.

In the early stages of the Scottish Constitutional Convention, members of the convention signed a document referring to the sovereignty of the people of Scotland. It seems to me that the concepts of the sovereignty of the people of Scotland and of the sovereignty of a monarch are mutually exclusive. The amendments propose that, if the First Minister is not directly elected by the people of Scotland, he or she should be elected by the people's representatives in the Scottish Parliament.

I dare say that Opposition Members, and perhaps the Minister, will argue that the role of the monarchy is a mere formality in respect of the governance of the country or the countries that used to be part of the British empire. However, not all that long ago a Labour Prime Minister was ousted from his job in Australia because of the interference of the Governor-General, the Queen's representative.

In 1974, there were two general elections, and the first resulted in a hung parliament. No party had an overall majority in Parliament, and Harold Wilson was the leader of the party with the largest number of Members. However, the Queen did not call Harold Wilson to the palace. In fact, she called the defeated Prime Minister, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), to the palace and asked him to cobble up some kind of coalition agreement with Jeremy Thorpe, the then leader of the Liberal party. There was a long hiatus in which, in effect, there was no Government. Harold Wilson, who was the leader of the biggest party, had to wait in the wings until he was called to the palace to form a Government.

Mr. Wallace: I am following the hon. Gentleman's argument and I am sure that he would not want there to be any inaccuracy. He will also agree that Jeremy Thorpe and his Liberal colleagues showed good sense by not supporting Edward Heath. Is not the point that Edward Heath had the advantage of incumbency—

The Chairman: Order. I remind the hon. and learned Gentleman that he is referring to a right hon. Member.

Mr. Wallace: I apologise, Sir Alan. I was speaking from a sense of history, as I was just a boy at the time. It was actually my first vote.

The right hon. Member for Old Bexley and Sidcup (Sir E. Heath) was the incumbent Prime Minister at the time, so it was not a matter of the Queen sending for him. He had to tender his resignation. I am sure that even the

[Mr. Wallace]

hon. Member for Falkirk, West (Mr. Canavan) would have thought it an abuse if the sovereign had summoned the Prime Minister and demanded his resignation.

Mr. Canavan: That is exactly what the Queen should have done after the February 1974 general election. Whatever the will of the British people, as expressed at the ballot box, it was quite clear that they no longer wanted the right hon. Member for Old Bexley and Sidcup to be their Prime Minister. The Queen should have summoned him to the palace and sacked him and then called Harold Wilson, but for reasons best known to herself, she did not do that. Sometimes I wonder about the so-called neutral role of the monarchy in respect of politics.

Ms Roseanna Cunningham: The hon. Gentleman will know that I am very much in favour of reducing the work load of the monarch—preferably to zero. I was interested to hear the intervention of the hon. and learned Member for Orkney and Shetland (Mr. Wallace). I do not know whether he knows what happened in Australia, but in contradiction to his point about 1974—which may be true, but I do not know as I was not here at the time—when the Australian Labour Government were sacked and a general election was called, the Liberals, or the Tories, were appointed in the interim and therefore were in government throughout the election. That is an interesting point as it illustrates the other side of the coin from that referred to by the hon. and learned Gentleman. I agree with the hon. Member for Falkirk, West (Mr. Canavan) about the monarch's neutrality, which remains to be proved.

Mr. Canavan: I am grateful to the hon. Lady for that intervention as it shows the inconsistency of the monarchy or its representatives when they take a role in the running of Governments or Parliaments.

We have to bear in mind too that, if the political pundits are correct, there will be a much greater probability of a hung Parliament in the Scottish Parliament because of the system of proportional representation. The amendments would minimise—in fact remove—the possibility of any interference by the monarchy as to who should be the First Minister and form the Government.

My amendments Nos. 76 and 75 propose that Parliament's agreement should be required in appointing not only the First Minister but other Ministers and that there should be no role for the monarchy in appointing other Ministers or junior Ministers.

Another anomaly in the Bill is that, under clause 46, the First Minister would require Parliament's agreement before seeking the Crown's approval of the appointment of a Minister, whereas the First Minister could appoint junior Ministers without seeking Parliament's approval. I think that that would be a bad thing and that all ministerial appointments should be subject to Parliament's approval. A Scottish Parliament should not simply ape the patronage system of this place, where the power of patronage is widely open to abuse. As I had started to say, the Crown is the very pinnacle of the patronage system, although in practice the Prime Minister exercises many of those powers.

We have witnessed many examples—and are perhaps witnessing current examples—of appointments that are made without any reference to Parliament or much democratic accountability. We must remember that the First Minister of Scotland will have tremendous patronage powers, because, presumably, he or she will inherit all the patronage powers currently held by the Secretary of State for Scotland, who is responsible for hundreds of public appointments across Scotland. We are talking not about the appointment of a mere coterie of Scottish Cabinet members and junior Ministers but about patronage over hundreds of public positions across Scotland.

We should make the First Minister and the First Minister's ministerial colleagues as accountable as possible to the people of Scotland through elected representatives.

Mr. Salmond: I am very sympathetic to many of the points that the hon. Gentleman is making. However, it seems that clause 43 is something of an advance on the current situation at Westminster, where someone is to be called to the palace—presumably the head of the leading party in the general election. The clause states that the Scottish Parliament will

"nominate one of its members for appointment as First Minister."

That seems to go part of the way towards achieving the more satisfactory situation that the hon. Gentleman outlined, and away from the process of mystification that we could have in this place if there were a hung Parliament.

Mr. Canavan: I agree that the Bill proposes a ministerial appointment system that is better than our current system at Westminster, where Ministers can be appointed without any reference to Parliament. We once had a rule in the parliamentary Labour party that, if someone was an elected member of the shadow Cabinet, he or she would automatically become a Cabinet member when Labour was elected to government. In at least two cases that I know of, that did not happen after 1 May. Furthermore, I know of at least one Minister whose appointment might not have been accepted had it required parliamentary approval. [HON. MEMBERS: "Name him."] I forget his constituency, but I believe that he has something to do with the millennium dome. *[Interruption.]* Yes, he is the Minister for the dome.

Mr. Salmond: Is the hon. Gentleman's bleeper going off?

Mr. Canavan: I have it switched off.

As I said, the two concepts of sovereignty of the people and sovereignty of the monarch are mutually exclusive. If we really believe in sovereignty of the people, Members of the Scottish Parliament should—as proposed—be elected by the people and accountable to the people. Similarly, Ministers should be elected by the elected representatives of the people. In that way, the Scottish Government or the Scottish Executive would be more accountable to the people of Scotland.

6.15 pm

Dr. Liam Fox (Woodspring): I am rather sorry that the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore)—who said that Labour Members are clones—was not in the Chamber to hear the speech of the hon. Member for Falkirk, West (Mr. Canavan). It is nice to know that he still shops for his speeches at Republicans—'R—Us, adding a bit of colour to the Labour Benches.

I shall speak to amendment No. 275, which deals with the important issue of the mental health of Members of Parliament, which is not a laughing matter but a serious issue that is important both for Members of Parliament and for the protection of their electorate—to ensure that representation of the electorate is maintained.

Mr. McLeish: Just for the record, is present company excepted from the deliberations?

Dr. Fox: The Minister is asking me to give a professional opinion, which I do not think I want to stray into right now.

I wonder how many hon. Members realise that the Mental Health Act 1983 has special provisions for section orders for Members of Parliament. Should, for example, an hon. Member fall ill with a mental health problem, a complex procedure will come into play. First, the doctor signing a section order or the person who is in charge of the hospital where the Member is detained will notify the Speaker. Secondly, the Speaker will appoint someone from the Royal College of Psychiatrists to look after the Member. If that Member is still detained under a section order after six months, the seat will become vacant.

I do not know why there should be such a provision for hon. Members in this place, but not for those in the Scottish Parliament. I think that Ministers have simply overlooked the matter, and I look forward to the Minister bringing the Scottish Parliament into line on that point. It is quite a serious and important matter, which should not be belittled.

Dr. Lynda Clark: Could the hon. Gentleman advise the Committee of the number of occasions when that provision has been used?

Dr. Fox: I do not think that it matters whether it has been used: the provision is there to protect the electorate should a Member of Parliament be absent for six months and unable to represent his or her constituents. One would hope that the provision would never have to be used and that hon. Members do not suffer in that way, but it is there to protect the electorate. It is, therefore, important.

In tabling amendment No. 276, we wanted to examine a different aspect of the Bill. Our amendment would limit the size of the Scottish Executive. "Erskine May", for example, limits the Prime Minister's freedom of manoeuvre in establishing the number of places in his Cabinet, yet this Bill places no limitation on the size of the Scottish Executive. The Bill provides for an unspecified number of Ministers plus an unspecified number of junior Ministers. The Scottish Office is currently run by the Secretary of State and five Ministers. One would not wish a situation to arise—which has occurred elsewhere—in which the number of Ministers was increased simply to keep Members quiet, by appointing more of them as Ministers. The hon. Member for Falkirk, West dealt with the matter of patronage in his speech.

When I was at the Foreign Office—although I do not suggest that it might happen in the Scottish Parliament—one of the Governments whom I dealt with was the Government of Nepal. As the coalition Government started to crumble, one side of the Parliament consisted of 130 Members, of whom 85 were Ministers. I see the hon. Member for Falkirk, West smiling—perhaps because he foresees the possible bonanza. However, it will happen only at the taxpayers' expense. If we are to avoid "jobs for the boys" gibes, we shall have to ensure that we are not writing a blank cheque for Members of the Scottish Parliament or giving unlimited powers of patronage to the First Minister.

Mr. Andrew Welsh (Angus): Not content with limiting the powers of a Scottish Parliament, the Tories want to limit the number of Scottish Ministers to fewer than those in a football team—and for ever more. Surely the size and shape of the Scottish Cabinet is up to the Scottish Government and the Scottish Parliament. It is again clear that the Tories have no trust or faith in the Scottish people or their democracy.

Dr. Fox: Quite the reverse—the issue is about having less faith in politicians than in the people. We are concerned with the ability of politicians to rein themselves in when offered a blank cheque. We have tabled the amendments from the point of view of protecting the electorate from politicians. When the people of Scotland voted in large numbers in favour of the proposals in the referendum, I do not think that they ever wanted to give such a blank cheque to the Parliament or for there to be an unspecified number of Ministers.

Given that in this House Ministers are appointed by the Prime Minister, and that the First Minister will have to have the Scottish Parliament's approval, it would be excessive to stipulate that all Ministers had to be approved by the Scottish Parliament. To introduce an American style of approval of Ministers, such as that welcomed by the hon. Member for Falkirk, West, would be excessive control over the First Minister's freedom. Such control does not apply in Westminster, and the case has not been made for it to apply in the Scottish Parliament. I hope that the Minister will reconsider.

Mr. John McAllion (Dundee, East): I shall speak in support of the amendments tabled in my name and that of my hon. Friend the Member for Falkirk, West (Mr. Canavan). The amendments would delete the following phrases:

"appointed by Her Majesty from among the members of the Parliament and shall hold office at Her Majesty's pleasure",

"with the approval of Her Majesty"—

in clauses 44 and 46—

"seek Her Majesty's approval",

and

"shall hold office at Her Majesty's pleasure".

in clauses 44 and 46.

I would not want the group of amendments to be represented as an attack on either Her Majesty or the monarchy. That would be a misreading of the intent behind them. It is true that my hon. Friend the Member for Falkirk, West and I hold certain views about the legitimacy of an hereditary institution exercising what should be democratic power in a democratic society. I for one have never understood those who argue for modernising the British constitution and who speak about sweeping away powers of hereditary peers, while at the same time talking about entrenching the powers of an hereditary monarch.

[Mr. John McAllion]

I very much take to heart my hon. Friend's arguments, particularly those on the 1974 election and what happened to Gough Whitlam in Australia. The future role of the monarchy is not at the heart of the amendments. The amendments focus on the Scottish Parliament's right democratically to elect Ministers who will hold office in the Scottish Government after 1999.

The Bill technically says that the First Minister shall be appointed by Her Majesty and hold office at Her Majesty's approval. We know that that is a constitutional fiction. We know that the Queen will not in fact appoint anybody in the Scottish Parliament. She will do so only on the advice of the British Prime Minister and the British Cabinet of the day. We are really talking about the right of the United Kingdom Government and Cabinet to appoint the First Minister, other Ministers and junior Ministers in a Scottish Parliament. Without the approval of the UK Cabinet, that could not go ahead—otherwise, the provision would not be in the Bill. Even the right to hold office is contingent on the continuing approval of the British Government and Cabinet.

There is danger in such a system. The hon. and learned Member for Orkney and Shetland (Mr. Wallace) said in an earlier debate that we cannot always assume that the British Cabinet will be in sympathy with the Scottish Parliament and necessarily want it to stand on its own feet, as the Minister would like.

Mr. Tim Collins (Westmorland and Lonsdale): I am following the hon. Gentleman's argument most closely. He seems to be making a case for a separate Scottish Head of State. If that is so, why is he sitting on the Government Benches and not with the Scottish nationalists?

Mr. McAllion: I do not think that I have referred to the Head of State. My opinion on the Head of State—which I presume the hon. Gentleman seriously wants to hear, or he would not have asked—is that the Queen could do a lot worse than put herself forward for a referendum to endorse whether she should be the Head of State. The legitimacy of the Queen's role will always be questioned as long as she does not subject herself to the consent of the people.

If I were a monarchist—which I am not—I would be arguing for the Queen to call a referendum on her role in the British constitution. If, in such a referendum, she received the endorsement of a huge majority, as everybody says she would, I am sure that that would improve her situation. Others of us would also like a referendum so that we could vote for the kind of Head of State we wanted. It is not a matter of treason to want a democratically elected Head of State—although, judging from the Tories' comments, it would sometimes seem so.

The heart of the problem is the relationship between the United Kingdom Parliament and the Scottish Parliament. All the phrases—which the amendments would delete—mean this: the Scottish Parliament would be allowed to appoint its own Ministers only so long as they met with the approval of the Westminster Parliament and Government. That lies at the heart of my objections.

Mr. Dominic Grieve (Beaconsfield): I think that the clauses about which the hon. Gentleman is complaining mean the complete opposite of what he is saying. The very reason why it is stipulated that the Scottish First Minister will hold office at Her Majesty's pleasure is that that asserts absolutely and categorically that he has a direct link with the sovereign, which cannot be overridden by the United Kingdom Prime Minister in devolved matters. That is an essential protection under our present constitutional arrangements.

Mr. McAllion: The hon. Gentleman is arguing as if the Queen had real constitutional powers. We have always been told that, of course, she does not have any real powers, because all constitutional power is exercised on the advice of the British Prime Minister. She would not dare to do anything on her own that a British Prime Minister would not allow her to do. Now, all of a sudden, the argument is very different. The hon. Gentleman is saying, "Yes, the Queen does have constitutional powers." He is agreeing with my hon. Friend the Member for Falkirk, West, who is concerned about the powers that an unelected monarchy exercises in the British constitution. I am increasingly concerned about the hon. Gentleman's tone and the way in which the argument is developing.

Mr. John Hayes (South Holland and The Deepings): The hon. Gentleman needs to consider the implications of what he is saying. As my hon. Friend the Member for Beaconsfield (Mr. Grieve) suggested, it matters not whether in practical terms the Head of State uses the power, but it matters from where the power is derived. The practical exercise of power and the source of power are two quite different things. The hon. Gentleman misunderstands the clauses.

Mr. McAllion: The hon. Gentleman, who goes to Scotland on holiday only occasionally, also totally misunderstands the situation. I will tell him where the source of the power of appointment in a Scottish Parliament is. It is the people who elect that Scottish Parliament. There is no need for any reference to the United Kingdom Government, Cabinet or heir to the Head of State. A Scottish Parliament will be democratically legitimate because it will be elected by the Scottish people; it should be allowed freely to appoint its Ministers. That is the bottom line for those of us who agree with the Claim of Right and who believe that sovereignty rests with the people and not with the institution in Westminster.

Worse than that, throughout the debates, there has been a tension between the UK Parliament wanting to keep control and a leash on what the Scottish Parliament might do, and those of us who want the Scottish Parliament to get on with the job of governing Scotland's domestic affairs free from interference, control and any dependence on the British Parliament.

Dr. Fox: But the logic of that position is to move to independence, not devolution. The hon. Gentleman is arguing for a separate Scottish Parliament.

Mr. McAllion: The Tories have a blanket approach to this debate. They envisage only two possibilities: either there is a toy town Parliament that is under the control of the British Parliament, or there is independence. They say that time and again, but they are wrong. There is a middle position, in which sovereignty is shared between the Scottish and United Kingdom Parliaments. The Scottish Parliament does not need to seek anyone's approval for

the appointment of Ministers—it has the approval of the Scottish people, which is all the sovereignty that is required. That is not to argue for independence.

Earlier, we debated whether, if the Scottish Parliament broke down and did not work, that would lead to independence or whether it would benefit the Tories and lead us back to a United Kingdom unitary state. I tend to agree with the hon. Member for Banff and Buchan (Mr. Salmond): if the Scottish Parliament is a success, it will greatly increase the confidence among the Scottish people. Yes, the Scottish Parliament will argue for more and more powers to be devolved to it—there is nothing wrong with that. The real wreckers of the Scottish Parliament, who are sitting on the official Opposition Benches, do not want the Scottish Parliament to work, so they want the Bill to contain all these various control mechanisms.

6.30 pm

I have great sympathy with the idea that the number of Ministers should be restricted, not only in the Scottish Parliament but in this Parliament. The example of Nepal was cited, where of 130 Members 85 are Ministers. Everyone who is not a Minister wants to be one, so the Executive have complete control over the legislature, much as they have in this Parliament. As a point of principle, I want the Executive to be limited, but not to 10. I want a series of Departments to be set up under the Scottish Parliament, each with its own Minister, so that there are separate Departments for housing, health and local government. The Scottish Parliament should be able to decide on the number of Ministers and whether that number should be limited.

There is much to be said for Bank Benchers having the power to hold the Executive to account. Any Parliament that is worth its salt has to have a number of independent Back Benchers. The trouble with the Westminster Parliament is that there are not enough independent Back Benchers—the Executive tightly control the Back Benchers, which is the wrong way round. We could easily ensure that the Scottish Parliament gets things the right way round, but that will not happen if we check and limit its powers to get on with its own business.

The aim of the amendments is simple. It is for the Scottish Parliament—not for Westminster, the monarch of the United Kingdom state or anyone else—to decide who the Ministers are in the Government of the day in Scotland, as the Scottish Parliament alone will be elected by the Scottish people to fulfil that task.

Mr. Donald Gorrie (Edinburgh, West): There is only one Liberal Democrat amendment in this group. It is a tidying-up amendment that relates to amendment No. 275, which was tabled by the Conservatives. We fully support that amendment, as it deals with the important issue of the mental health of the First Minister. There is a risk that the First Minister will suffer from megalomania. We already have a Secretary of State who single-handedly decides where the Parliament should be, so there is no knowing what may happen when power goes to people's heads in the Scottish Parliament and they are corrupted, as all people in power always are. By the law of averages, Conservative Members must sometimes be right—on this occasion, we believe that they have a good point.

We do not agree with the two other points that Conservative Members have made. First, we do not see why there should be a limit on the number of Ministers in the Scottish Cabinet. The Scottish Parliament may decide to operate totally differently from Westminster—for example, there may be a flat structure rather than one that includes Secretaries of State and junior Ministers. It should have the scope to approach matters in a modern way and to organise its affairs as it wishes. The electorate will soon respond if there are jobs for the boys and girls, and will punish those responsible. Things can be left to the good sense not of the politicians, but of the electorate.

Secondly, the Conservatives have moved against what we believe is one of the Bill's best proposals—the introduction of the concept, which is new to Britain, that Parliament must approve all the Ministers. That is a great step towards democracy, and it is a pity that the Conservatives want to remove it.

I shall now deal with the points made by the hon. Members for Falkirk and for Dundee, East and West respectively, I think, although I never remember—

Mr. John Home Robertson (East Lothian): There is a subtle difference.

Mr. Gorrie: The difference is not so subtle.

The hon. Members for Falkirk, West (Mr. Canavan) and for Dundee, East (Mr. McAllion) are two of the most refreshing hon. Members, and we have the greatest sympathy with the angle from which they are coming. On this occasion, however, although we understand their argument, we do not agree with it. We believe that the matter is covered in clause 43(1), which states:

"the Parliament shall within the period allowed nominate one of its members for appointment as First Minister".

That makes it clear that the Parliament chooses the First Minister. As I said, it also has the power to approve the Ministers.

There is a good argument for continuing to mention the Queen in this context. People may feel that there should be a different constitutional structure, but that is a debate for another day. Under the existing structure, the fact that the Queen has the same relationship to the Scottish premier as she does to the British premier gives legitimacy and status to the Scottish Parliament. It demonstrates that the Scottish Parliament is not a toy town Parliament, a parish council, a regional council or a city chambers—it is a Parliament with a direct relationship to the Queen.

The language may be archaic, but the point at issue is sound—the Scottish Parliament should choose the First Minister. The Parliament will meet to elect the First Minister; he or she will not have to drive in a horse and carriage across the road to Holyrood palace, although the Queen will do whatever she usually does and bless the premier, perhaps—I do not know, as I have never been present at such an occasion.

Clause 47 deals with civil servants. Liberal Democrats strongly believe that a new atmosphere should be created, in which the civil servants are responsible to the Parliament and do not work for the Government only. This is not the appropriate time to ensure that that happens, but when the Parliament's methods of operation and Standing Orders are considered, we shall push strongly in that direction. Civil servants should continue

[Mr. Gorrie]

to advise Ministers, but they should also give information to and have much more open discussions with Members from all parties in the Scottish Parliament.

Mr. Dalyell: Given the opening remarks of the hon. Member for Edinburgh, West (Mr. Gorrie), I have a sneaking suspicion that he has read the first leader in this morning's *The Scotsman*.

I should like to ask my hon. Friend the Minister a question. If there is a conflict of opinion over a United Kingdom reserved matter, whose advice will the Queen take? Will she take the advice of the First Minister of the Scottish Parliament or that of the Prime Minister of the UK? If the matter is a devolved one, will the Queen take the advice of the Prime Minister or of the First Minister? Furthermore, if the matter is devolved but the UK Parliament is legislating under clause 27(7), whose advice will the Queen take—that of the Prime Minister or of the First Minister?

Mr. Grieve: I broadly welcome clause 42. Its purpose is to emphasise the importance of the First Minister's role and his direct relationship with the sovereign. I appreciate the fact that the hon. Member for Dundee, East (Mr. McAllion) does not like the principles underlying that but, as has properly been said, unless there is a change in our constitutional arrangements, it will be wise to observe constitutional conventions, so as to ensure a good working relationship between Westminster and Edinburgh and to secure the status of the Edinburgh Parliament. The First Minister should be appointed by Her Majesty and hold office at her pleasure; that will be an important constitutional safeguard, which will be to the advantage of the Scots.

In tabling amendment No. 254, my concern was that, although clause 42 (1) to (3) properly sets out the First Minister's role, subsections (4) and (5) go off the boil and refer to a curious hybrid entity. Subsection (4) mentions

"a person designated by the Presiding Officer"

in circumstances where, I infer, the Parliament has not nominated someone for appointment. I do not want to get involved in an exercise in semantics, but as the Secretary of State and the Minister for Home Affairs and Devolution are here, I ask them to consider carefully whether clause 42 is properly drafted. The references in it to the designation "by the Presiding Officer" of a First Minister ad interim, while Parliament makes up its mind, would be better transferred to clause 43.

Clause 42 should define simply and neatly what the First Minister is supposed to do. Some other part of the Bill should emphasise what the designated First Minister is supposed to be. I assume that he or she is to be the person appointed to stand in for the First Minister if the office is vacant, and so is supposed to have all the powers, rights and obligations that the First Minister has. If that is the case, it would be sensible not to leave the wording in this hybrid condition. The legislation should make it clear that we are talking about a First Minister ad interim, who holds office at Her Majesty's pleasure exactly as any other Minister would do. As that is a non-party political issue, will the Minister for Home Affairs and Devolution look into it?

In conclusion, there has been some discussion of the role of the advice given by the First Minister and by the Prime Minister in the event of conflict—a matter raised by the hon. Member for Linlithgow (Mr. Dalyell). It is obvious that that is a real live issue. In defining the role of the First Minister, it is important that his status should be emphasised and that his direct position as the adviser of the Queen on matters relating to devolved issues should be at the forefront. In so far as clause 42 does not do so, I ask the Minister to look at it again and consider whether there should be some rejigging along the lines I have suggested in amendment No. 254 and the associated amendment, No. 255, which has not been selected because it relates to clause 43.

Mr. Salmond: I am surprised that there was not more enthusiasm from the hon. Members for Dundee, East (Mr. McAllion) and for Falkirk, West (Mr. Canavan) for limiting the number of Ministers. If the Minister of the dome has any say in the appointments, I suspect that neither of those hon. Gentlemen is knocking at the door of ministerial office at present. Indeed, if the Minister of the dome has anything to do with it, the public gallery is the nearest that they may get to the Scottish Parliament. We all hope that that will not be the case and that more democratic processes will be allowed to be carried forward. However, we should be grateful to those two hon. Gentlemen for enabling us to have an important debate.

Tory Members should not misunderstand the position that has been put forward in the amendments. It is not an attack on the monarchy, or the Queen as Head of State, but an attack on one aspect of the royal prerogative, particularly as it applies to the choice of Ministers. That is a legitimate argument. If the amendments were successful, the Queen would remain Head of State, but one aspect of the royal prerogative as regards the appointment of Ministers in a Scottish Parliament would have been removed.

Certainly, it is difficult to argue with the logic of the argument of the hon. Member for Falkirk, West that the position of the First Minister, and indeed other Ministers, should depend on the approval and appointment of the Scottish Parliament as opposed to an aspect of the royal prerogative.

6.45 pm

We heard a fascinating interchange between the hon. Members for Beaconsfield (Mr. Grieve) and for Dundee, East. The latter argued that because the Queen normally takes advice from her first Minister, the Prime Minister, and therefore exercises the functions of the royal prerogative on the advice of that person, it could be a dangerous intervention in the ability of a Scottish Parliament to choose its own Ministers. On the other hand, the hon. Member for Beaconsfield says that the clause is some form of entrenchment because it would give the First Minister of a Scottish Parliament a direct line to the head of state and therefore would put that person as a Prime Minister inter pares with the United Kingdom Prime Minister in terms of the relationship with their Head of State.

The interchange was fascinating and not one to which I had paid close attention before this debate. The question has to be resolved one way or the other and the Minister for Home Affairs and Devolution would do the Committee a service if he could adjudicate and tell us whether the interpretation of the hon. Member for

Beaconsfield or that of the hon. Member for Dundee, East was correct. The logic of the hon. Member for Falkirk, West is impeccable in the amendments and I am sympathetic to them, but that issue, which determines in practical terms the position of the Scottish Parliament and its standing with regard to the sovereign and her advisers, needs to be clarified.

Finally and briefly, Conservative Members seemed concerned about protecting the people from the Scottish Parliament, but many people in Scotland voted for that Parliament to protect them from the Conservative party. The need to box in the Scottish Parliament's powers, as opposed to leaving them for the Standing Orders of a Scottish Parliament, betrays an underlying attitude that is not reconciled to the reality of that Scottish Parliament. The Conservative Front-Bench spokesmen, although perhaps not some of the Back Benchers, are still in a process of denial as far as the Scottish Parliament is concerned. They may not like hearing this, but the Conservative recovery will not start until that process of denial in Westminster comes to an end.

Mr. McLeish: First, on the point made by the hon. Member for Woodspring (Dr. Fox) about mental health issues, I have consulted the Under–Secretary of State for Scotland, my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith) who is a neuro-surgeon, but he did not want to offer any suggestions to the Committee at this point. However, he suggested that the Scots are slightly better at differentiating between those who have a mental health problem and those who do not. I shall leave that as a question for the Committee. Interestingly, paragraph 9 of schedule 7 amends the Mental Health Act 1983, so the procedures to which the hon. Member for Woodspring referred will apply in a modified way to the Scottish Parliament. I will touch on some of the more serious issues when I refer to the amendments.

To answer my hon. Friend the Member for Dundee, East (Mr. McAllion) who made a point about this—I do not know whether it was a slip—the Bill provides no role for the United Kingdom Government in the selection of the First Minister, the Scottish Ministers and junior Ministers, so there is no locus for this Parliament or this Government in that regard. I do not know whether that was his point.

Mr. McAllion: Can my hon. Friend make clear the distinction to which the hon. Member for Banff and Buchan (Mr. Salmond) referred? If the Scottish Parliament chooses a First Minister and proffers that choice to the Queen for appointment, but the advice of the British Prime Minister is not to accept the choice, whose advice would the Queen follow?

Mr. McLeish: The British Prime Minister would have no locus in that appointment.

Mr. McAllion: My hon. Friend is clearly stating that the Queen would take the side of the Scottish Parliament, as set out in the Bill, against the British Prime Minister. Therefore, the British Prime Minister does not exercise sovereign control over the affairs of this country.

Mr. McLeish: The Scottish Parliament would approve the appointment of the First Minister. The Presiding Officer would submit that appointment to the Queen and that would be it. We are talking about a substantial devolution of power and responsibility to the Scottish Parliament. Devolution means devolution. It will be up to the Scottish Parliament to approve the First Minister, the Scottish Ministers and the junior Ministers. Of course, those appointments will then be approved by the Queen. It is straightforward and there are no complications.

Mr. Dalyell: I will not ask my hon. Friend for an answer off the top of his head, but will he write to me, because this question is not as simple as he makes out? Clause 27(7) states:

"This section does not affect the power of the Parliament of the United Kingdom to make laws for Scotland."

In the light of that, I think that my hon. Friend should give me a considered answer in a letter.

Mr. McLeish: I shall be happy to write to my hon. Friend, but we should make it clear that clause 27(7), and the debate on it, is about sovereignty and the ability of the Westminster Parliament to make laws in any area, devolved or reserved. This evening, we are talking about the First Minister, and I repeat that he or she will be selected by the Parliament after the election and the choice will be passed to the Queen by the Presiding Officer. That is the process.

Mr. Salmond: The point made by the hon. Member for Linlithgow (Mr. Dalyell) is wrong, because it relates to legislation, not to appointments. However, is it not correct that, under clause 27(7), the UK Parliament could legislate to change the method of appointing the Scottish First Minister?

Mr. McLeish: We have debated the issue and points have been exchanged across the Committee; the view taken depends on one's political perspective. We have made the point that this measure devolves substantial powers to Scotland—it is about devolution, not separation or independence.

The Government cannot agree to amendments Nos. 44, 76 and 87 to 90, which were tabled by my hon. Friends the Members for Falkirk, West (Mr. Canavan) and for Dundee, East. The amendments would remove the involvement of Her Majesty in the appointment of the First Minister, other Scottish Ministers appointed under clause 44 and junior Ministers appointed under clause 46.

The Scottish Ministers, headed by the First Minister and assisted by the junior Scottish Ministers, will exercise, on behalf of Her Majesty, her prerogative and other executive functions in relation to devolved matters. They will, in effect, be Her Majesty's Government in Scotland in relation to devolved matters. It is, therefore, entirely appropriate that the Queen should appoint the First Minister; that she should approve the appointment of other Ministers and junior Ministers to the Scottish administration; and that each of those appointees should hold office at her pleasure.

The involvement of Her Majesty does not, of course, exclude the involvement of the Parliament. On the contrary, in line with the White Paper, the Bill provides a significant role for the Scottish Parliament in the appointment of the Scottish Executive. It is a point worth making that in this place, Ministers are not approved or, selected by the House, but the Scottish First Minister and the other Scottish Ministers will be approved and voted on by the Scottish Parliament.

[Mr. McLeish]

That is a significant step forward in the scrutiny of the Executive. It starts at the foundation: the people will have spoken in electing Members of the Scottish Parliament who then, for the first time and unlike here, will have the ability to influence who represents the people of Scotland in ministerial posts. The significance of that step should not be lost on the Committee this evening. We see no need to amend the Bill in the way proposed, and I urge my hon. Friend the Member for Falkirk, West withdraw the amendment.

I have listened carefully to the arguments put forward by my hon. Friends the Members for Falkirk, West and for Dundee, East in support of amendment No. 75. The nature of the post of junior Scottish Minister will differ from that of a member of the Scottish Executive. The nature of their task will be to assist the Scottish Ministers in the exercise of their functions. With that in mind, the Bill proposes a simpler mechanism for their appointment. Nevertheless, I am also aware that the Scottish Constitutional Convention recommended that all Ministers should require to be confirmed by simple majority of the full Parliament.

I am therefore happy to accept the intention behind amendment No. 75 that the Parliament should be involved in the appointment of junior Scottish Ministers. I therefore undertake to bring forward an appropriate Government amendment on Report. With that undertaking, I invite my hon. Friend the Member for Falkirk, West not to press the amendment.

The Government cannot agree to amendment No. 254. The provisions in the Bill are intended to ensure that there is always someone able to perform the functions of the First Minister and act as head of the Scottish Administration. In practice, it is expected that each First Minister will hold office until replaced by his or her successor. However, circumstances could arise where the post falls vacant; for example on the death of the First Minister or if the First Minister is temporarily unable to act—that may fall partly into the definition proposed by the hon. Member for Woodspring. In such an event, a caretaker can be appointed to fulfil the role, pending the nomination and appointment of a new First Minister.

Mr. Grieve: I understand that point, but the clause as it stands conveys the impression—it may be no more than an impression—that the person who is acting is somehow a different animal from the First Minister, whereas my understanding is that an acting First Minister would still hold office at the Queen's pleasure and have all the First Minister's powers. That is the point that is opaque in the clause as it stands.

Mr. McLeish: That is a reasonable reflection, but I must get on and cover some more of the points raised in the debate.

The mechanism for appointment of such a caretaker reflects the exceptional and transitory nature of the appointment. It lacks the formalities of the appointment of the First Minister precisely so as to avoid conveying the impression that the person is the First Minister rather than a temporary incumbent. On balance, the Government believe that the arrangements should be kept as simple as possible. The Presiding Officer is well placed to be able to judge which Member of the Scottish Parliament has the capacity and political credibility to fulfil that important role and I believe that it should be left to the Presiding Officer's discretion.

The Government do not accept amendments Nos. 276 and 277. Amendment No. 276 would restrict the number of Scottish Ministers whom the First Minister can appoint. It would be inappropriate to do that, for a variety of reasons. The First Minister will have to seek the agreement of the Scottish Parliament; therefore, within the group of 129 MSPs, there is accountability and a chance to make a judgment on the number of Scottish Ministers. The Parliament will be able to withhold its approval if it thinks that there are too many nominations. In addition, through its control of salaries and allowances, the Parliament will be able to limit to a reasonable sum the expenditure on ministerial salaries.

There is a feeling on both sides of the Committee that the matter should be left to the Parliament. It is a question of maturity and of adopting a sensible perspective. Ultimately, the First Minister and the Scottish Parliament will be accountable to the people of Scotland for their actions. That will, in our view, provide the proper means of ensuring that the size of the membership of the Scottish Executive is truly appropriate.

Dr. Fox: We are missing a great opportunity. Such a self-denying ordinance would have sent a signal to the Scottish electorate that a blank cheque is not being handed over. I am sorry that the Minister cannot accept the amendment, but we shall press it to a Division.

Mr. McLeish: The Committee is not offering a blank cheque to anyone. We are setting up a mature, serious and responsible Parliament, and it will be up to the Members of that Parliament to decide what Ministers are required to carry out the functions and represent the interests of the Scottish people. That is appropriate and proper. We do not share the Opposition's concerns, and I hope that they will not press the amendment.

The Government cannot accept amendments Nos. 275 and 313, which are both unnecessary and inappropriate. The circumstances described are unlikely to arise in practice, and if they did, there are mechanisms in the Bill to deal with the problem. If at any time it appeared to the Presiding Officer that the First Minister was unable to act for whatever reason, including mental illness, it would be open to him or her under clause 42(4) to designate an MSP to exercise the functions of the First Minister.

Should it become clear that the First Minister's inability to carry out his functions was not going to be merely temporary, he would be expected to resign. In the unlikely event of his being unwilling to resign, the Scottish Parliament could effectively remove him and his Executive through a vote of no confidence. That would require the First Minister to resign and would, in turn, lead to the appointment of a new First Minister. That may seem a drastic course of action, but the likely political reality is that there would be a general recognition of the need to address the problem and the Parliament could act to ensure that the matter was resolved without delay. In any case, I submit that clauses 42(4) and 43 provide a serious process to deal with a potential problem. First, there is a temporary acceptance and accommodation of the fact that the First Minister is unable to do the job; then there is a proper procedure to repair the situation.

The Government cannot accept amendment No. 278, which would remove from the First Minister some valuable flexibility to tailor the structure of the Scottish Administration to the demands upon it. In view of the time, I shall now sit down.

Mr. Canavan: This is a somewhat historic occasion, as it has been many years since I last tabled an amendment that was accepted in principle by the Government. I thank my hon. Friend the Minister for that. I am pleased that the appointment of all Scottish Ministers, whether the First Minister, other Scottish Ministers or junior Ministers, will be subject to the approval of the Scottish Parliament. I am not convinced of the arguments for the role of the monarchy in the appointment of Ministers, but I shall not press that point. I shall seek to withdraw amendment No. 44 at the end of the debate and I look forward to the Government tabling an amendment similar to my amendment No. 75 on Report.

Mr. Wallace: Junior Ministers will not be members of the Scottish Executive under the terms of clause 41. Will the Minister explain why?

Mr. McLeish: The simple answer is that we shall have the First Minister and the Scottish Ministers, and we hope that the junior Ministers will have a supportive role in the work carried out by the other Ministers.

Mr. Canavan: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 42 ordered to stand part of the Bill.

Clause 43 ordered to stand part of the Bill.

Clause 44

MINISTERS

Amendment proposed: No. 276, in page 19, line 10, after 'appoint', insert

'up to a total of ten'.—*[Dr. Fox.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 131, Noes 365.

Division No. 160] **[6.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Colvin, Michael
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. John Whittingdale.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Byers, Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*

Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Livsey, Richard
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi

Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Ms Bridget Prentice and
Mr. Greg Pope.

Question accordingly negatived.

It being after Seven o'clock, THE CHAIRMAN, *pursuant to the Order [9 February] and the Resolution [this day], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 44 ordered to stand part of the Bill.

Clauses 45 to 47 ordered to stand part of the Bill.

Clause 48

EXERCISE OF FUNCTIONS

Amendment made: No. 321, in page 21, line 14, at end add

'after he ceases to be a Minister of the Crown'.—*[Mr. McLeish.]*

Mr. Oliver Heald (North-East Hertfordshire): I beg to move amendment No. 279, in page 21, line 14, at end add—

'(7) Nothing in this Act shall permit Scottish Ministers to exercise any function or to enjoy any power in any part of England, Wales or Northern Ireland.'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 310, in clause 51, page 22, line 10, leave out from 'enactment' to end of line 12.

No. 305, in clause 52, page 22, line 13, at beginning insert '(1)'.

Government amendment No. 322.

No. 280, in page 22, line 29, at end add—

'(2) Any dispute which arises between a Minister of the Crown and the Scottish Ministers as regards the exercise of powers in subsection (1) shall be resolved as a devolution issue in accordance with the provisions of Schedule 6.'.

No. 286, in clause 59, page 25, line 2, after '(1)', insert

'Subject to an affirmative resolution of both Houses of Parliament,'.

Government amendment No. 323.

No. 287, in page 25, leave out line 5.

No. 288, in page 25, line 9, at end insert—

'(1A) The provisions in subsection (1) above shall also apply to statutory functions exercisable by Scottish Ministers'.

Government amendments Nos. 324 to 329, 306 and 330.

No. 307, in clause 101, page 45, line 11, leave out '58 to 60' and insert '58 and 60'.

Government amendments Nos. 331, 308 and 332.

Mr. Heald: Before I discuss amendment No. 279, I should say that I have similar feelings to the hon. Member for Falkirk, West (Mr. Canavan), but in this case about the Government's reaction to a substantial number of Conservative amendments in this group. I echo what my right hon. Friend the Member for Devizes (Mr. Ancram) said: we have not seen much of this, but it is good that the Government have considered and accepted the arguments for many of our amendments in this group.

Amendment No. 286, which requires an affirmative resolution of both Houses in order to transfer additional functions from United Kingdom Ministers to Scottish Ministers, has been accepted in Government amendments Nos. 323 to 329 and Government amendment No. 306. I welcome the sight, on pages 1726 and 1728 of the Amendment Paper today, of amendments tabled by my right hon. Friend the Member for Devizes, me and other colleagues, to which the Secretary of State has added his name, in a constructive spirit. He has also tabled Government amendment No. 331, which is identical to our amendment No. 307. It is good to see that he has accepted the argument that the functions of the House should not be transferred to the Scottish Parliament without adequate scrutiny and debate in this place. We are glad that we have been able to help him to improve the Bill, and we should now like him to go a little further.

7.15 pm

The hon. Member for Dundee, East (Mr. McAllion) said earlier that, in this Committee, the Conservatives have not been trying to bring about an effective, workable Scottish Parliament; the amendment gives the lie to that claim, because it shows that the Conservative party has tabled amendments that even the present Government—not a Government who are very often minded to accept amendments—have accepted, and the Minister has had to accept the logic of our arguments in substantial measure in this group of amendments.

Mr. Ernie Ross (Dundee, West): A weakness.

Mr. Heald: I would not accept that for a minute, and the hon. Gentleman knows it.

The purpose of amendment No. 279 is to ensure that Scottish Ministers are not permitted to exercise functions or enjoy power in any way in England, Wales or Northern Ireland. It is obvious why that should be the case. Scottish Ministers are not directly accountable to this place. If they exercise functions in England or the other countries, it is impossible for constituency Members to challenge them or in any way to bring them to account. Therefore, I hope that the Minister can give an assurance tonight that Scottish Ministers will be unable to exercise functions or enjoy powers in England, Wales or Northern Ireland as a result of clause 48 or as a result of the Bill as a whole. If he wants to give me that assurance now, I should be happy to give way.

Mr. McLeish *indicated dissent.*

Mr. Heald: It looks as though he is saving that for later.

Amendment No. 310 is designed to remove the exception that at present would require the UK Government to consent to the designation of an enterprise zone by Scottish Ministers, in clause 51(2). The amendment would stop the Government centralising

[Mr. Heald]

power over inward investment and important decisions about enterprise in the Department of Trade and Industry in London, and so the amendment would protect and enhance Scotland's ability to succeed in that area of enterprise.

It is worth highlighting the success of recent years. One of the healthiest aspects of the Scottish economy has been the record levels of inward investment. The year 1995–96 was another record year for inward investment in Scotland. Inward investment has been a vital component in transforming the Scottish economy from being reliant on the old primary industries supported by taxpayers' subsidy to being very much at the cutting edge of the new and expanding high-tech silicon industry. In the year to March 1996, Locate in Scotland and the Scottish Office Education and Industry Department were able to attract to Scotland 84 inward investment projects involving planned investment of nearly £1 billion and the expected creation or safeguarding of more than 12,500 jobs.

Although Scotland accounts for about 9 per cent. of the United Kingdom population, figures published by the Invest in Britain Bureau show that, in the past few years, more than 18 per cent. of all inward investment projects attracted to the United Kingdom and about a quarter of the new jobs associated with such projects have gone to Scotland. Britain receives more foreign investment from outside Europe than all the other European Union countries combined. In 1995–96, inward investment in Scotland created 1,000 jobs on average per month. In the five years to March 1996, Locate in Scotland recorded 400 inward investment projects involving planned investment of almost £3.5 billion and the expected creation or safeguarding of about 50,000 jobs.

Mr. Ernie Ross: It will do as well under the Scottish Parliament.

Mr. Heald: The hon. Gentleman claims that a Scottish Parliament will be able to build on that success. That is what this amendment is about.

Mr. Rowe: Is my hon. Friend aware that one spurious reason for trying to impose on the south-east of England an entirely artificial creation called the regional development agency is that that will somehow help us to vie with Scotland and acquire silicon implants of our own?

Mr. Heald: The regionalism argument is designed to defuse the West Lothian question. Opposition Members are concerned that the idea of regionalism is offered as some sort of solution to the West Lothian question. I know that the hon. Member for Dundee, West (Mr. Ross) believes that there is no such thing as the West Lothian question, but most senior Labour figures have acknowledged that such a question exists and needs to be addressed. It is wrong to implant in England a form of regionalism that is alien to it and to ignore the fact that England is a country like Scotland or Wales. As to my hon. Friend's point, I see no reason why a regional development agency should be imposed on Kent when the county may not want it.

There has been inward investment success in Scotland. It has been linked to enterprise zones, which is the burden of this amendment. It would be wrong to sell the Scottish people a false prospectus. The White Paper gave the impression that all enterprise would be devolved. It now seems from the Bill that the dead hand of Whitehall in the form of the Department of Trade and Industry will co-ordinate enterprise zones and may well act against Scotland's interest. We have moved the amendment in that spirit: it asks the Minister to provide assurances that enterprise in Scotland will be safe.

Government amendment No. 332 seeks, at a very late stage in the proceedings, to reserve to the United Kingdom Parliament the Industrial Development Advisory Board for Scotland. Is that part of the DTI agenda to retain control over enterprise policies in Scotland? Does it fit with the policy approach that is set out and that the amendment seeks to defeat? I ask the Minister to provide those assurances. Will the co-ordination of enterprise zones in Scotland require the consent of the United Kingdom? Will the DTI retain control over inward investment packages and enterprise zones in Scotland? Does Government amendment No. 332 have the same intention, reserving the Industrial Development Advisory Board for Scotland to the United Kingdom Parliament? What are the Minister's intentions in that regard? I seek his assurances that Scotland will not be short-changed.

Amendment No. 280—upon which amendment No. 305 is consequential—ensures that, when any disputes arise in respect of shared powers in clause 52 as to the prime responsibility for a particular issue, they will be resolved using the judicial procedures for devolution issues that are set out in schedule 6 to the Bill. A mechanism is clearly needed, and there seems to be no reason why the procedure in schedule 6 should not apply. What is the Minister's thinking on that important issue? Will he concede the logic of our argument in this area and agree to our amendments?

The Government have already agreed to amendment No. 286—the first in the group—which would require an affirmative resolution of both Houses for subordinate legislation to transfer additional functions from United Kingdom Ministers to Scottish Ministers. Amendments Nos. 287 and 288 go a little further than that. Amendment No. 287 would permit the transfer of additional functions only on the basis of concurrent or shared powers with United Kingdom Ministers. There would be no further transfers solely to Scottish Ministers.

That would provide some clarity. Throughout consideration of the Bill, Opposition Members have expressed concern that this is a slippery slope: it could lead to the transfer of function after function from the United Kingdom Parliament to the Scottish Parliament, and that ratchet effect would slowly drive the Scottish Parliament from being devolved to being independent.

The Minister says that the Government are totally in favour of a devolved Parliament and that they have made it clear that they do not want separatism or independence. That is what he said in the previous debate. If that is so, it is surely right to provide some clarity about what functions may be devolved and how far the process can go. That would disabuse the Scottish Parliament from the outset of the notion that the process could lead to independence. I await the Minister's answer on amendment No. 287. That would provide clarity and ensure that the Scottish Parliament would devolve future powers only on a concurrent or a shared basis.

Amendment No. 288 follows the same theme. It says that it would be possible to transfer the sole statutory functions of Scottish Ministers so that they are concurrent powers shared with United Kingdom Ministers. In other words, there would not be a ratchet effect: we should move from a one-way street to a situation of allowing some interplay between the two Parliaments. That could occur if it is found that shared or concurrent powers would be helpful in areas where the Scottish Parliament has sole statutory functions at present.

I ask the Minister: what is wrong with that? Why is it not possible to say now, with some certainty, that those are the limits within which functions will be transferred? There should be an element of flexibility, if necessary, to transfer powers that are solely Scottish to a joint and shared arrangement. I look forward to hearing the Minister's views on that subject.

I have already mentioned Government amendment No. 332, which seeks to reserve the Industrial Development Advisory Board to the Westminster Parliament. We are concerned that that may interfere with Scotland's ability to continue its inward investment success. Therefore, we ask the Minister to explain why the measure is proposed at this late stage.

Mr. Dalyell: Of course there will be a ratchet effect, and it will be a faster ratchet than most people imagine. Incidentally, I think that the first reference to the ratchet effect was by the late Enoch Powell, who died on Sunday. He spoke at great length in 1977-78 on precisely that mechanism.

It is sheer pretence to think that a ratchet effect will not occur, and it will be helped greatly not only by Scottish National party Members of the Parliament, but by Labour Members, Liberal Members and indeed Conservative Members of the Parliament, because they will have to explain the inadequacies in the perceptions of their constituents and how those can be met, and they cannot be met with insufficient resources. The entire scenario for the ratchet effect is there.

Mr. Heald: Does the hon. Gentleman see some hope in the fact that we have already been able to move the Minister from a position where additional functions could be transferred to Scottish Ministers simply by subordinate legislation of the Scottish Parliament, to a position where he has accepted the logic of our amendments, which require a resolution of the House of Commons, and that that should be by Order in Council?

7.30 pm

Mr. Dalyell: I do not wish to be rude or curt, but I see no hope at all. That is the blunt answer to the question. However, we must stick to clause 48. Subsection (2) omits any reference to the Solicitor-General or the junior Ministers. The reason for that, according to the Law Society, is unclear. The phrase "Scottish Minister" is used, and in terms of clause 41 that would include the First Minister, the Lord Advocate and the Solicitor-General. Can my hon. Friend clarify the situation in regard to clause 48(2)?

My next question relates to the position of the civil service. Is the civil service to remain a Westminster function? Would it be possible for a UK Minister to give a direction to a civil servant in Scotland, which that civil servant would be obliged to follow, or would the civil servant be answerable only to his own Scottish Ministers? Clause 47(1) appears to provide that Scottish Ministers can also appoint non-civil servants—that is, advisers.

What happens when a UK Minister gives a direction to a Scottish civil servant that is contradictory to a direction given by a Scottish Minister? That is by no means a fanciful state of affairs. For example, let us take railway services, which are a UK matter. Suppose there was an environmental impact assessment of the extension of the west coast line. It may be the view of the Department of Transport that the entire scheme could be jeopardised if the information were made public—for instance, by a Scottish Minister under pressure from environmental groups to publish. That situation is quite likely, in one form or another.

The question is who rules in that case—the UK Minister or the Scottish Minister? To whom does the civil servant give her or his loyalty? That is a important and practical question. Where a subordinate Parliament is created, and it is supposed that, above all, the kingdom should be kept united, it is impossible that the civil service should serve two organisations, which may have significantly different opinions. That subject must be addressed.

Mr. Rowe: I share the gloom of the hon. Member for Linlithgow (Mr. Dalyell). I have no doubt that the measure represents the beginning of a ratchet that will eventually divide the United Kingdom. The Government have made considerable efforts to deceive themselves that that will not happen, but their efforts are set at naught by the schizophrenia demonstrated by my hon. Friend the Member for North–East Hertfordshire (Mr. Heald).

One minute, my hon. Friend is desperately concerned to define and limit the powers of a Scottish Parliament by moving amendments to the Bill, and the next minute he is desperately concerned to give to Scotland unequivocally powers that the Government seem to wish to retain in Westminster. If such ambivalence is apparent on the Conservative Front Bench, the ambivalence among the other parties will be more extreme.

Mr. Heald: Does my hon. Friend acknowledge that, as the White Paper sets out a prospectus—which has been voted on—for devolution of the whole area of enterprise, it is right at least to probe the Government when they seem to be resiling from that?

Mr. Rowe: I could not support my hon. Friend more in his desire to find out what the Government are playing at. The Bill gives the appearance of having been carefully thought through, whereas the consequences of many decisions that have already been taken have not been addressed.

I entirely support the aim of limiting the power of Scottish Ministers so that they will have no power or function in other parts of the United Kingdom. It is a great pity that we cannot do the same for Scottish Members of Parliament. I believe passionately that one of the great underlying weaknesses of the Bill is the prospect of Scottish Members of Parliament being debarred from examining, speaking on or voting on the matters that are closest to the everyday lives of their constituents in Scotland, but being free to roam carte blanche over constituencies in England, debating and voting on corresponding issues.

[Mr. Rowe]

That matters not a fig in a Parliament where the majority is as large as it is now, but if the next general election results in a majority of, say, 16 or 30, and decisions about English health, education and so on are taken by Scottish Members of Parliament who have no accountability whatever south of the border, that will lead to enormous instability. We should define not only for Ministers but for Members what they are entitled to do.

I am gloomy about the prospect. I have no doubt, and never have had, that Scotland is capable of running its own affairs effectively. I spent several years in the Scottish Office and was deeply impressed by the quality of my colleagues and of the institutions in Scotland. It is sad that, on a pretence that we are somehow preventing—

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): Order. May I ask the hon. Gentleman to return precisely to the amendment. He is going rather wide of the mark, and there will be opportunities to discuss those matters on later amendments and new clauses.

Mr. Rowe: I apologise, Mr. Lord, if I was wandering more widely. I support the proposition that the exact limits of the powers of a Minister of the Scottish Parliament should be defined unequivocally.

Mr. Collins: I shall confine my remarks principally to amendment No. 279. The hon. Member for Linlithgow (Mr. Dalyell) famously placed on the table the West Lothian question, which highlighted the difficulties that would arise if Members of Parliament in the United Kingdom Parliament had responsibilities for matters relating to England, even though they were not sent there by their constituents in Scotland for that purpose. Amendment No. 279 deals with the difficulties that would arise in relation to Ministers. If there are difficulties in England about the role of MSPs, surely they would be even greater if there were any risk, however theoretical, that a Scottish Minister, accountable to an entirely different Parliament, could take decisions in England affecting English citizens.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Can the hon. Gentleman give me an example of the difficulty that he foresees? I fail to see anything in the Bill that would allow a Scottish Minister to exercise any powers south of the border.

Mr. Collins: If the hon. Gentleman is right in his assumption, he must, by definition, be in favour of amendment No. 279, because that merely seeks to include in the Bill the position that he understands to be the case and that we all hope to be the case. However, with legislation of this constitutional sensitivity, significance and importance, it is important to include in the Bill the exact understanding at the time that it is debated.

Dr. Lynda Clark: The hon. Gentleman completely misunderstands the legal process here. The Bill gives Ministers certain powers, but no powers whatever in relation to English matters. Therefore, there is no need for the amendment.

Mr. Collins: I am grateful to the hon. and learned Lady for saying what she says, but if that is her understanding of the Bill, she and her hon. Friends on the Front Bench should have no objection in principle or in practice to amendment No. 279. It is important that her understanding and mine of the intention of the legislation should be stated clearly and without any ambiguity in the Bill.

We have no doubt that the Bill will be enacted and that it will set in place a constitutional settlement for Scotland and its relationship with the rest of the United Kingdom, which is likely to endure for decades. Therefore, it is important at the start of this constitutional experiment, this immense voyage, that there be clarity.

My understanding of the hon. and learned Lady's point is not that she objects to amendment No. 279, merely that she thinks that it is inherent in the Bill. If so, simply to clear up any misunderstanding, to avoid any difficulty, legal challenges or political confusion in future, those provisions should be stated clearly as amendment No. 279 sets out.

Dr. Clark: My point is that there is no need for the amendment, because there is no possibility of any misunderstanding in a court of law or elsewhere. The Bill is perfectly plain. The powers derive entirely from the Bill. If no powers are given, no powers can exist, so the amendment is unnecessary. It would be equally daft having an amendment saying that no powers exist all over the place. No powers have been given in the Bill to Scottish Ministers in relation to English affairs. That must be the end of the matter.

Mr. Collins: Again, I hear what the hon. and learned Lady says. The amendment seeks to amend clause 48, and clause 48(1) states:

"Statutory functions may be conferred on the Scottish Ministers"

The hon. and learned Lady is right to say that, elsewhere in the Bill, there is an interpretation of those powers, but nothing in clause 48 limits the powers that are granted in the way that she says. Therefore, our case is that clause 48 should state clearly that no functions can be exercised in England, Wales or Northern Ireland.

The hon. Member for Linlithgow talked about the possible confusion relating to civil servants. They will be in the difficult position of being accountable to Ministers in two separate Governments. That is the nature of this part of the Bill. It concerns not just the establishment of a separate Parliament, which is the way in which public debate has hitherto always been conducted, but the establishment of an entirely separate Government. As the hon. Member for Linlithgow rightly pointed out, if there are two separate Governments, there is inherent in that situation the possibility of confusion and difficulty for civil servants.

I give an example that builds on one given by the hon. Gentleman. What will happen where a document involves civil servants from several different Departments? In an attempt to achieve a coherent, common UK Government position, many issues cross departmental boundaries which affect civil servants working in the Scottish Office and in other UK Departments such as the Department of the Environment and the Department for Education and Employment. At the moment, civil servants know where they stand in the preparation and dissemination of such documents. They know that they are accountable, through

Ministers, ultimately to a United Kingdom Cabinet headed by a UK Prime Minister appointed by a UK Head of State and answerable to this UK Parliament.

What will happen in future when there is a wish to have a common UK position? There must be many instances when, even after the establishment of a Scottish Parliament, it will be for the convenience of the Scottish people, as for those in the rest of the UK, that there should be commonality. We can all imagine the issues. There will be issues relating to, for example, the environment, transport links and exam procedures when some commonality will be convenient. There will be plenty of issues where there will be a common UK position.

7.45 pm

Mr. McLeish: The hon. Gentleman refers to the need for commonality in exams. Scotland has a separate education system. It is time served. It has been around for a long time. I think that the hon. Gentleman will accept, with a bit of humility, that this is a complex subject. We are talking about the administrative devolution of reserved powers. There are three types. First, Westminster and Holyrood can agree that certain functions will be completely devolved to the Scottish Executive. Secondly, some responsibilities and functions can be carried out concurrently. Other powers will be carried out in consultation between Westminster and Holyrood. The Bill contains the comfortable and attractive proposition that Westminster's legislative competence can be handed to Scotland by way of Executive devolution. What is the problem?

Mr. Collins: I hear what the Minister says, and he is right to point out—I was not remotely seeking to pretend otherwise—that Scotland has and has had for a long time a separate examination system. However, I am sure that he will acknowledge that it remains the case, and will remain the case after the establishment of the Scottish Parliament, that there will be movement at primary and secondary levels, and particularly at higher and further levels, from one side of the border to the other, and there will continue to be points and purposes where it will be sensible for there to be some co-ordination on education matters, as on others. I do not limit my point to education matters. I am talking about a range of other matters where common discussion is needed.

My point was simply that discussion and the circulation of papers will happen not as it does now, within a UK civil service, accountable to a UK Government, but between two separate Governments. The issue that then arises, as was pointed out by the hon. Member for Linlithgow, is what will happen when a Minister in one Government takes a different view from a Minister in another about the dissemination, provenance and contents of a paper, assembled jointly by civil servants from two different Governments. There is a real possibility of civil servants being given conflicting advice.

Mr. Heald: As my hon. Friend will know, clauses 83 and 84 make provision for cross-border public bodies. Clause 84(1) states:

"Subordinate legislation may make provision in relation to a cross-border public body . . . enabling powers to be exercised or requiring duties to be performed by the Scottish Ministers instead of by a Minister of the Crown, or by the one or by the other, or by both jointly or by either with the agreement of or after consultation with the other".

That is the point that the Minister was making.

Does my hon. Friend agree that, in that context, if powers may be exercised by Scottish Ministers, instead of by a Minister of the Crown, it is only right that there should be an assurance that nothing can be done by Scottish Ministers—no function performed, no power given—in respect of England, Wales or Northern Ireland? There is no accountability in the Scottish Parliament for what occurs in England, Wales and Northern Ireland.

Mr. Collins: I am grateful to my hon. Friend for clarifying the matter. The issue at stake is whether there are any circumstances in which a Minister accountable to the Scottish Parliament can take decisions that affect citizens in the rest of the United Kingdom who have no say in, or influence over, his election to that Parliament, or over the actions, identity or philosophy of Scottish Ministers. It is an important philosophical question, and it is not an artificial question for my constituents in Cumbria.

When I am at home in Kendal, we watch Border Television and we have access to a range of services. Sometimes, we are very conscious of the fact that we are a great deal closer to Edinburgh than to London. We are conscious that there will be occasions when people might well say that Cumbria should be governed by one of the cross-border public bodies, as it is already for the purposes of the ITV network. Amendment No. 279 is important because it would alleviate, or even remove, our worries that decisions affecting English citizens could be taken by Ministers who have no accountability to the people of England through the United Kingdom Parliament. That is a serious question, which I hope the Minister will seriously consider. He must not dismiss it lightly.

If people felt that they had no control over those taking decisions affecting their lives, there would be a serious question of democracy in this country which could only cause great tension between Scotland and England, something that all Opposition Members are striving hard to minimise, rather than maximise.

Mr. Gorrie: Three issues have emerged in the debate. First, there is the question of the amendments affecting industrial development powers, about which the Conservatives may have a point. We should like the Minister to make things clearer, as he seems to be reducing the power of the Scottish Parliament.

Secondly, there is the question of the dual loyalty of civil servants—a point that I fail to grasp. It seems straightforward that civil servants who work for the Scottish Parliament and the Scottish Office will meet their Westminster counterparts about joint enterprises. They will then report back to their bosses in Holyrood or St. Andrew's house. The issue is clear cut; people will be serving two different Governments, working jointly, reporting back and doing what their political masters tell them. I see no problem in that.

The third issue about which there has been much sound and fury is mentioned in the amendment. I do not enjoy any power, but I do enjoy Tory terminology. The amendment states:

"Nothing in this Act shall permit Scottish Ministers to exercise any function or enjoy any power"—

that is Tory terminology—

"in any part of England, Wales or Northern Ireland."

[Mr. Gorrie]

I was dismayed when, this morning in Committee, the hon. Member for Glasgow, Kelvin (Mr. Galloway), who is no longer in his place, accused me—if that is the right word—of being a clever Edinburgh lawyer. I am not a lawyer and whether I am clever or not is a matter of opinion, but I do come from Edinburgh. My point is that there is a Latin legal phrase, which I do not know, but which the hon. and learned Member for Edinburgh, Pentlands (Dr. Clark) may be able to tell me, the gist of which is that, if one mentions certain things in a list, one opens up the possibility of other things that are not on that list entering the frame. An amendment that states that Scottish Ministers may not exercise functions in England, Wales or Northern Ireland opens up the possibility that they could exercise powers and functions in Germany, France, the Channel Islands and so on. The phrase is misguided.

Mr. Heald: We do not mind if Ministers exercise power in Germany, but if they wish to exercise powers in England, they should be accountable. The only way that that can be done is by a Minister of the Crown under the auspices of this Parliament.

Mr. Gorrie: I do not accept the hon. Gentleman's point. He is opening up a can of worms, and he is also preventing sensible co-operation.

There are gloom merchants in the Chamber, such as the hon. Member for Linlithgow (Mr. Dalyell). Instead of Bloody Dalyell—his famous ancestor—we have Gloomy Dalyell, who may play as big a part in history as his ancestor. We also have gloom merchants in the Conservative party, who think that everything will be a disaster.

Many of us think that there are opportunities, one of which is for constructive co-operation between the Scottish Parliament and Executive and the Westminster Parliament and Executive. There might be agreed, joint efforts in Cumbria or elsewhere in which there would be co-operation. If the amendment were passed, no Scottish Minister or Member of the Scottish Parliament could take part in any of those joint efforts. For example, the amendment would rule out the creation of a country park on either side of the border which was jointly managed from both countries.

The amendment is misguided, and the answer—as I have said before, with all due respect—is for the English to think about how they wish to run their own affairs. They could then set up their own Parliament or regional assemblies. The sooner they do so, the better.

Mr. Desmond Swayne (New Forest, West): I had begun to doubt myself. Having intended to speak in favour of amendment No. 279, I began to have my doubts when I heard Labour Members question my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins). However, I have now returned to my former opinion—even more starkly—having heard the hon. Member for Edinburgh, West (Mr. Gorrie), who raises every fear that I had about the Bill.

The Bill states:

"Statutory functions may be conferred on the Scottish Ministers".

Having read the Bill in its totality, I would welcome the addition of the rider: "but not in so far as they might affect England, Wales and Northern Ireland." That seems entirely proper, and everything that the hon. Member for Edinburgh, West has said confirms that.

It is difficult to confer a general duty on a Member of Parliament to hold the Executive to account when there remains a possibility—albeit theoretical—that the Executive are not accountable to him. That is a theoretical argument, but there is a more important argument which has more resonance in terms of public opinion. I would say to the hon. and learned Member for Edinburgh, Pentlands (Dr. Clark) that, in these matters, perceptions are even more important than reality.

Even now, I am approached by constituents at meetings and in public—in a most unwelcome, unsolicited and unhelpful way—who share their observation that, "Now Scotland is getting its own Parliament, isn't it awful and awkward that we have a Government entirely dominated by Scottish Members?" I have to point out to them that their concern is quite illegitimate and that they have no proper grievance. Those who sit on the Treasury Bench have a mandate and are very properly there. I should hate it if a situation arose in which my constituents had a legitimate grievance, and amendment No. 279 would prevent that from happening. As said, perception is important in these respects, and the Committee has a duty to remove such sources of conflict and public discontent.

Mr. Laurence Robertson (Tewkesbury): I endorse the amendments tabled by my right hon. and hon. Friends. Having sat through many hours of debate on the Government of Wales Bill and the Scotland Bill, I am worried about disputes, because both Bills have the potential to create a great many disputes. That is one reason why I support amendment No. 280, which gives guidance on how some disputes might be resolved.

Amendment No. 279 concerns potential disputes, or at least confusion, so I support what my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) said about clarifying the Bill. We must make it plain that nothing in the Bill permits Scottish Ministers to exercise any functions—or "enjoy" any power, if that word is preferable—in any part of the United Kingdom other than Scotland. That helps to clarify the Bill.

Mr. Alasdair Morgan: Does the hon. Gentleman not realise that, before the Conservatives get anywhere in Scotland, the penny must drop that no one there is vaguely interested in exercising power south of the border, or in seeing Scottish Ministers exercising power south of the border? The people of Scotland simply want to get on with running Scotland; we are not interested in what happens south of the border.

8 pm

Mr. Robertson: I am grateful for that intervention, which gives me the opportunity to say that, although what the hon. Gentleman says may be true in relation to the Scottish people, we in Westminster still face the prospect of Scottish Members coming down here and voting on purely English matters while we cannot vote on Scottish matters. So the potential for disputes still exists. I accept that the Scottish people have no selfish interest in matters outside Scotland, but the amendment attempts to clarify

the matter. If the hon. Gentleman says that there is no potential for problems, why should the clarification not be included in the Bill?

Mr. Ancram: I was most interested in the intervention from a Scottish Nationalist, particularly given the geographical area that he represents, because it is precisely in areas near the border that we have all sorts of questions about rights over fishing on rivers and fishing within the Solway, all of which may well require decisions affecting cross-border issues. It seems strange that he should say that the Scots have no interest in those issues.

Mr. Robertson: I thank my right hon. Friend for that intervention. Some issues may come under the jurisdiction of Scotland or England; I suggest that they should come under the jurisdiction of the Crown. That would be the best way to proceed.

I also endorse what my hon. Friend the Member for North–East Hertfordshire said about enterprise zones. The statistics for Scotland are, indeed, impressive. If we are to engage in the new spirit of co-operation—in which the Minister seems to be willing to engage, albeit to a limited extent—we want the best for Scotland. I admit that the Conservative party does not want a Scottish Parliament in the first place, but we do want what is best for Scotland. Amendment No. 310 deals with that issue. Like Wales, Scotland has attracted a disproportionate amount of inward investment in relation to its population, and we want that to continue for the purpose of creating more jobs and more wealth.

Mr. Alasdair Morgan: Will the Minister clarify amendment No. 322, which seems to remove from the clause the references to sections 10 and 14 of the Industrial Development Act 1982? I understand that section 14 of that Act does not apply to Scotland in any event, whereas section 10 does. Is it correct that the change to the clause does not diminish the powers of Scottish Ministers but merely enables UK Ministers also to exercise certain functions, and that we may therefore be in the lucky position of having two sets of Ministers?

Mr. Heald: The amendment is purely technical. If the hon. Gentleman reads amendment No. 332, which seeks to reserve the Industrial Development Advisory Board to the Westminster Parliament for the first time at this late stage in the proceedings, he may be a bit more concerned.

Mr. Morgan: I was about to express my concern about section 10 of the 1982 Act. It strikes me as strange that the powers under section 10 should be exercised by two sets of Ministers. Given all the talk about co-ordination and the need for a concordat to prevent different people from going in different directions, how does having two sets of Ministers exercising the same function improve that co-ordination?

Mr. McLeish: The debate has ranged from the ultra-theoretical to the issue of public perception. It may therefore be useful to try to take the middle route and discuss realism and pragmatism in relation to some of the issues that have been dealt with.

Before I deal with the amendments, may I say a word about clause 59 and the Executive devolution order generally? The clause enables subordinate legislation to provide for the transfer to Scottish Ministers of statutory ministerial functions to be exercisable by them either instead of, or as well as, by the UK Minister. I alluded earlier to the three-tier structure of that system. It also provides for the adaptation of such functions by requiring UK Ministers to consult with, or obtain the agreement of, the Scottish Ministers before they exercise statutory functions.

The Government have made available to hon. Members copies of a working draft of a clause 59 order, which I shall refer to as the "Executive devolution order". That draft order lists over 300 functions in relation to reserved matters, which will be exercisable in or as regards Scotland by the Scottish Ministers, or in relation to which Scottish Ministers will be consulted before the UK Minister exercises the function.

The draft order covers functions to be transferred in a wide range of areas, including betting, gaming and lotteries, firearms licensing, extradition, lord lieutenants, the Government indemnity scheme and the acceptance of property in lieu of tax, the funding of Gaelic television and radio, tribunals, electricity supply, environmental impact assessments, civil nuclear installations, roads, railways, airports, public sector pension schemes, abortion clinics and medicines legislation. It covers a wide sweep of Executive responsibility. It also provides for Scottish Ministers to be consulted over the appointment of the Scottish member of the Independent Television Commission. It delivers the Government's commitments on Executive devolution made in the White Paper.

Amendment No. 279 seeks to ensure that Scottish Ministers cannot exercise any function or power outside Scotland. It is inappropriate because it would prevent Scottish Ministers from exercising some functions that are essential for the discharge of their responsibilities in relation to Scotland.

The functions transferred to Scottish Ministers by virtue of clauses 49 and 59 will be exercisable not just in Scotland but as regards Scotland. There will certainly be circumstances where functions exercisable as regards Scotland need to be exercised outside Scotland, including in England, Wales and Northern Ireland. For example, Scottish Ministers will need to exercise certain functions in relation to some public bodies based in England that have functions in Scotland, such as the Intervention Board for Agricultural Produce.

Furthermore, Scottish Ministers will, on occasion, in exercising a devolved function, require to meet Ministers of the UK Government, for example in considering the formulation of policy, particularly where there are potential advantages in maintaining a degree of consistency in policy both north and south of the border. The hon. Member for Westmorland and Lonsdale (Mr. Collins) made a passing reference to that. At a practical level, Scottish Ministers will need to have the authority to pay the property and staffing costs of any representative office in London.

Although the Scottish Parliament will only be able to make laws that form part of the law of Scotland, it should, and will, be able to confer functions on Scottish Ministers which are exercisable outwith Scotland. That reflects the fact that there will be circumstances where Scottish Ministers will need to exercise functions outside Scotland to secure the effective implementation of policy on devolved matters north of the border.

[Mr. McLeish]

For example, it should be open to the Scottish Parliament to confer functions on Scottish Ministers of promoting a devolved matter such as Scottish sport outside Scotland. If Glasgow—or Glenrothes in my constituency—wants to launch a bid to host the Olympic games, Scottish Ministers should be able to do their bit in promoting that bid abroad. The amendment would prevent them from doing that. That may sound trite, but I am trying to emphasise the fact that the amendment could result in functions and activities being stifled.

The amendment would deprive the Scottish Ministers of any powers to exercise functions outside Scotland, even if they clearly related to devolved matters in Scotland and formed part of Scots law. It is therefore quite inappropriate. For those reasons, I ask the right hon. Gentleman to withdraw amendment No. 279.

Amendment No. 280 would provide that a dispute between a Minister of the Crown and the Scottish Ministers arising from the exercise of powers that the Minister of the Crown is permitted to exercise under clause 52 should be dealt with as a devolution issue under the provisions of schedule 6. I shall explain why I do not think that such a provision is necessary, or would be an appropriate use of the procedures in schedule 6.

Clause 52 provides for a limited number of exceptions to the general rule that functions transferred to the Scottish Ministers by virtue of clause 49 will cease to be exercisable by Ministers of the Crown in or as regards Scotland. In a number of cases, it makes sense for Ministers of the Crown to be able to continue to exercise certain powers as well as the Scottish Ministers. Almost all the powers concerned involve the provision of grants or loans from the departmental resources of the Ministers of the Crown, for transport infrastructure, certain scientific research, grants and loans to industry and road safety measures. Clause 52 also enables UK Ministers to continue the levy scheme used to promote the export of wool textiles.

Scotland will continue to benefit from the United Kingdom Government's legitimate continuing interest in supporting such activities in Scotland. Given the nature of the powers concerned, there is very little likelihood of any significant dispute about how they are exercised. Our view is that any necessary co-ordination on these matters between the Scottish Executive and the relevant Department in Whitehall should be carried out on a non-statutory basis, and any dispute should be resolved in the same way. That is in line with the Government's approach to co-ordination between the Scottish Executive and Whitehall generally.

I believe that any amendment to impose a statutory procedure for dispute resolution would be unnecessary and inconsistent with our general approach to the future management of the relationship between the Scottish Executive and United Kingdom Departments.

Mr. Heald: If there is a dispute about the prime responsibility for one of those issues, and if agreement cannot be reached, how is it to be resolved?

Mr. McLeish: That is another timely intervention. Schedule 6 deals with devolution issues that are confined to judicial issues, and are intended to police the boundaries of the devolution settlement. Obviously, if a dispute arising from the exercise of functions referred to in clause 52 raised such questions, they could be dealt with as devolution issues as the Bill is currently drafted. For example, any question whether a Minister of the Crown had gone beyond what is authorised by clause 52 and was therefore purporting to exercise a function that was a devolved matter would fall within the definition of a devolution issue under schedule 6(1)(f).

However, in the unlikely event of other disputes arising out of the exercise of the shared powers under clause 52, they would fall to be resolved under the non-statutory arrangements that I have described, because they would be of a policy rather than a judicial nature. There is an important distinction between matters that relate to devolution issues and justiciable factors concerning the boundaries of the settlement, and matters that clearly relate to policy.

Amendment No. 305 is purely consequential on amendment No. 280, as it simply tidies up the numbering of the subsections in clause 52.

Amendments Nos. 280 and 305 are unnecessary and inappropriate, and I invite the Committee to reject them.

I can be more positive about amendment No. 286, and the consequential amendment No. 307, which raise a valid point that I accept in principle. Amendment No. 286 seeks to ensure that subordinate legislation under clause 59 is subject to an affirmative resolution of both Houses of Parliament.

The Bill currently provides that subordinate legislation under clause 59 can be made by Her Majesty by Order in Council or by a Minister of the Crown by order. Under the Bill, subordinate legislation is subject to the negative resolution procedure in both Houses of the United Kingdom Parliament and in the Scottish Parliament, although it could be subject to affirmative procedure if the person making it were so to choose.

Given the importance of Executive devolution orders, I agree that it would be more appropriate for subordinate legislation under clause 59 to be made only by Her Majesty by Order in Council, and for it to be subject to an affirmative resolution of both Houses of Parliament, which is the point made by the right hon. Member for Devizes and his Front-Bench colleagues. Subordinate legislation must also be subject to an affirmative resolution of the Scottish Parliament: there can be no question of imposing functions on the Scottish Executive without the equal agreement of the Scottish Parliament.

An Order in Council, affirmative resolutions of both Houses and an affirmative resolution of Holyrood would require consensus and agreement, so I hope that that will allay the fears of Opposition Members about conflicts that may arise. Government amendments Nos. 306, 308, 323, 324 and 329 to 331 make the changes necessary to achieve that, and are all related to this key principle.

8.15 pm

Unfortunately, I cannot take such a sympathetic view of amendment No. 287, and I ask the Committee to resist it. It strikes at the heart of clause 59, and of our proposals for Executive devolution. It would remove the provision that allows statutory functions of UK Ministers of the Crown to be exercisable in or as regards Scotland by the Scottish Ministers instead of by the UK Minister. Although it would leave the possibility for functions to be exercisable concurrently by Scottish Ministers and by

UK Ministers, it would not allow a straightforward transfer of functions from the UK Minister to the Scottish Ministers.

I referred earlier to the three tiers of the arrangement. It is eminently sensible for the affirmative resolution procedure to take place and for the transferred functions to be wholly exercised by Ministers of the Scottish Parliament. The amendment is unacceptable, because it would result in an unnecessary and unworkable duplication of powers in relation to Scotland. Clause 59 already provides for functions to be exercised concurrently if the UK Government and the Scottish Executive agree that that is the right approach.

An order under clause 59 cannot be made without agreement. We fully recognise that concurrent exercise of functions will be the right approach when it is necessary to ensure compliance with European obligations. However, that can be provided for in the order itself: there is no need for the legislation to require that such functions can be transferred only on a concurrent basis.

Amendment No. 288 is unacceptable because it seeks to provide a mechanism for functions exercised by the Scottish Ministers in relation to devolved matters to be exercisable in or as regards Scotland by UK Ministers. That would be quite contrary to the scheme of devolution set out in the Bill. The right hon. Member's objective may be to probe us on whether functions that have been made exercisable in or as regards Scotland by the Scottish Ministers by an order under clause 59 should be capable of being transferred back to a UK Minister.

I am willing to consider whether any additional provision is needed to deal with that scenario, and what the nature of any such provisions should be. In any event, any re-transfer should be subject to the agreement of both Westminster and the Scottish Parliament. In view of that, I should be grateful if the right hon. Member would not press amendment No. 288.

Amendment No. 310 would remove the requirement for Treasury consent to the designation of an enterprise zone by the Scottish Ministers. We consider that that would be wrong, because of the tax privileges conferred by enterprise zone status.

Clause 51 removes requirements for UK Ministers to agree to, or be consulted about, the exercise of functions by the Scottish Ministers by virtue of clause 49. It would clearly be inappropriate for such controls to be maintained over functions that relate to devolved matters. I hope that hon. Members will agree that amendment No. 310 is inappropriate.

Government amendment No. 322 amends clause 52, which enables the UK Government to continue to share certain powers in relation to devolved matters. It makes two amendments to the reference to the Industrial Development Act 1982. It removes a reference to section 14, which does not apply in Scotland. It also deletes the reference to section 10, which concerns the Industrial Development Advisory Board. That body is responsible for advising the President of the Board of Trade about certain powers to provide financial assistance to industry.

We propose that the board should be reserved, as there is already a parallel Scottish body, the Scottish Industrial Development Advisory Board, which was established under quite different legislation. SIDAB rather than IDAB should be the appropriate source of advice for the Scottish Ministers. The effect of reserving IDAB is that ministerial powers in respect of the board set up under section 10 of the 1982 Act will remain with the United Kingdom Government.

Mr. Ancram: Waffle.

Mr. McLeish: One of those bodies advises the Secretary of State for Scotland on industrial development. It examines applications for regional selective assistance from indigenous companies and inward investment where the amount of grant likely to be offered is more than £250,000. An identical organisation services the President of the Board of Trade down south.

Mr. Dalyell: The argument is difficult to follow, although I am not making a criticism. Have the Scottish Office and the Minister satisfied the Law Society—they may well have—that the reasons for the joint-exercise provision need to be made clear?

Mr. McLeish: I hope that the Law Society will be satisfied. My hon. Friend has asked for clarification; we are trying to clarify something that is not clear in the Bill as it stands, and I think that, in relation to the two organisations, it makes sense for us to proceed on the basis that I have outlined.

Mr. Alasdair Morgan: The fact that the Industrial Development Advisory Board is included in the list of bodies with reserved powers suggests to me that the board will still have some functions with regard to Scotland, which will remain reserved.

Mr. McLeish: Let me allay the hon. Gentleman's fears. Ours is a genuine tidying-up operation in relation to two organisations, one servicing the President of the Board of Trade and the other servicing—currently—the Secretary of State, but in future the First Minister of the Scottish Executive. We are simply saying that the position should be made clear in schedule 5. Nothing is being lost. We have a powerful advisory body, which will continue. It is replicated in the south, in relation to the President of the Board of Trade.

The effect of reserving the IDAB is that the ministerial powers in respect of the board that were set up under section 10 of the Industrial Development Act 1982 will remain with the United Kingdom Government. There is no need for them to be shared, and the reference in clause 52 should therefore be deleted.

Clause 52 provides for a limited number of exceptions to the general rule that functions transferred to the Scottish Ministers by virtue of clause 49 will cease to be exercisable by Ministers of the Crown in or as regards Scotland. In a number of cases, it makes sense for Ministers of the Crown to be able to continue to exercise certain powers alongside the Scottish Ministers.

Nearly all the powers concerned involve the provision of grants or loans from the departmental resources of the Ministers concerned, for matters such as transport infrastructure—to which I referred earlier—scientific research, industry and road safety measures. The clause also allows United Kingdom Ministers to continue to impose the various levies that we have described. In all those matters, the United Kingdom Government have a legitimate continuing interest in supporting activities throughout the UK, from which Scotland should continue to benefit.

[Mr. McLeish]

Amendment No. 332 would add the Industrial Development Advisory Board to schedule 5, which deals with reserved matters. It is a technical amendment, designed simply to help to ensure that the board's role in advising the President of the Board of Trade remains entirely a matter for the UK Government and the UK Parliament. The board is established under the Industrial Development Act 1982, under which it advises the President of the Board of Trade on the exercise of certain powers under that Act to give financial assistance to industry.

As the Bill is currently drafted, the board would fall within the devolved classification involving financial assistance for industry. It would therefore be treated as a cross-border public body, and would share certain functions with the separate Scottish Industrial Development Advisory Board. We consider that it would make more sense for the UK body's activities to remain a matter for the UK Parliament, for functions relating to it to be a matter for the UK Government and for the Scottish body—which will be fully devolved—to advise Scottish Ministers. Amendments Nos. 322 and 332 will enable that to happen.

Mr. Heald *rose—*

Mr. Dalyell: On a point of order, Mr. Lord. Is it in order for us to discuss clause 53 stand part?

The Second Deputy Chairman: When we reach it.

Mr. Heald: I listened carefully to what the Minister said, but—certainly in respect of amendment No. 279—he did not really deal with the point raised by my hon. Friends the Members for Faversham and Mid-Kent (Mr. Rowe), for Westmorland and Lonsdale (Mr. Collins), for Tewkesbury (Mr. Robertson) and for New Forest, West (Mr. Swayne). They asked how it was right for there to be cross-border public bodies and powers that, as a result of subordinate legislation, might be exercised by Scottish Ministers in respect of England—or, indeed, Wales or Northern Ireland—when there would be no accountability to this Parliament.

The Minister said that some functions relating solely to Scotland might be required to be exercised in England, Wales or Northern Ireland. In a spirit of conciliation, let me offer him the chance to give me the assurance that Scottish Ministers shall not be permitted to exercise any function other than as regards Scotland, or enjoy any power in England, Wales or Northern Ireland.

We seek that for reasons of accountability. The Minister will understand our point if he looks at clauses 83 and 84. Indeed, he described the workings of those clauses rather well himself. If Scottish Ministers are indeed to deal with certain functions in respect of England, perhaps the Minister will justify that. Perhaps, in relation to amendment No. 279, he will also consider the issue of fishing in the border area—in rivers such as the Tweed and the Esk, and in sea waters off the coasts of Scotland and England. Is he really saying that such matters could be dealt with solely by Scottish Ministers?

Mr. Grieve: I was interested in clause 99, which has a bearing on the issue that the hon. Gentleman has raised. One reading of the clause is that, unless Scottish Ministers are appointed to the Privy Council, they will have no say in the operation of the fisheries on the Esk or the Tweed.

Mr. Heald: Clause 99 states:

"Her Majesty may by Order in Council make provision for regulating fishing for salmon, trout, eels and freshwater fish in the River Tweed and the River Esk."

No doubt that is due to a proper concern that fishermen on the English side of the Tweed and at the English end of the Esk might wish to fish on Sunday, and might not be able to do so if fishing were regulated solely by Scots law. That is not the only issue of its kind, however. A range of cross-border issues may arise, not just in relation to rivers but in relation to sea water. I ask the Minister for an assurance in the few moments that remain.

We welcome what the Minister said about the amendments on which he accepts our arguments, but we continue to press him on the others. We ask him if he cannot find some way of meeting the case that the Opposition have made. He has gone a certain way towards that, but he has not gone far enough, and we will divide the Committee unless we are satisfied with the assurances that he gives us now.

Mr. Dalyell: As the guillotine is coming down and this is our only opportunity, may I ask about the difficulties that might arise between the two Parliaments? Let us suppose that a future EC directive addressed matters that fell within the competence of a Scottish Parliament. That directive might be implemented by an Act of that Scottish Parliament, or an Act of a Scottish Executive, or a United Kingdom Minister under section 2—

The Second Deputy Chairman: Order. The hon. Gentleman cannot discuss clauses that we have not yet reached. I call the Minister.

Mr. Dalyell: On a point of order, Mr. Lord. Let me just register the fact that this is a travesty of parliamentary scrutiny.

The Second Deputy Chairman: The Committee is discussing the Bill under the programme that has been agreed.

Mr. McLeish: I am not sure that I can give the hon. Member for North-East Hertfordshire (Mr. Heald) much more reassurance, but let me say something about amendment No.279.

I think that there is an impression that, once the Parliament is there, we will organise ourselves into marauding groups that will want to nip down to Liverpool—to cross the border, do a bit of pillaging, do a bit of legislating and return to the Parliament. That may figure prominently in some of the fantasies of Opposition Members, but the reality will be slightly different.

In every instance, we have said that this will be about agreement and consensus. If we are transferring functions in the three-tier framework that I have described, it will all be about agreement in both Houses. It will be about affirmative resolutions. It will be about seeking agreement and, of course, about accountability. Any decision by both Houses in Westminster to transfer functions to the Scottish Executive will be made on the basis of agreement in this House, and all hon. Members will participate in that. I therefore argue that agreement can be reached.

There will be good will, but we have built in affirmative resolution procedures. There is an Order in Council to deal with the matter. Things have to be done by agreement. That is the important consideration behind much of the Bill.

Mr. Heald: The Minister has moved but, sadly, not enough.

Question put, That the amendment be made:—

The Committee divided: Ayes 134, Noes 364.

Division No. 161] **[8.29 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
Madel, Sir David
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waller, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. Stephen Day.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Baker, Norman
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Ms Roseanna *(Perth)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galbraith, Sam
Galloway, George
Gapes, Mike

Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Linton, Martin
Livingstone, Ken
Livsey, Richard
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Rammell, Bill
Rapson, Syd
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Graham Allen and
Mr. Greg Pope.

Question accordingly negatived.

It being after half-past Eight o'clock, THE CHAIRMAN, *pursuant to the Order [9 February] and the Resolution [this day], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 48, as amended, ordered to stand part of the Bill.

Clauses 49 to 51 ordered to stand part of the Bill.

Clause 52

SHARED POWERS

Amendment made: No. 322, in page 22, line 24, leave out '14' and insert

'9 and 11 to 13'.—*[Mr. McFall.]*

Clause 52, as amended, ordered to stand part of the Bill.

Clause 53 ordered to stand part of the Bill.

Clause 54

POWER TO PREVENT OR REQUIRE ACTION

8.45 pm

Mr. Bernard Jenkin (North Essex): I beg to move amendment No. 281, in page 22, line 40, leave out from 'may' to end of line 41 and insert

'apply to the Court of Session to seek an order to prohibit the proposed action'.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 282, in page 22, line 44, leave out from 'may' to end of line 45 and insert

'apply to the Court of Session to seek an order to require such action to be taken'.

No. 283, in page 23, line 14, leave out

'by order revoke the legislation'

and insert

'apply to the Court of Session for an order revoking the legislation'.

Mr. Jenkin: I have to confess that I rise with some trepidation, because I was given this neat little collection of amendments to pursue. The more I delved into the Bill and had the Secretary of State jog my elbow and chuckle, the more I realised why a QC would want to delegate the matter to a non-lawyer. I shall try to be brief to give the Secretary of State as much time as possible to address all the issues that arise from clause 54.

Clause 54, which we term one of the governor-general clauses of the Bill in view of the powers that it possesses, relates to clause 33, which, unfortunately, we did not have time to discuss. I remind the Committee that clause 33(1)(a) deals with the Secretary of State's powers to intervene. If a measure contains provisions which he

"has reasonable grounds to believe would be incompatible with any international obligations",

he can delay or make an order suspending the Royal Assent of an Act of the Scottish Parliament.

Although I do not wish to tie the Committee in knots, the Secretary of State tells me that the provision relates back to clause 28—one of the most complicated clauses of the Bill, which sadly, we did not discuss. In addressing our amendments to clauses 54 and 55, I invite the Secretary of State to relate his comments to the other clauses that we have not discussed, while remaining in order.

The key question is what is an international obligation, and what is the Secretary of State's determination of an international obligation in respect of his order-making powers under clauses 33 and 54. In the equivalent debate on Wales, we established that international obligations went beyond treaty obligations. We used as an example the Agenda 21 agreement on the environment. The example which I want to pursue in respect of the amendments is that of the Rio carbon emission targets. To what extent do they represent an international obligation on the United Kingdom that is translatable into an international obligation on the Scottish Executive and the Scottish Parliament? What is the nature of the Secretary of State's decision whether to use his order-making powers in circumstances which I shall describe later?

The issue turns on whether the Secretary of State is making a political or a judicial judgment. The substance of our amendments to clause 54 and to clause 33 is that the Secretary of State is making more of a judicial pronouncement than a political judgment; therefore, it would be more appropriate for the matter to be decided by a court—whether it is the Judicial Committee of the Privy Council or the Court of Session—than by the Secretary of State.

Let us accept that the circumstances would be exceptional, but they could also be extremely controversial. If the Secretary of State used an order-making power to strike down an action of the Scottish Executive or to compel the Scottish Executive to take an action that it would not otherwise take, one can imagine that the political atmosphere would become pretty heated. If we want a positive and constructive relationship involving Westminster and Whitehall and Holyroodhouse and St. Andrew's house, it is not difficult to suggest that the heat should be taken out of the issue by the courts rather than have an essentially judicial matter decided by the Secretary of State.

Mr. Wallace: There is much to commend amendment No. 281, not least the point that the hon. Gentleman has been making. However, if he has read the notes on clauses—as I am sure he has—he will note that one of the features of the international treaty obligations referred to in the Bill, and the reason for the clause, is that they have not been made part of our domestic law. How does he think that those obligations would become justiciably noted?

Mr. Jenkin: I shall deal with that point.

The Parliamentary Under-Secretary of State for Scotland (Mr. Sam Galbraith): Do we have all weekend?

Mr. Jenkin: I wish I had.

The issue that the Secretary of State decides is not immune to questioning by the courts and may well be subject to judicial review. I shall deal with that point shortly.

I invite the Committee to examine the possibility, which I had started to describe, of a dispute among the Government, Whitehall and the Scottish Executive over the extent to which Scotland was fulfilling its part of the obligation to reduce carbon emissions. It would fall to the Secretary of State to decide whether Scotland was frustrating the United Kingdom in fulfilling that obligation. Perhaps there had been a concordat between the Scottish Executive and Whitehall on how the emission targets should be divided between Scotland and the rest of the United Kingdom, and perhaps that agreement had broken down. When the point came at which the Secretary of State had to take a view on the issue, he might decide that Scotland had not contributed sufficiently to reducing emissions, and therefore invoke his order-making powers.

I invite the Secretary of State to tell the Committee whether that order-making power would be subject to judicial review. If so, what would be the substance of the judicial review? It is one thing for the Secretary of State to decide whether he considers an international obligation to have been fulfilled, but, if it comes to a judicial review,

[Mr. Jenkin]

surely the court has to decide whether an international obligation existed and whether the Scottish Parliament and Scottish Executive were frustrating the United Kingdom's fulfilment of that obligation.

Would it not be better if such an issue were decided initially by a court? I do not know whether the issue would ultimately finish in an international court—for it to decide a United Kingdom constitutional dispute—but that seems rather unlikely. Therefore, to answer the question asked by the hon. and learned Member for Orkney and Shetland (Mr. Wallace), I think that, on an issue of international obligation and international law, a domestic court would have to decide whether the Secretary of State was justifiably using that power.

Our group of amendments would ensure that initially courts address the issues, rather than leaving them as the basis of political dispute. Specifically, in our proposed amendments to clause 33, we suggested that the matter should be referred directly to the disputes procedure, as specified in paragraph 4(1) of schedule 6. In amendment No. 281, we recommend using the Court of Session, but we are not fussy. If the Secretary of State comes up with a better idea, we should very much welcome those proposals. It is clearly odd to invite a United Kingdom domestic court to decide a matter of international law. Although it seems unavoidable that such adjudications will have to be made, they should not be made by the Secretary of State.

Mr. Dalyell: Clause 54 constitutes a substantial restraint on the competency of certain legislation in the Scottish Parliament. Although the clause empowers the "Secretary of State", that need not be the Secretary of State for Scotland; as the Bill is written, it could be any Minister of the Crown. I wonder whether the Secretary of State will confirm that.

I must say that it is a travesty of scrutiny in the House of Commons that, as with clause 33, we did not debate clause 53. By the time of the Bill's Third Reading, no one will be able to say that the Bill was properly scrutinised. Unless we very thoroughly scrutinise clauses 33 and 53 at Report, we cannot claim to have had scrutiny.

Given the existence of clause 53, which allows Westminster Ministers to override the actions or supply the omissions of Scottish Ministers in the European Community and convention spheres, it is not clear why clause 54(2), with its power to require action of a Scottish Minister in the same spheres, is necessary. Surely the same result can be achieved by the UK Minister asserting his independent right. Regardless, what sanctions are available to ensure that relevant action is taken by the Scottish Minister?

Clause 54(1) clearly remains necessary, to take account of the possibility that a Scottish Minister committed to so acting could presumably act contrary to international obligations unless the UK Government retained a preventive power. Again, however, and much more pertinently, that raises the question of appropriate enforcement mechanisms. The Bill does not have much to say about those.

Clause 54(3) makes no provision for the Secretary of State's action to be directed to a particular person. Is it the First Minister or the member of the Scottish Executive who can be directed to act, and how can such a direction be reviewed? I look forward to hearing the Secretary of State on those matters.

Mr. William Cash (Stone): As the hon. Member for Linlithgow (Mr. Dalyell) has said, the provision in clause 54 ignores the fact that clause 53 has not been properly scrutinised, raising some fundamental questions—not the least of which is the relationship involving legislation that is made in the House, legislation that is made in the Scottish Parliament and the obligations that are imposed by section 2 of the European Communities Act 1972. The bottom line is simply that, in the Bill, an attempt is made to bypass the impact of the European dimension on legislation that will have an impact on the people of Scotland, not to mention on the people of the United Kingdom as a whole.

Clause 53, which has not been debated but is of direct relevance to the provision, states:

"(1) Despite the transfer to the Scottish Ministers by virtue of section 49 . . . any function of a Minister of the Crown in relation to any matter shall continue to be exercisable by him as regards Scotland for the purposes specified in section 2(2) of the European Communities Act 1972."

It goes on:

"(2) A member of the Scottish Executive has no power to make any subordinate legislation, or to do any other act, so far as the legislation or act is incompatible"—

The Second Deputy Chairman: Order. I remind the hon. Member that we are discussing clause 54. I should be grateful if he confined his remarks to the amendment before the Committee.

Mr. Cash: The point that I am making arises with respect to clause 54(4). The question whether

"the Secretary of State has reasonable grounds to believe"

that a provision

"would be incompatible with international obligations"

or

"within the legislative competence of the Parliament by virtue of . . . section 28"

is directly relevant to superior law, which takes us back to clause 53.

I shall not go into the merits of clause 53. I shall simply make the important point that the consequences of legislation made in the European Community dimension—because it is superior law—will override any decisions taken, including those on the basis of so-called "reasonable grounds" by the Secretary of State. The bottom line is that, whether or not the Secretary of State comes to a conclusion based on what he may regard as "reasonable grounds", that is not within his jurisdiction, because it will be overridden by the fact that the legislative competence of the Parliament under clause 54(4) will be determined by the ultimate decision of the European Court.

Mr. Wallace: Given that international obligations are defined in clause 111(7) as meaning

"obligations . . . other than obligations under Community law",

and therefore expressly exclude anything relating to Community law, how can Community law have relevance?

9 pm

Mr. Cash: I debated this question with the Minister during earlier proceedings. When he kept on saying that he was concerned with the question of international agreements—by which I mean international obligations—I made the point that he was completely confused about the interaction between what he was describing as international agreements and international obligations as defined in clause 111. That is where the problem lies.

Clause 111 may be an attempt to define an international obligation, but the plain fact remains that whether such an obligation is an international obligation falling within the purview of the European Communities Act will be decided not by the Secretary of State's reasonable assessment but by the Court of Justice—if and when the question gets there because of a contravention of a provision of European Community law.

We know perfectly well that, over and again, there have been attempts—as, indeed, there is in this Bill with regard to the Scottish Parliament—to create an impression that, somehow, we will be able to retain control over what is decided in this House. The White Paper demonstrates the nature of the problem by reference to the manner in which decisions will be taken in the Council of Ministers. An attempt is being made, somehow, to create an impression that there will be a continuing jurisdiction in this House or in the Scottish Parliament. The reference to legislative competence under section 28 shows that the Government are concerned about whether there would be legislative competence in the Scottish Parliament. There is a raft of inconsistency of jurisdiction in the schedules which seek to determine the Parliament's legislative competence.

The Bill is unbelievably obscure and opaque when it comes to where decisions will be taken. I see the Secretary of State shaking his head. Perhaps he would be kind enough to say why he thinks that I am wrong on this point. I raised it with him in an earlier debate, and he admitted that he did not have the means of determining where the line was drawn. A massive confusion will occur, ultimately driven by the provisions of European Community law, which will override and frustrate any attempt, which I am sure the Government are making, in any Act of Parliament—including this Bill or, indeed, the European Communities (Amendment) Bill—to create dividing lines between the various jurisdictions.

We now have a tripartite jurisdiction. We are no longer talking only about what matters will be determined by ministerial decision. The opportunities that Ministers have to state whether they have reasonable grounds, which is a matter of judicial review, will be determined—as the Amsterdam treaty makes abundantly clear—not in the courts of first instance but in the highest courts in the land.

The Secretary of State will be in an extremely ambiguous position in his relationships with the United Kingdom Cabinet, Scotland and the Council of Ministers. He will find himself in increasing difficulties over the legislative competence of the Scottish Parliament as stipulated in subsection (4). Who will be the ultimate arbiter? Who will make the fundamental decisions? It will not be the Secretary of State.

The clause is a load of codswallop. It is an attempt to give the impression that the Secretary of State will have the power to revoke legislation where he has reasonable grounds to believe that there has been an infringement of the powers that are laid down—it is an ultra vires issue. He is arrogantly trying to give the impression that he can make decisions that he will not be able to make.

Irrespective of what the hon. and learned Member for Orkney and Shetland (Mr. Wallace) said—that clause 111 defines international obligations—where there are conflicts with the European Court and European Community obligations, decisions will be taken by the highest courts in the land and, ultimately, by the European Court itself. The Secretary of State is living in cloud cuckoo land if he does not understand that the implications of the clause will be overridden by decisions ultimately taken by the European Court.

In the past few years, a denial has been increasingly built into the legislative process. There has been a refusal to admit that there will be complications in determining the overriding jurisdiction of the law-making powers of this land in relation to a raft of legislation, including those matters set out in the schedules to the Bill, as the debate on clause 28 demonstrated. There will be no clear dividing line, and ultimate jurisdiction will lie with the European Court of Justice.

The Secretary of State can remonstrate and shake his head. He can say that he does not think that that will happen, but I guarantee that, within a matter of years, it will become abundantly clear that—despite the Government's protestations—the dividing line of legislative competence will be determined by the European Court in those areas where it has the competence to decide.

I see that the Secretary of State has been handed a note from his advisers. I should be delighted if he would be good enough to read out what advice he has been given, as it is clear that he cannot make up his own mind on the subject. I have raised this point with him over and over again—

Mr. McLeish: The hon. Gentleman is out of touch.

Mr. Cash: The Minister may say that, but over and over again there have been attempts to give the impression that we are in control of our own affairs, on questions of overlapping jurisdiction, ultra vires issues and legislative competence, when in reality those matters have been resolved against us. The Secretary of State may seek to determine those questions of legislative competence in a Bill of this sort, on what he would term reasonable grounds, but there is no basis for the confidence that is expressed by the look on his face at the moment.

Mr. McAllion: I shall not follow the remarks made by the hon. Member for Stone (Mr. Cash). Indeed, I doubt whether any hon. Members present could do so.

When the hon. Member for North Essex (Mr. Jenkin) introduced this group of amendments on behalf of the Opposition, he said that the key to understanding them was the definition of "international obligations". One of

[Mr. McAllion]

the keys to understanding the amendments, as well as the clause, is the definition of "any action proposed". Clause 54(3) states:

"'action' includes making, confirming or approving subordinate legislation and, in subsection (2), includes introducing a Bill in the Parliament."

That tells us what the definition includes, but it does not tell us what is excluded. When my right hon. Friend the Secretary of State replies, I hope that he will be clear about what is meant by "action". Does it refer only to subordinate legislation—to Bills of some sort—or can it refer to any sort of action taken by the Scottish Executive, or indeed, the Scottish Parliament?

I shall give an example. Let us pretend that the Scottish Parliament is already in existence and that, in the middle of this international crisis in the Gulf, the First Minister has decided to hold a debate on the crisis and to put forward a resolution for the approval of the Parliament that would condemn any military action in the Gulf either by the United States of America or by the United Kingdom. That is an action that the Prime Minister in this Parliament could well define as being opposed to international obligations undertaken by the United Kingdom Government. Obviously, we are under some sort of obligation to support the Americans in any military action in the Gulf. Could the UK Prime Minister overrule the Scottish Parliament and stop it holding such a debate?

The Secretary of State for Scotland (Mr. Donald Dewar): The answer to that question is simply no. I fear that my hon. Friend is suffering from the delusion that a speech by him against certain forms of action in the world amounts to an international obligation. That is an optimistic definition of his own efforts.

Mr. McAllion: My right hon. Friend deliberately misses my point. I was not referring to international obligations arising from any speech that I might make, but simply saying that the British Government are under an international obligation, I would assume, to support America in the Gulf at the moment. If a Scottish Parliament were against giving that support, would that be defined as going against a UK Government international obligation?

Mr. Dewar: The answer is that there is no such international obligation. The foreign policy of Her Majesty's Government is a matter for the judgment of the Government of the day, but a decision to follow a certain line in international debate does not constitute an international obligation.

Mr. McAllion: I am greatly relieved to find that we are under no obligation to undertake military action in the Gulf. That will be a great source of satisfaction for many Labour Members.

Mr. Cash: Perhaps the hon. Gentleman ignores the fact that, under both the Maastricht and the Amsterdam treaties, what is or is not decided as an international obligation is continuously and progressively being taken into European jurisdiction. Therefore, my earlier point—about which he was dismissive—is entirely relevant to this debate. The bottom line is that it is no good the Secretary of State saying that he will have the right to make those decisions, because he is already being overtaken by—

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. I have just arrived in the Chair, but I have been listening to the hon. Gentleman, and clause 54 does not concern our obligations in Europe, so perhaps we could leave that question for this evening.

Mr. McAllion: I am grateful to you for your ruling, Mr. Martin. If the definition of an international obligation is any international obligation of the United Kingdom, will my right hon. Friend the Secretary of State confirm that, if the United Kingdom Government signed up to the multilateral agreement on investment this April, it would be the sort of obligation that would affect the Scottish Parliament?

My right hon. Friend will recognise that the multilateral agreement on investment prevents any Government, whether of the UK or of Scotland, from discriminating against multinationals. It is expected that, under that agreement, multinationals will be able to sue local authorities which they believe to be in breach of that obligation not to discriminate. The Canadian Government are trying to ban a dangerous toxin that is used as an additive in petrol but, because the toxin is produced by only one multinational company, they have been taken to court under the north American free trade agreement, which is similar to the multilateral agreement on investment, on the basis that to ban the toxin would be to discriminate against the multinational that produces it.

When he winds up the debate, will my right hon. Friend confirm that a Scottish Parliament acting through local government legislation to ban toxins on environmental grounds might under the clause be subject to UK Government intervention to prevent such legislation being passed, because it might be in breach of the multilateral agreement on investment? If the answer is yes, is not that a good and strong argument for not signing up to the multilateral agreement on investment until we hold a proper debate in this Chamber?

9.15 pm

Mr. Wallace: First, may I say how much I envy your power, Mr. Martin? When I intervened on the hon. Member for Stone (Mr. Cash) and suggested that the clause dealt with international obligations, which are defined expressly as not including anything relating to European Community law, he told me that I was missing the point. I am sure that the Committee was relieved that he did not try to explain how you, too, had missed the point as, from the Chair, you could not possibly have missed the point—in fact, you were bang on.

Mr. Cash: The hon. and learned Gentleman seems to have great confidence in what is contained in a British Act of Parliament. Does he dispute the fact that, if there is a dispute about whether a matter that is thought to be a matter of international obligations as defined in the Bill

is in fact to be regarded as a matter of Community obligations, the question will go to the European Court of Justice for a decision? Will he answer that?

Mr. Wallace: I am convinced that, if the matter is one of Community law, it will fall under clause 53. In addition, the Parliament will be ultra vires under other clauses, including clause 28.

Mr. Cash: That is not my point.

The First Deputy Chairman: Order. The hon. Member will have to behave himself.

Mr. Wallace: The hon. Gentleman asked rhetorically how it was that he might be mistaken. The answer is that, when one is as Euro-obsessed as he is, one can be mistaken about a great many things.

Earlier today, when my colleagues and I went through the amendments, we thought that amendment No. 281, which was moved by the hon. Member for North Essex (Mr. Jenkin), held some superficial attraction. We thought that something must be wrong, as we might have to support a Conservative amendment which seemed to be constructive. When the hon. Gentleman thought that he had the wrong brief when he rose to move the amendment, we thought that our analysis had been right.

However, the hon. Gentleman did make a fair and legitimate point when he said that, if many of the matters in question could be put into the hands of the courts, that might reduce any political tension that may arise in future between the Scottish Parliament at Holyrood and the Westminster Parliament. The difficulty is that, if they are not incorporated into domestic law, international treaty obligations are not automatically judicially noted.

However, if my recall of practising law many years ago is correct, I believe that it was and is possible to set out foreign law in one's pleadings, so specific treaty obligations can be set out in pleadings to any action or application before the Court of Session. I should be interested to hear whether the Secretary of State thinks that the provision might reduce some of the tension that might arise if it was thought that, for political motives, the Secretary of State in Westminster had intervened in the Scottish Parliament.

Clause 54(2) states:

"If the Secretary of State has reasonable grounds to believe that any action capable of being taken by a member of the Scottish Executive is required for the purpose of giving effect to any such obligations"—

that is, international obligations—

"he may by order direct that the action shall be taken."

If, for example, the intention is to distribute fairly the reduction of carbon dioxide emissions across the United Kingdom, I am sure that it is not in prospect that all the responsibility will be loaded on to the Scottish Executive, or the balance put on Scotland.

Clearly, the hon. Member for Dundee, East (Mr. McAllion) and I are on the same wavelength, because the issue connected with international obligations that I wish to raise is the multilateral agreement on investment. I mentioned to the Secretary of State earlier tonight that I thought that the issue was flavour of the month, and he said, "Not in Anniesland." I can tell him that it is in Dundee and Orkney. The issues connected with the multilateral agreement on investment are serious and are becoming more current.

Mr. McAllion: The issues are serious, and one of the best attended meetings that I have been to recently in Dundee was about the multilateral agreement on investment. Feeling is running high among ordinary people in Scotland, and if any hon. Members believe that the people do not know or care about the multilateral agreement on investment, they should think again.

Mr. Wallace: The hon. Gentleman is right, and we shall find that the issue is increasingly addressed in the contents of our postbags. He gave the example of a local authority taking certain actions, but what would happen if the Scottish Parliament or the Scottish Executive were to take certain actions? For example, if one of those bodies was trying to attract inward investment and imposed certain requirements with regard to local employment or the use of indigenous suppliers, would that fall foul of the multilateral agreement on investment? Could the Secretary of State at Westminster intervene to prevent that? Who would be ultimately liable—the United Kingdom Government or the Scottish Parliament—if a multinational company were to sue for damages for a breach of the multilateral agreement on investment?

The issue has not been aired sufficiently, and I bear some responsibility for that, because I have become aware of the problem only in the past week or two. The House of Commons should have a broader debate on it, but this debate addresses issues that will be relevant to the workings of the Scottish Parliament and Scottish local government. It may be unfair to ask the Secretary of State to produce an answer tonight, but I hope that he appreciates from the contributions to the debate that the issue will require explanation at some stage, and sooner rather than later.

Mr. Swayne: I regard it as one of the principal duties of the Committee to remove sources of potential conflict before the Parliament begins to sit. I have read the Bill sequentially without the benefit of a legal education, and my impression of clause 54—and I have pointed out to the Committee before that impressions are very important—was that it gave draconian powers to the Secretary of State. Under clause 54(1), he may

"direct that the proposed action shall not be taken."

He is given a similar power in clause 54(2), and under clause 54(4), he may

"by order revoke the legislation."

It strikes me as an obvious source of conflict if a Secretary of State, who is effectively appointed by the British Prime Minister under the Crown, may revoke legislation made by a Parliament responsible to the Scottish people. Amendment No. 281 would at least ameliorate that conflict in some respects.

Mr. Salmond: I have waited 20 years to agree with something said by my old university friend, the hon. Member for New Forest, West (Mr. Swayne), but I am now in that position.

I have two questions for the Secretary of State for Scotland. First, will any Secretary of State have the power to adopt a quasi-judicial, supervisory role over the

[Mr. Salmond]

functions of the Scottish Parliament on any issue related to international obligations? Secondly, what are "reasonable grounds" and who will judge what would be reasonable grounds for an intervention? I await the answers to those questions with great interest. Meanwhile, I hope never again to agree with the hon. Member for New Forest, West.

Mr. Grieve: I want to pick up an important point, which I hope that the Secretary of State will address.

It is always said that courts grant mandatory injunctions very sparingly. However, clause 54 makes it possible for a Secretary of State to give a mandatory direction without having any power to back it up, because ultimately, as I understand it—the Secretary of State will correct me if I am wrong—if the Scottish Parliament, annoyed at the fact that there had been a direction that legislation should be introduced, simply said, "We will do nothing about it," the only solution would be for the Westminster Parliament to introduce the legislation and impose it.

That strikes me as an unsatisfactory state of affairs. In those circumstances, would it not be better if there were a mechanism to enable the courts to determine who was right in a dispute?

Mr. Owen Paterson (North Shropshire): It is vital for the Secretary of State to give us some clarification in answer to the questions that have been asked in the debate, such as: what are reasonable grounds, and how are they decided? Ministers have laughed and sniggered, but those questions are fundamental.

Ministers must also address the issue raised by my hon. Friend the Member for Stone (Mr. Cash). International obligations are defined in clause 111. That is fine, but what happens if the European Court of Justice does not agree with the definition in the Bill? It is most important that the Secretary of State quickly reads the piece of paper in front of him, which may have come from the dog run over there, which may inform him.

Time is running out. My final point, which I have made in previous debates in Committee, is that the Bill presumes that a party in power in Westminster has friends in power in the new Scottish Parliament—which may not always be the case. I should like the Secretary of State to consider an example from recent years—the break-up of Czechoslovakia. Clause 54 fills me with foreboding, because it is possible to see conflict ahead and it is ludicrous that the Secretary of State should be the grand panjandrum who decides. Amendment No. 281 should be made, so that disputes are settled in a court of law. The Secretary of State laughed at me when I took the example of the former Czechoslovakia—

Mr. Dewar *indicated dissent.*

Mr. Paterson: The Secretary of State did laugh.

The Committee should think carefully about what happened in the Czech and Slovak lands, which were bound together in a union and have since fallen apart, catastrophically for the secessionist nation. The secessionist nation is now the one that is struggling. It is the one that was previously subsidised by the richer nation. The nationalist—the secessionist—party in this case has a rotten example from the past 10 years, and it should address it. As it stands, clause 54 is a recipe for conflict.

Sir Robert Smith (West Aberdeenshire and Kincardine): I shall be brief. Subsection (2) of clause 54 seems to be the one that is most likely to lead to controversy or conflict. It says:

> "If the Secretary of State has reasonable grounds to believe that any action capable of being taken by a member of the Scottish Executive is required for the purpose of giving effect to any such obligations, he may by order direct that the action shall be taken."

The Secretary of State may desire to fulfil an international obligation such as the reduction of carbon dioxide emissions, but a range of actions might be available to achieve that object. By what process will the Secretary of State choose an action so as to produce the least damaging reaction from the Scottish Parliament? Conflict may well arise in that regard. That worries me.

Perhaps, when he replies, the Secretary of State will address that issue, which seems to give the Secretary of State a much wider power to intervene. Stopping an action is a specific and focused act. Forcing an action when there could be a range of options to achieve an international goal is far wider-ranging. I am still quite sympathetic to the concept that, if one goes to the courts first and sorts the matter out, one knows where one stands. If one takes the action and relies on judicial review, the process is dragged out and becomes bogged in a quagmire.

Mr. Laurence Robertson: It seems curious that my hon. Friends the Members for New Forest, West (Mr. Swayne) and for North Shropshire (Mr. Paterson) always seem to attract derision for constantly hitting the nail on the head. I shall not rehearse the points that they made.

When the Scottish people were given devolution, I think that they expected to be given democracy. I ask the Secretary of State to address this point: how on earth can the Scottish people have democracy if one person has the right to overturn legislation? How does that sit with the principles of democracy?

9.30 pm

Mr. Dewar: I am grateful for this opportunity to respond to the rich array of questions that has been laid before me. I shall begin with the hon. Member for North Shropshire (Mr. Paterson), who asked about the bit of paper that I was passed. It says, "Paterson, North Shropshire". The hon. Gentleman probably has a case for saying that that is a pretty sinister message. I am rather fond of the name "Paterson": it is attached in my mind to an admirable make of oatcake. Oatcakes are quite fresh smelling and crumble at the edges—and I suspect that that description is appropriate in this case.

I was touched also by the hon. Member for New Forest, North—

Mr. Swayne: New Forest, West.

Mr. Dewar: I am very sorry; it is not an area that I know well. The hon. Gentleman read sequentially. Perhaps he should practise a little longer, but I congratulate him on his achievement and I wish him well in that venture. I must also inform him that I do not

believe in guilt by association; my doubts about him have nothing to do with his friendship with the hon. Member for Banff and Buchan (Mr. Salmond).

Mr. Dalyell: My right hon. Friend the Secretary of State should be careful in what he says about Paterson shortbread—it is made in my constituency.

Mr. Dewar: I eat it often, which perhaps accounts for many things.

I take the debate seriously, but I want to put it in perspective. Hon. Members will recall that we impinged on the question of international obligations for a very short time during the debate on 29 January. Anyone who has the energy will find the relevant passages concerning amendment No. 173 at column 604 of *Hansard*. That amendment was moved by the hon. Member for Woodspring (Dr. Fox). I always think that, in some mysterious way, Woodspring is an appropriate name for the hon. Gentleman's constituency. He raised some interesting points on that occasion, and fortunately we returned to the issue today.

The first and very obvious point to make is that clause 54 is an example of the care with which fail-safe mechanisms have been built into the Bill. There is no suggestion that the procedure will be used commonly—in fact, it may never be used at all. However, it was thought right that the mechanism should be in the Bill to guard against a situation in which for some reason—I find it difficult to envisage—the Scottish Executive or the Scottish Parliament should fail to recognise the implications and the importance of an international obligation entered into by the United Kingdom, steadfastly refuse to observe it and act in some way contrary to it. That runs parallel with the point made by the hon. Member for Stone (Mr. Cash)—it may also assist my hon. Friend the Member for Linlithgow (Mr. Dalyell).

There is also the possibility of a refusal to honour an obligation under European law. That point must be dealt with against that eventuality—although I think it is probably an unlikely one.

Mr. Cash *rose—*

Mr. Dewar: Perhaps the hon. Gentleman will allow me to address that point. He also asked me—it is a great curiosity, and no doubt very flattering to those who write the notes—about a piece of paper that was handed to me. It is not a particularly sophisticated argument and is probably the product of reading the Bill. It says;

"Clause 54 does not deal with EC obligations, but with international obligations—see clause 111(7). It will therefore be for the ordinary domestic courts to deal with any judicial review, not the European Court of Justice, as was being suggested."

I draw the hon. Gentleman's attention to the fact that clause 53 provides, by reference to section 2(2) of the European Communities Act 1972, a fail-safe mechanism to deal with a failure to honour European obligations. Clauses 33 and 54 contain similar and parallel machinery to deal with the unlikely consequences of a refusal to honour international obligations, which I mentioned a few moments ago.

Mr. Jenkin: Is the Secretary of State therefore giving the Committee an assurance that all the obligations that are at present classed as international obligations between members of the European Union will at no stage ever be transmuted into European Community law by some action of a European Court, as has happened in the past?

Mr. Dewar: I am not going into such arcane matters. We are discussing a sensible series of safeguards against the kind of friction and difficulty that Opposition Members envisage. I think that they exaggerate the danger. I do not think that it will occur, but if we did not make provision in the Bill against those eventualities, we would be open to criticism, such as, "What happens if there is friction? What happens if there is a refusal?" If default will fall heavily on the state in which we shall all be involved—the United Kingdom—and which signed up for those obligations, it is important that we have a way in which to obviate the problem.

Mr. Rowe: In the admittedly unlikely event of such a disagreement arising, does the right hon. Gentleman envisage that it would be subject to scrutiny by the House of Commons, or would it be an arbitrary act or an executive act of the Secretary of State? If it were subject to scrutiny by the House, would that not lead to a curious situation where Scottish Members might line up with the Scottish Parliament, and other Members might sympathise with them?

Mr. Dewar: It may be a curious situation, but the answer to the hon. Gentleman's question is that clause 33 contains a provision whereby a Bill may be prevented from going for Royal Assent because of such a dispute. The relevant Secretary of State will lay an order prohibiting the Presiding Officer from making that presentation. Under clause 54(4), where a statutory instrument or some other form of subordinate legislation is being dealt with, an order must be laid revoking that legislation. I understand the hon. Gentleman's point, but it is adequately covered.

Mr. Cash: The right hon. Gentleman has a slight disadvantage, which is that I think that he is a reasonable man. I have no doubt that he will strive with all his might to arrive at reasonable grounds if the provision leads to the possible revocation of legislation. My problem with it—I invite the Secretary of State to answer the question that so far has not been answered by him—is that clause 111(7) purports to describe international obligations. It states that those are obligations other than those relating to European Community law.

However, with his great experience, the right hon. Gentleman must know that there are spheres of jurisdiction where Community law overlaps with what purport to be international obligations that might fall within the remit of domestic law. Does he accept that the Bill itself is subject to the question of whether the Court of Justice would arrogate to itself jurisdiction—

The First Deputy Chairman: Order.

Mr. Cash: On a point of order, Mr. Martin. I am making a substantive point relating to a question of important constitutional law which arises in the context of—

The First Deputy Chairman: Order. Let me answer that point. The hon. Gentleman made an intervention and he should know by now that interventions should be brief. He certainly had a good innings in that one.

Mr. Dewar: The hon. Member for Stone always has a good innings. It is always redeemed by the fact that he grins at his own efforts at the end, in the most pleasant and genuine of ways, and we all forgive him. [HON. MEMBERS: "No."] I can only ask my hon. Friends to search their hearts for charity. A perfect antidote is, when the hon. Gentleman crosses the 18th minute, to leave the Chamber. That cuts the pain quite considerably.

On a more serious note, I cannot pretend to be an expert on international jurisdiction, but I hold to the simple point that I have made—that we have built into the Bill a series of procedures to reduce any possibility of friction. That is what we are constantly being asked to do. The hon. Member for Stone is only one of a procession of hon. Members saying, "Oh, if there is friction, what a difficulty that will be." This measure meets that point.

Clearly, if there is a difficulty, we would expect the respective authorities in Edinburgh and London to discuss the issue and to see, at official level, whether agreement could be reached. There might have to be ministerial contact at both ends of the country. From that, one proceeds in the way that we have described—the European way, through section 2(2) of the European Communities Act 1972 or, if it is an international obligation, the route that we are now debating.

Mr. Salmond *rose—*

Mr. Dewar: I hope that the hon. Gentleman will bear with me for a moment.

I come now to some of the other points that have been made. I am anxious to get across that this is a belt-and-braces and a fail-safe measure, not a general override power which a Secretary of State can use at whim. If he had to lay orders because it involved subsidiary or primary legislation, clearly he would, in the first place, have to convince the House, which, presumably, is not beyond reason, and, if it was arbitrary, the House would tell the Minister in no uncertain terms that that was so.

However, if the Minister got the measure through the House and at that point it was still thought to be arbitrary, we have built in the reasonableness test exactly to ensure that it would be justiciable so that those who were oppressed, or felt that they had been oppressed, by an arbitrary decision could go to the Court of Session, or some other relevant domestic judicial forum, in order to test and contest that issue.

I understand the point made by the hon. Member for North Essex (Mr. Jenkin) about the part that the courts could play, but speed is the essence of this. If there is a breach of an international obligation, it must be brought to an end as quickly as possible. If it has not been possible to do so through agreement, and one then has to have recourse to the courts, it is right to do so in order to test the reasonableness of the decision that has been taken.

I am sure that my hon. Friend the Member for Linlithgow would recognise that the term "Secretary of State" does not just mean the Secretary of State for Scotland. It means the relevant Secretary of State. If the matter concerned was a breach of an international obligation, it is likely that the Foreign Secretary would bring the matter to the House of Commons and, ultimately, deal with the situation that had arisen.

Mr. Salmond: A few seconds ago, the Secretary of State said that a Secretary of State would first have to get the matter through the House. By what procedure would that be done? Would it be by affirmative resolution? Given that international obligations are often arguable—the Spanish interpretation of their obligations in fisheries policy is often different from that in the United Kingdom—why should the judgment of an individual Secretary of State on what is or is not an international obligation be superior to that of an entire Scottish Parliament?

Mr. Dewar: We propose to use the negative procedure. We are talking about a breach of an international obligation; that is not some vague concept amounting to no more than a disagreement about policy. We are talking about a specific breach which is causing acute difficulty to the Government of the United Kingdom and where a solution, in these extreme circumstances, has to be found. Our proposals are not unreasonable.

I wish to refer to the essence of the amendments, and perhaps I could be spared further interventions in the interests of the Committee.

Several points have been made. We have been asked why we do not assume that the matter will be dealt with under the ultra vires negotiations through the normal dispute procedure over vires that leads to the judicial committee of the Privy Council. The answer to that—put fairly by the hon. and learned Member for Orkney and Shetland (Mr. Wallace) on another occasion, and again today—is that it is difficult for the courts to deal with international obligations that have not been imported into their own domain of domestic law. The courts are not normally in a position to assess the compatibility of actions under domestic law with our international obligations, except to the extent that they have been incorporated into domestic law.

It may be useful to bear in mind that international obligations include not only those established by international treaties, but obligations under customary international law, binding Security Council resolutions and decisions of international tribunals such as the International Court of Justice. These could all be relevant and could lead to great difficulty if there were an impasse on the matter. It is right to build in the kind of machinery we have been discussing.

9.45 pm

I wish to give two brief examples, as it is important to put them on the record. In terms of marine transport, there are obligations under customary international law. If, for example, a Scottish Executive were to impose restrictions on entry to Scottish ports which would be inconsistent with these obligations, there could be a need for action under clause 54. Similarly, the bilateral air services agreement to ensure non-discriminatory treatment at airports is another example where it would be extremely difficult for the domestic courts to act.

To sum up, ultra vires is a track to the Judicial Committee of the Privy Council, but it is not available to us. There are great difficulties in customary international agreements in using the domestic courts. We have suggested, in the most unlikely circumstances in which this will be necessary, that we move with some speed; that the provision is justiciable within the domestic courts because of the reasonableness test; and that it is a sensible provision which will allow good order and sensible business to be conducted within the United Kingdom, while accommodating the proper position and the legislative competence of the Scottish Parliament. Those of us interested in that good order will see that this is a sensible clause which does not require the kind of amendment that the Opposition have urged upon us.

Mr. Jenkin: I shall be extremely brief, and I am grateful to the Secretary of State. However, we are not satisfied because, quite simply, we are dealing with a potentially draconian power. These matters will be subject to dispute. The Secretary of State may find himself dealing with a substantially nationalist Parliament, as we see from recent opinion polls. Even when he takes action—and it becomes clear that the reasonableness test has been satisfied by a judicial review—if the Scottish Executive persists with an action or refuses to take an action which has been outlawed, what then?

Mr. Dewar: Legislation.

Mr. Jenkin: I am grateful for that clarification. But how much better it would be to take the heat out of the matter initially by making sure that the courts dealt with it ab initio, rather than dragging in the courts later—perhaps after mistakes had been made.

Question put, That the amendment be made:—

The Committee divided: Ayes 181, Noes 323.

Division No. 162] **[9.48 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Cunningham, Ms Roseanna *(Perth)*
Curry, Rt Hon David
Dafis, Cynog
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Ewing, Mrs Margaret
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David *(Somerton & Frome)*
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross Skye)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Livsey, Richard
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Swinney, John
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Thompson, William
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Webb, Steve
Wells, Bowen
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. Nigel Waterson.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne

Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
He[illegible], Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keable, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Malleber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Rammell, Bill
Rapson, Syd
Robertson, Rt Hon George
(Hamilton S)
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann
(Dewsbury)
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Alan W *(E Carmarthen)*

Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Jim Dowd and
Jane Kennedy.

Question accordingly negatived.

It being after Ten o'clock, THE CHAIRMAN, *pursuant to the Order [9 February] and the Resolution [this day], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 54 ordered to stand part of the Bill.

Clauses 55 to 58 ordered to stand part of the Bill.

Clause 59

POWER TO TRANSFER FUNCTIONS

Amendments made: No. 323, in page 25, line 2, leave out 'Subordinate legislation may' and insert

'Her Majesty may by Order in Council'.

No. 324, in page 25, line 10, leave out 'subordinate legislation' and insert 'an Order'.

No. 325, in page 25, line 13, leave out 'legislation' and insert 'Order'.

No. 326, in page 25, line 16, leave out 'Subordinate legislation' and insert 'An Order'.

No. 327, in page 25, line 18, leave out 'subordinate legislation' and insert 'an Order'.—*[Mr. McFall.]*

Clause 59, as amended, ordered to stand part of the Bill.

Clause 60

TRANSFERS OF PROPERTY AND LIABILITIES IN CONNECTION WITH FUNCTIONS

Amendments made: No. 328, in page 25, line 31, leave out 'subordinate legislation' and insert 'an Order'.

No. 329, in page 25, line 41, leave out 'subordinate legislation' and insert 'an Order'.—*[Mr. McFall.]*

Clause 60, as amended, ordered to stand part of the Bill.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—*[Mr. McFall.]*

Committee report progress; to sit again tomorrow.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael J. Martin): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CONSUMER CREDIT

That the draft Consumer Credit (Increase of Monetary Limits) (Amendment) Order 1998, which was laid before this House on 13th January, be approved.

EMPLOYMENT AND TRAINING

That the draft Industrial Training Levy (Construction Board) Order 1998, which was laid before this House on 15th January, be approved.

That the draft Industrial Training Levy (Engineering Construction Board) Order 1998, which was laid before this House on 15th January, be approved.

FEES AND CHARGES

That the draft Department of Transport (Fees) (Amendment) Order 1998, which was laid before this House on 15th January, be approved.—*[Mr. McFall.]*

Question agreed to.

Beef Bones Regulations

[Relevant document: The memorandum relating to this instrument contained in the Nineteenth Report of Session 1997–98 from the Joint Committee on Statutory Instruments (HC 33-xix).]

10.4 pm

Mr. Charles Kennedy (Ross, Skye and Inverness, West): I beg to move,

That an humble Address be presented to Her Majesty, praying that the Beef Bones Regulations 1997 (S.I., 1997, No. 2959), dated 15th December 1997, a copy of which was laid before this House on 15th December, be annulled.

People from the outside world looking in at the proceedings of our House and Parliament must feel somewhat bemused. It is only now, well into February and some considerable time after the event, that the House of Commons has got around to debating something that has excited great public and consumer controversy and that has, in effect, legal force, following the decision of Her Majesty's Government. When some of our European colleagues examine the way in which we do things in this House and Parliament—not least on matters agricultural—Ministers will have difficulty in defending and explaining their activities to their European counterparts. A procedure such as this can only add to Ministers' difficulties and to our difficulties as a House.

The purpose of our prayer is to give the Government in particular and the House in general an opportunity to agree, on Division, that it is never too late to think again about the regulations. [HON. MEMBERS: "Hear, hear."] I welcome that generous response from the Conservative Benches, because I want to introduce a note of cross-party harmony between the Liberal Democrats and our friends in the parliamentary Conservative party.

When the Minister of Agriculture, Fisheries and Food came to the House before Christmas and made his initial statement, in response outside the House, the leader of the Conservative party wobbled a little, saying that the Conservative party may have had to give the statement a bit of support. However, a much more trenchant response came that afternoon from the right hon. Member for Fylde (Mr. Jack), who replied on behalf of the Conservative party in the House.

None the less, I and other Liberal Democrats who were present noticed that the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), the previous Minister of Agriculture, endorsed the Government's actions. I notice that he is not in his place. I can only wonder whether the parliamentary Conservative party or the Government feel more embarrassed by his endorsement of the Government's proposals. Given his uncharacteristic absence from a debate such as this, I wonder whether the 1922 Committee has him under house arrest.

Both Liberal Democrat and Conservative Members will vote in favour of the humble address; they support our motion. I welcome the fact that the Liberal Democrats, in that spirit of generosity that characterises our approach, are happy to be able to offer the parliamentary Tory party two things that it has lacked so much during this Parliament: direction and leadership.

Mr. James Gray (North Wiltshire): I welcome the opportunity to return to the hon. Gentleman the thanks of the parliamentary Conservative party for the support that his noble Friends in the other place gave to the Conservative party when it prayed against the same order there.

Mr. Kennedy: That is a particularly decent contribution from the Conservative candidate whom I defeated in 1992. The generosity of the Conservative party knows no bounds.

There is much that the Conservatives are on the back foot about because, before 1 May, they had been in government for a long period, but this is one aspect of agricultural policy where the Government of the day have had sole control, and it is therefore right that we hold the Government of the day to account and clearly state our opposition to their proposal.

Let me make it clear that the opposition of the Liberal Democrats to the measure—here we part company and I shall leave the right hon. Member for Fylde (Mr. Jack) to make his own case—is both practical and philosophical. It is not what has been characterised in certain newspapers such as the *Evening Standard* as a personalised attack on the Minister of Agriculture. I note that he has been described as "Dr. Jack Boot" in certain editorial columns—[HON. MEMBERS: "Where is he?"] I assume that he is consoling the former Minister of Agriculture.

It is not a cheap, opportunistic campaign against the Minister of Agriculture. I acknowledge that he has reflected carefully on the matter. The Liberal Democrats are not arguing that the Government should have pursued a policy of anti-disclosure or secrecy when the scientific and medical evidence was passed on to them during the second half of last year. For a party that has long since argued the case, now taken up by the Government, for a food standards agency, that would be a perverse thing to do.

Our objections on the practical level, however, arise first from the fact—as the Minister said in his original statement before Christmas—that SEAC, the Spongiform Encephalopathy Advisory Committee, as well as giving him the evidence and the medical advice from the chief medical officer, set out three options, which the Minister outlined in his statement. The Government decided on the toughest, the most radical or the most extreme option. *[Interruption.]* Labour Back Benchers may say that it was sensible, but the people who are probably best placed to judge the sense of it are those who will have to enforce it. The Chartered Institute of Environmental Health described the measure as "practically unworkable". That is not a good basis on which to proceed.

Mr. George Stevenson (Stoke-on-Trent, South): If the hon. Gentleman finds my right hon. Friend's decision so unreasonable, why did the Liberal Democrats oppose the previous Government when they said that there was no danger of transmission from one animal to another or from animal to human? Yet now that my right hon. Friend has taken the decision, they oppose it.

Mr. Kennedy: I defer to my hon. Friend the Member for North Cornwall (Mr. Tyler), but I think that our stance on the issue during the last Parliament shows that the hon. Gentleman's remarks are glaringly wide of the mark. The Liberal Democrats never pursued that case, nor are we doing so tonight.

First, the practicality of the measure is fundamental to judging its worth. Secondly, there is a fundamental philosophical point to be considered. Although individual citizens are right to look to the state and the apparatus of Government for security, advice and support, when it is necessary, when the element of risk is defined as being as minute as it is in this case, we decisively come down on the side of individual liberty. Provided that the necessary information has been placed in the public domain, the individual should be left to make the critical judgment.

Mrs. Anne Campbell (Cambridge): Is it not the case that new variant Creutzfeldt-Jakob disease has such a long incubation period that it is extremely difficult to determine the risk? In saying that the risk is negligible, is not the hon. Gentleman misleading the House, because we simply do not know, and therefore we had to err on the side of caution?

Mr. Kennedy: I draw the hon. Lady's attention to the remarks at the National Farmers Union annual conference last week by the Government's principal adviser who chairs SEAC. He pointed to the fact that the incidence of bovine spongiform encephalopathy and the concerns that have been attendant upon it are now, thank goodness, moving decisively in the right direction. Set against that backdrop, the decision seems all the more practically and philosophically perverse.

The third point is the nature of the consultations that were conducted not only inside but outside Parliament. The hon. Member for North Wiltshire (Mr. Gray) mentioned the consultation, in the form of a debate, that occurred in the other place, which resulted in a vote of 207 to 97 against the Government. Most interestingly—I say this as a representative of a party that shares the Government's enthusiasm for getting rid of the hereditary element—even if one breaks down that vote and disregards the votes of hereditary peers voting, the Government would still have lost the vote. That should tell Ministers something about the force of their argument.

Let us consider the Government's practical consultation process. The statement was made in the House on Wednesday 3 December; the official proposals were faxed over the following weekend, with a response deadline of 4 pm on 12 December; the order was made on 15 December; and the ban was effective from 16 December. Mr. John Fuller, director of the National Federation of Meat and Food Traders—who I should have thought would know a thing or two about the matter—described that as making

"a mockery of the consultation process bearing in mind SEAC's assessment of the minimal risk."

Given that the Ministry, on a practical level, has not always covered itself in glory, I was amazed at the speed and the rapidity with which it assessed the replies to the consultation—not least when among the 300 very disparate organisations that it consulted were the Al Hasaniya Moroccan Women's centre and the Association of Circus Proprietors of Great Britain. I do not know whether that was a case of the Ministry wanting to know whether lions in winter prefer their beef on or off the bone, but I think that, when they consulted so widely and—as the BBC "Food and Drink" programme reported in the past 24 hours—only seven of 104 responses supported the Government's ban, Ministers should have started a fresh consultation or thought twice before imposing the ban.

Perhaps, in passing, I may mention one other matter that is indicative of the debate on beef, of the ban on British exportation and even more so of the importation standards that are being applied to beef entering this country—which many hon. Members feel does not have to meet the stipulations that we place on our own beef producers. The vast majority of imported beef is deboned. Once beef is off the bone, it is very difficult to ascertain whether the specified risk materials—on which, from 1 January, the Government have rightly taken action—have been removed in accordance with UK domestic practice.

Therefore, there should surely be a total ban on beef imports from member states in which the specified risk materials have not been removed to the standards that we are imposing on our own sector. Additionally, surely further spot checks of consignments of imported beef should be made at their final destination—which is permissible under single market regulations and not contrary to the provisions of the European treaties that we have signed.

I hope that, in responding to the concerns that have been raised widely in the debate, the Minister will be able to address that issue. Like hon. Members who have spoken to farmers anywhere in the United Kingdom in the past few months, he can be under no illusion that farmers are suffering not only from a sense of injury but from the sense of insult that accompanies that injury because of the lack of a level playing field. As we pursue a policy of removing beef from the bone, we are increasing the likelihood of not being able to check imports to the same standards that we apply to our own beef.

Another issue—perhaps the Minister will reply to it, too—is that, when the ban was imposed, more than a few farmers had cattle booked into abattoirs and butchers lined up to buy the carcases. They then discovered that those buyers pulled out because of the huge uncertainty that developed almost overnight. If the cattle were just under 30 months old, the farmers may well have had to enter them for the over-30-months scheme. We have all seen the cuts in that scheme under this Administration. Even if the Government resist repealing the ban, it should certainly not apply to cattle under the beef assurance scheme, which has already been established under SEAC regulations, because there is not the slightest possibility of contraction of BSE in such herds.

What of the risk factor? What judgment did the Minister make? SEAC concluded that there was a minute chance of transfer of the BSE agent via the nervous tissue attached to the spinal base tissue. What was the calculation of odds? After the matter became public, it became common parlance that the calculation of odds was 1,000,000,000:1.

Dr. George Turner (North-West Norfolk): Will the hon. Gentleman give way?

Mr. Kennedy: I will, for the last time, but not before pointing out that there is 100 times more chance of being struck by lightning.

Dr. Turner: As I am a new Member, will the hon. Gentleman remind me what the then Government said

[Dr. Turner]

were the odds on CJD being transmitted to humans? As a member of the public, I remember being told that there was no chance.

Mr. Kennedy: I am certainly not here to defend the previous Government. The quantifiable difference between this state of affairs and the previous state of affairs is that the scientific evidence has been published and made available to the public. That was not so before.

The calculation of odds does not back up the case being made by the Government. As a previous Prime Minister famously said, advisers may advise, but Ministers decide. Ministers took this decision and Ministers have to face up to the fact that, within hours of taking it, consumers were voting with their feet, purses and wallets and stocking up for Christmas.

Mr. Richard Livsey (Brecon and Radnorshire): I had the good fortune this afternoon to meet Professor Frank Raymond, who was a senior MAFF adviser and probably the best British expert on beef. He described the order as a travesty because it was not based on the soundest possible research.

Mr. Kennedy: I am grateful to my hon. Friend. I confirm that the two of us have met several delegations of farmers from different parts of Wales, the west country, Northern Ireland and Scotland. The same message comes through time and again. There is inevitable professional frustration at the way in which the figures are presented and the conclusions are reached. There is a sense that there is no genuine consultation in the minds of Ministers or the actions of the Ministry.

Mr. John Townend (East Yorkshire): Before the hon. Gentleman sits down, will he deal with the inconsistency in Government policy on risk factor? The Government have banned T-bone steaks and oxtail, although, as the hon. Gentleman has said, they carry a risk of 1,000,000,000:1. The decision on smoking, as a result of which hundreds of thousands of people die every year, is left to the individual. We put warnings on the packets, but leave the decision to the individual. What is the difference in this case?

Mr. Kennedy: As a smoker, I have to be careful. As my hon. Friend the Member for North Cornwall (Mr. Tyler) has pointed out, the risk for the smoker is not so much what we should be concerned about. We should be more concerned about the passive smoker who is sitting next to him. The hon. Gentleman raises a legitimate point; there is inconsistency. I suspect, having read the press statements of the right hon. Member for Fylde, that we shall be hearing more about that.

Mr. Martyn Jones (Clwyd, South): Will the hon. Gentleman give way?

Mr. Kennedy: No, I must make progress. It would not be fair to give way, as many hon. Members want to speak.

I direct my remarks to Labour Back Benchers, especially the newly elected ones who have participated fully in the chorus, whipped up by the Prime Minister, that they are members of the most rural, countryside parliamentary Labour party ever to have been returned under the coat tails of a Labour Government. If that is so, Labour Members should reflect carefully before tonight's vote. This is a litmus test issue, not just for farmers but, in its knock-on effects, for the rural economy as a whole.

Labour Members should ask themselves who will win if the motion is defeated. Farmers will not; they are experiencing yet another dent in the reputation of one of their principal products in an already weak market. The consumers will not win, either. They are denied a right to decide. Moreover, for the few days when they had that right to decide, they exercised it in complete defiance of the Government's advice.

There will be no winners in terms of the reputation of Ministers. By a perverse irony, the reputation of the previous Minister of Agriculture suffered because he was perceived as doing too little, too late, and now the reputations of a new set of Ministers are suffering because they are perceived as doing too much, too soon.

If the motion is defeated, the real loser will be Parliament itself. We should ask ourselves a serious question: if, after dubious and inadequate consultation, Parliament passes unworkable and unenforceable legislation, which does not command public confidence and which encourages otherwise law-abiding people to behave illegally, it is failing in the job that it should be doing. We are talking about a bad law. The Government should take the opportunity offered by this Liberal Democrat motion and—in the words of a Scots song—go home and think again.

10.26 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): I am pleased to have this opportunity—I understand the points made by the hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) in his opening remarks—to explain why the regulations were introduced, as, clearly, a number of misconceptions have been voiced in recent weeks and recent minutes. Given the short time available, I shall cover the main points as briefly as possible.

The Government have been accused of taking a rushed decision in response to a very small risk. We did not. There were indications last summer from the Spongiform Encephalopathy Advisory Committee that actions might need to be taken to remove the risk of a newly discovered BSE infective material entering the human food chain.

The picture became clearer in succeeding months. In late November, my right hon. Friends the Minister of Agriculture, Fisheries and Food and the Secretary of State for Health, with other Ministers, met to consider the issues with the chairman of SEAC, the deputy chief medical officer and senior officials. At the time, the research results were known, but SEAC's likely recommendations were not. When SEAC's recommendations were known and the chief medical officer's advice had been sought and received, a decision was taken by Ministers, including the Prime Minister.

There was therefore no ill-considered or hasty reaction to SEAC's report. My right hon. Friend the Minister of Agriculture, was able to make a statement to the House on 3 December that had been fully and carefully thought out.

Mr. John Burnett (Torridge and West Devon): Will the hon. Gentleman give way?

Mr. Rooker: No, I shall not give way for the moment.

It may assist the House if I put SEAC's recommendations in the context of the research findings that led to them. New results from continuing research had shown, first, that BSE infectivity had been found in the dorsal root ganglia of bovine animals. Secondly—something that the hon. Member for Ross, Skye and Inverness, West did not mention—there were indications, which are still being evaluated, that BSE infectivity may also be found in the bone marrow of cattle. Dorsal root ganglia are in the channels within back bones. The preliminary findings of possible BSE infectivity in bone marrow apply to all bovine bones. SEAC reported that the risk to human health was very small, a point to which I shall return.

SEAC's advice came in two parts and not as the hon. Member for Ross, Skye and Inverness, West described it or as has been reported. First, SEAC recommended that the research results should be published and consumers warned of the risk—we did both at once. Secondly, the committee recommended that, if the Government decided that further action was necessary to reduce the small risk further,

"either: no beef with the bone in from cattle over 6 months old should be sold to the consumer; or cattle slaughtered between 24 and 30 months of age for human consumption should be deboned under official control by the Meat Hygiene Service in licensed plants".

Frankly, it should have been no surprise to anyone either inside or outside the House or in the scientific community that we decided that further action was necessary. Ever since the introduction of the ban on specified bovine offal in 1989, Governments have always—I repeat, always—excluded from the human food chain any tissue in which BSE infectivity has been identified. The only way to ensure that that was done in the light of the new SEAC findings was to prevent bone-in beef from cattle over six months old from being sold to consumers.

That was one of the options SEAC had recommended. The other—the deboning of older cattle slaughtered between 24 and 30 months of age—was not a practical proposition owing to lack of cutting plant capacity and because the Meat Hygiene Service does not have sufficient qualified staff for enforcement.

Mr. Michael Jack (Fylde): Why did not SEAC recommend those options?

Mr. Rooker: That was not SEAC's view. We are making the decisions and that is what we are accountable for.

Mrs. Angela Browning (Tiverton and Honiton) *rose—*

Mr. Rooker: I will give way to the hon. Lady in a moment.

The Government took very careful account of advice from the chief medical officer, Sir Kenneth Calman. Sir Kenneth made it absolutely clear that he

"would be very concerned if any tissues that have been shown to transmit BSE were knowingly allowed to remain in the human food chain".

Therefore, the action taken was fully in line with past practice and the chief medical officer's firm advice on the need for action as the natural history of BSE and new variant CJD is still largely unknown.

Several hon. Members *rose—*

Mr. Rooker: I will give way in a moment.

Some people claim that there is no example in the past of SEAC giving a view without a recommendation. That is incorrect. In 1994, advice only was given on the use of calf intestines and thymus. However, the then Government operated a policy of extreme caution. In a parliamentary answer, the then Minister of Agriculture, the right hon. Member for South-West Norfolk (Mrs. Shephard) said that SEAC had

"concluded that the theoretical risk of infection of man from food from infected calves is minuscule. They advised that the continuing results of the experiment should be carefully monitored to confirm this basic conclusion."

The right hon. Lady continued:

"I have carefully considered this advice in consultation with my right hon. Friends the other Agriculture Ministers and the Secretary of State for Health. We have concluded while the assessment of SEAC and of the CMO is that any risk to health is minuscule, the Government's policy of extreme caution in relation to BSE requires us to ensure that the tissues in which infectivity might potentially occur are removed from the human and animal food chain."—[*Official Report*, 30 June 1994; Vol. 245, c. 654.]

I greatly regret that the Opposition have now disowned that very clear policy.

Mrs. Browning: I have listened carefully to the Minister, and I understand his point about advice from SEAC and the chief medical officer and the need for a belt-and-braces policy. However, there is an inconsistency in the decision made by the present Government compared with decisions made by the previous Government in respect of different parts of the carcase. If there is a risk, however minuscule, why is the material not specified bovine material and treated properly, as the rest of the carcase which is considered to be at risk is treated?

Mr. John Home Robertson (East Lothian): Is that what the hon. Lady is suggesting?

Mrs. Browning: No, I am not suggesting that. If the Minister is going to put forward an intellectual case for the risk, he must also explain why the material is not SBM.

Mr. Rooker: I shall come to that point—the hon. Lady has asked a fair question. We are being practical about the nature of the bits involved. I notice that she did not refer to the potential problem in respect of bone marrow, which is conveniently ignored by most commentators.

To return to the risk to consumers, SEAC emphasised that the risk is very small; however, it is very real. Creutzfeldt-Jakob disease is a terrible disease. The first

[Mr. Rooker]

signs of new variant CJD are often psychiatric, including anxiety, depression and behavioural change which progresses. After a period of weeks or months, difficulties in walking appear—*[Interruption.]* This is not a joking matter for victims' families.

The patient develops uncontrollable jerky movements, progressive stiffness of the limbs and incontinence. As the disease progresses, patients lose awareness of their surroundings, become unable to recognise members of their family and finally pass into a state of complete physical unresponsiveness. There is no treatment and, after one or two years, the patient dies. It is distressing to family and friends to watch someone they care for and love become so seriously ill. No one—I repeat, no one—has yet recovered.

The idea that we might be able to cook our way out of this—that we might be able to eliminate the risk by cooking—is a non-starter. The agent with which we are dealing is so powerful that surgical instruments used on new variant CJD victims have to be destroyed—they cannot even be sterilised. It would be quite wrong to expose people to the disease unnecessarily. I am well aware that many people believe—I hope that their belief is based on ignorance, rather than on callous disregard—that it would be enough to warn consumers of the risks and leave them to make their own decision. I fundamentally disagree with that.

One cannot tell which of the bones in a butcher's shop contain tissues that are BSE-infective. If we allowed free sales of bone-in beef, there would be no protection for the many consumers of beef that had been cooked on the bone—people who wanted to continue to eat beef would have no choice. With pre-prepared or manufactured foods, the problem becomes even more difficult, as without a total ban on the use of the bones or of beef cooked on the bone, it would be impossible for consumers to tell whether their food was safe to eat.

Mr. David Heath (Somerton and Frome): None of us would discount the horrors of CJD, but would the Minister explain one technical point? I find it hard to grasp the distinction being made between the infectivity of the dorsal root ganglia and the infectivity of the neural process which forms part of the same cell but lies outside the spinal column and the autonomic ganglia, which also lie outside the spinal column. Why are they treated differently?

Mr. Rooker: Because the SEAC advice is specific to the dorsal root ganglia and potentially to bone marrow, to which subject I shall return.

Mr. David Curry (Skipton and Ripon): Will the Minister give way?

Mr. Rooker: No, I want to continue. This is a very short debate and I am the one who will be criticised for using up time. I have already given way a couple of times, but I shall give way to the right hon. Gentleman before I sit down.

It is far better in such circumstances for consumers to be able to rely on the fact that all the tissues that are known to carry the risk of infectivity have been removed entirely from the food chain. Not only does that give full public health protection but it serves to boost, rather than undermine, consumers' confidence in beef and beef products. At a time when the beef industry is facing difficulties, that is not something to be dismissed as lightly as I fear that it is dismissed by the Opposition.

Dr. Jenny Tonge (Richmond Park) *rose—*

Mr. Rooker: I shall give way in a moment—to the right hon. Member for Skipton and Ripon (Mr. Curry).

I remind the House what I said earlier about potential marrow infectivity. We do not yet have confirmation of that point, in the same way as in the summer we did not have confirmation about dorsal root ganglia. We waited for confirmation before we acted. It would have done more damage to the industry and no service to the consumer if the Government had had to come back to the House a few short months later to deal with what was, essentially, exactly the same problem.

Opposition Members have claimed outside the House—and will probably repeat tonight—that it is not possible to enforce the regulations. That is far from the case. The media highlight a few individuals but the hype is at variance with what is happening in the rest of the country. The regulations are as enforceable as other public health and consumer protection measures. Guidance has been given to local authorities—which has been welcomed today by the Chartered Institute of Environmental Health—and to the Meat Hygiene Service to help them in that task, and I am confident that they are doing it effectively and to the best of their ability.

Mr. David Maclean (Penrith and The Border) *rose—*

Mr. John Swinney (North Tayside) *rose—*

Mr. Rooker: I repeat that I will give way, but to the right hon. Member for Skipton and Ripon—in a moment. I admit that some breaches of the regulations have been reported, but the vast majority of food manufacturing, distributing and retailing businesses are complying willingly. I challenge any right hon. or hon. Member to deny that fact. Equally, most consumers appear to have accepted the need for the controls at the current time.

Any businesses that are found to be acting illegally are being advised of their obligations and warned to stop. Thereafter, the matter is not one for the Government but for the judicial process.

Mr. Curry: Have not the Government themselves redefined risk? I refer the Minister to the White Paper on the Food Standards Agency. The third guiding principle for the agency states:

"The Agency will make decisions and take action on the basis that . . . the Agency's decisions and actions should be proportionate to the risk; pay due regard to costs as well as benefits to those affected by them; and avoid over-regulation".

If that is the case, how is it possible to conceive that the Food Standards Agency would ban beef on the bone?

Mr. Rooker: I take that point on board. If and when the Food Standards Agency and its officials know what I do not know and what nobody in the House or outside knows—the incubation period of new variant CJD—a

proper decision can be taken. Until that is known, we cannot proceed on that basis. Opposition Front Benchers may wish to infect the population, but the Government will not do so. *[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. This is a serious subject and many people outside want to hear our deliberations. They should be taken calmly and in order.

Mr. Rooker: The Government have been criticised for going too far in the latest action, but we shall not be deterred by such accusations, nor shall we shrink from what I admit has been a difficult decision. We made it clear on taking office that we would treat consumer protection as our top priority. That was a change of policy from that of the previous Government.

Mr. Jack: On a point of order, Mr. Deputy Speaker. We have just heard an outrageous slur on the former Government, and I invite you to invite the Minister to withdraw his remarks.

Mr. Deputy Speaker: I have only heard points of argument, which the right hon. Member may in due course catch my eye and have the opportunity to rebut.

Mr. Rooker: The Government's decision to give consumer protection top priority was a clear change of policy from that of the previous Administration. That we have done, and we shall continue to do in relation to both British meat and imported meat. I am confident that, as a result of the action that we have taken, British beef is the safest in Europe and probably among the safest in the world, which is why we remain frustrated at the delay in reopening export markets.

As a result of our action in the House tonight in approving the regulations, Ministers can go to Brussels, look the Ministers of other member states in the eye and say, "Our beef does not contain infectivity." Without the regulations, we cannot say that. The controls are fully justified by the need to protect public health and enhance consumer confidence. In doing so, we are doing the farming industry a real favour. [HON. MEMBERS: "Oh no."] Oh, yes.

Mr. Paul Tyler (North Cornwall): Will the Minister answer two specific questions? First, in relation to what he has just been saying, how many other member states that have BSE have had to introduce the same regulations? Secondly, if the regulations are so easily enforceable, how many successful prosecutions have there been since 16 December?

Mr. Rooker: The answer to the second question is, I do not know. It might be early days. I am unaware of any successful prosecution—I am unaware of any prosecutions taking place. One reason for that is probably the fact that very few people are not obeying the regulations. *[Laughter.]* Regarding the hon. Gentleman's first point, which is a legitimate one, three or four, or perhaps five, member states are considering introducing these regulations and are seeking advice. At present, no country has introduced the regulations that we have, although I know that Italy has in force some similar regulations regarding beef imported from Switzerland.

Earlier I referred to advice given in 1994, and I quoted the former Minister of Agriculture, now the shadow Leader of the House. I said that that advice—it was also in the press notice and the answer to the parliamentary question—clearly stated by the then Minister, said, on scientific and medical advice, that there was no evidence of BSE causing CJD in humans.

That was 1994. We now know that that is not true. We do not know the incubation period of new variant CJD. The fact that there have been—some say "only"—23 cases so far gives no confidence and no guarantee that the number of new variant CJD cases will not increase dramatically. Think about it. We cannot yet predict the scale of the new variant CJD epidemic. We must take steps to reduce the risks that we can identify, and the risk of beef on the bone is a risk that has been identified—small, I accept, but nevertheless real. This is a responsible Government, and we could not have acted in any other way.

I believe that the regulations—I hate to upset Opposition Members—represent a balanced response to the position that the Government faced when they received SEAC's advice. Of course, we expect the BSE epidemic to come to an end by the year 2001. The practice is in line with the prediction at the present time and, as cases decline, it will naturally be right to review all the protective measures taken by the House, including this one, to which I hope the House will agree tonight.

10.48 pm

Mr. Michael Jack (Fylde): It is always a distressing incident in the House when a Minister loses his cool and emotion overcomes reason. I give the Minister of State the opportunity to intervene on my remarks by saying that, when the Conservatives were responsible for dealing with BSE and all its implications, we took all the scientific advice into account in protecting human health. We took very seriously indeed all the questions connected with Creutzfeldt-Jakob disease. We do not treat the subject lightly. I invite the Minister to withdraw his scurrilous accusations against the previous Government.

Mr. Rooker: Every measure was too slow, and we have embarked on a damage limitation exercise to restore public confidence.

Mr. Jack: The record will show that the Minister cast a slur on the Opposition, and I shall demonstrate why we have taken a responsible attitude in this matter.

Mr. George Stevenson (Stoke-on-Trent, South): I am grateful to the right hon. Member for giving way. In that context, will he explain to the House why, between 1986 and 1988, the previous Government did absolutely nothing to protect the consumer interest?

Mr. Jack: The hon. Gentleman should contain his enthusiasm and read the report of the Southwood committee, in which Professor Southwood praised the previous Government for the totality of their efforts on BSE. We are already seeing the Government's bullyboy tactics, which are designed to distract the House from properly considering the issues under debate this evening.

[Mr. Jack]

Before I entered the Chamber, I received a message from Mrs. Rolfe of Wantage in Oxfordshire. She said:

"On behalf of the farmers, butchers and customers I organised a petition at Millbrook Butchers of Grove in Oxfordshire. We collected 282 signatures!"

She sent a copy of the petition to her local Member of Parliament. She concluded her message by saying:

"The petition simply states that the ban on beef on the bone is an infringement of free trade of farmers and butchers and an infringement of the customer's right to choose."

The Conservatives speak on behalf of the beef eaters and the consumers of this country.

It is regrettable that this evening we have been treated to an emotional outburst by the Minister of State who spoke in place of the Minister of Agriculture, Fisheries and Food. Where is the Minister of Agriculture? He is clearly the one who took the political decision to go further than the advice of SEAC, and he should answer to the House this evening for his actions.

Mr. Eric Martlew (Carlisle) *rose—*

Mr. Jack: No, I will not give way. We have heard enough from Labour Members; I want to make some points in this debate.

The Minister of State gave the impression that sweetness and light surrounded the decision to impose the ban. However, he did not tell the House about the answer that the Minister of Agriculture gave me on 22 December. In the context of SEAC's advice, the right hon. Gentleman said:

"the advice I have received represented the consensus view of all the members of the Committee who attended the meeting."—[*Official Report*, 22 December 1997; Vol. 303, c. *486*.]

The word "consensus" is crucial: it means that there was not unanimity.

The Minister knows that there was disagreement within SEAC about the matter. He also knows that that is why the committee gave further advice to Ministers. The Minister did not put before the House the terms in which that advice was couched. According to paragraph 6 of the SEAC advice, using a series of "pessimistic assumptions" the committee worked out that there was a 95 per cent. chance of no cases of new variant CJD occurring as a result of people eating beef on the bone, and only a 5 per cent. chance of one case arising in the whole of 1998. The committee went on—

Mrs. Anne Campbell (Cambridge) *rose—*

Mr. Jack: I want to make this point before the hon. Lady tries to put me off my stroke.

I remind the Minister of paragraph 7 of the SEAC advice:

"We recommend that the new research findings from the pathogenesis experiment together with our assessment set out above be made public."

I make it clear that the Opposition do not disagree with the public's being given that information: an informed choice is a vital contribution to public health. However, the advice continues:

"If the Government decides that action is necessary to reduce this small risk further"—

a risk that we have already learnt is 1,000,000,000:1—

"we recommend"—

and it goes on to give two other options. Therefore, the Minister of Agriculture clearly took a political decision that went beyond the basic scientific advice provided. It was unnecessary.

It is interesting that, shortly after the Minister made his statement, MAFF put on the internet advice that effectively said, "You have now heard the new scientific finding. If you have beef in the freezer or in the fridge, you can make up your own mind about what to do with it." That is the way that it should have been.

Mrs. Anne Campbell: Does the right hon. Gentleman agree that a news release in June 1994 stated:

"The Government's Chief Medical Officer continues to advise that there is no evidence that humans can contract Creutzfeldt-Jakob Disease from an animal with BSE"?

He was wrong then. How can he be so sure that he is not wrong now?

Mr. Jack: The hon. Lady is confusing an argument of yesterday with the advice of this Government. We are here to debate the failings of this Government. I wonder how many Labour Members have told farmers, butchers and meat eaters in their constituency that tonight they will come here and do the business for them. It looks as though all they can do is use derision against our argument.

There is clearly confusion in the way in which the risk is handled in the Ministry of Agriculture. I asked the Minister whether he could tell me to what extent the calculation of risk to mortality governs his approval of food for human consumption. So far he has been unable to give an answer to that question.

Mr. Dale Campbell-Savours (Workington): Will the right hon. Gentleman give way?

Mr. Jack: Not to the hon. Gentleman.

Let us look at the inconsistency in the way in which the Government handle risk. Why are they prepared to sanction a risk of one in 200 of people dying from smoking cigarettes at the rate of 10 a day? With regard to food risk, why are the Government prepared to sanction death at the rate of one in 5 million from poultry meat infected by salmonella and meat infected by E. coli, yet, when it comes to a risk of 1,000,000,000:1, this Minister decides to act? He has told us about the risk of people dying, yet he turns away from greater risks of people dying.

It is a great pity that the Minister of Agriculture is not present. He has been a stalwart defender of the British Nuclear Fuels plant at Sellafield in his constituency. In my judgment the nuclear industry is safe, but the Library of the House of Commons confirmed to me that the additional risk of getting fatal cancer near Sellafield can be estimated in any year as one in 200,000. The Minister of Agriculture personally subscribes to a safe nuclear industry with a risk of one in 200,000, yet when it comes to negligible risk, he wants to decide for everyone else what risk is taken.

Once the risk is made public, people can make up their minds whether to live near Sellafield, and whether to eat beef. When the information on risk was made available, the Ministry put out on its internet site the following words:

"SEAC concluded that the risk is very small and did not say that the Government needed to act at all other than to make the results public. On this basis the action proposed by the Government is precautionary in the extreme"—

those are the Minister's own words—

"and there is no need to clear existing stocks. The Government has spelled out the risks to consumers so they can make up their own minds about stocks in the kitchen or in the freezer."

Why could the Government not have left it at that?

As to the chief medical officer, he has said that the risk to human health is "small, even negligible". Let us see what others say. The Scottish office of the British Medical Association says:

"There are many more risky behaviours about which the public remains uninformed and it would be sensible to let the public choose whether they are prepared to take what appears a minuscule risk."

Northern Foods—after all, Mr. Chris Haskins is dealing with better government—says:

"Finally, we would comment on the draconian proposals for what is agreed to be an extremely low risk. Surely it would have been sufficient to make the findings public and let consumers make their own choice."

Mr. Peter Luff (Mid–Worcestershire): My right hon. Friend rightly asks where the Minister of Agriculture, Fisheries and Food is. He is in the Smoking Room. Should he not be here?

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. The right hon. Member for Fylde (Mr. Jack) will decide whether to take interventions. We cannot have many hon. Members on their feet at the same time. There is a limited amount of time for the debate.

Mr. Jack: The Minister clearly knows where he wants to take his risks.

In reaction to the advice, Sainsburys, that reputable organisation in the sale of food, said:

"On this basis, we believe that where the risks in food available for human consumption are so low, that they cannot be statistically established, our task as a responsible food retailer is to highlight the implied risk to our customers and let them choose whether or not to buy the product."

If such organisations say that the Minister should have left it to advice, what right has he to order consumers in this nannyish way to do what he bids?

On the media today, the Minister has been fond of praying the National Farmers Union in aid of his cause. In a letter of 12 December, the NFU said:

"Ordinary common sense would suggest that consumers should be provided with the facts and be allowed to make their own purchasing decisions."

On oxtail, the Meat and Livestock Commission says that the science is not proven and that that should be taken from the ban.

If all that inconsistency in government is not enough, the Minister for Public Health, in introducing the Green Paper last week, tellingly said:

"People don't want to be bossed around or be told what they should eat".

It is a pity that the Department of Health had not told the Minister of Agriculture what the new line was.

The whole of this advice is based on a scientific experiment which some have challenged. I shall be interested to hear what the Minister of State says in reply to the remarks of the noble Countess of Mar and the noble Lord Willoughby de Broke in the other place when they debated the matter.

The Government have tried to convince us this evening that they acted with speed. Why was it only today that they published the advice to local authorities on implementation? It took them a long time to get the rules right for this so-called well-thought-out policy. It is a shambolic performance.

The Minister of State serves a Birmingham constituency. Today I telephoned Birmingham's chief food safety officer and I listened carefully to what he said. He pointed out that, in terms of enforcement, his department works on a risk-based system. The risks of new variant CJD from eating beef on the bone are so low down on the risk scale that enforcement, will not happen unless people complain. The very people who want to buy beef on the bone are hardly likely to complain.

How many representations has the Minister had from his own Labour Back Benchers on the matter? I am sure that he has had lots of letters, and it is about time that we knew about that.

Let us consider enforcement. Paragraph 4 of the information that the Minister kindly sent me states:

"There is no requirement for increased food authority activity although there will be some additional demand for guidance".

Even the Minister is saying, "Carry on as normal, lads. Don't go out and do anything you wouldn't do otherwise." When we inquire what that is, we hear that it is the odd visit every six, 12 or 18 months to find out what is going on in the butcher's shop or the restaurant.

We then come to the clincher on enforcement. Paragraph 12 states:

"Bone-in beef displayed for sale at retail food premises, for example a butcher's shop, is an indication to an enforcement officer that beef may be being sold there in contravention of the prohibition"

of the regulation. It goes on to say that, if someone puts up a notice saying, "I will not sell it on the bone," that is all right. It is a complete farce, and the Minister of State knows it. The enforcement measures are nothing more than a sham, and they undermine all the so-called "serious discussion" that the Minister prayed in aid of the measure.

The Government are inconsistent in the way in which they handle risk, and they are taking a nannyish approach to the matter. The Opposition stand for informed consumer choice, and I invite right hon. and hon. Members to join us in the Lobby tonight.

Mr. Charles Kennedy: On a point of order, Mr. Deputy Speaker. I am sorry to interrupt the flow of debate, but I seek your guidance. Given the good turnout from both Opposition parties—and the fact that the shadow Cabinet spokesman is present—the absence of

[Mr. Charles Kennedy]

the Minister of Agriculture must be for a good reason, departmental or otherwise. In normal circumstances, the Minister of State would make an obligatory reference at the beginning of his speech to the right hon. Gentleman's absence.

I was not going to intervene until two things prompted me to do so. One was the statement by the Chairman of the Select Committee on Agriculture, the hon. Member for Mid–Worcestershire (Mr. Luff), that the Minister of Agriculture had been spotted in the Smoking Room. The second was that his absence from the Chamber is all the more remarkable since I am certain that, a few minutes ago, there was a rare sighting of that most exotic bird, the Minister without Portfolio.

Mr. Deputy Speaker: The hon. Gentleman must know that it is not a matter for the Chair who responds from the Treasury Bench.

Sir Patrick Cormack (South Staffordshire): Further to that point of order, Mr. Deputy Speaker. I fully accept that it is not a matter for the Chair who is in the Chamber and who is not, but Madam Speaker has on several occasions expressed her concern at the cavalier attitude that has been displayed towards the House by Ministers of the Crown. Is it not the ultimate cavalier attitude for the Minister of Agriculture to be sitting in the Smoking Room while this issue—which is of enormous concern to the farmers of this country—is debated on the Floor of the House?

Mr. Deputy Speaker: The hon. Gentleman knows that that is not a matter for the Chair. The Minister of State is answering for the Government on this matter.

11.2 pm

Mr. Eric Martlew (Carlisle): I shall try to lower the temperature—and I shall probably bore people. I shall support the Government tonight and oppose the Liberal Democrats' prayer. I have re-read the speech made by the right hon. Member for Fylde (Mr. Jack) on 3 December, and one would think that he supported the Government on that occasion. I read the speech three times and it suggested that he supported the Government—perhaps he could tell us otherwise. He then went on to carp, as he has just done. There has been a change in the attitude of the official Opposition.

We have to be ultra-cautious, because this House does not have a good record on BSE and CJD. We have what I would call a criminally complacent Opposition who were criminally complacent in government. I am sure that the public inquiry will find that.

Mr. Crispin Blunt (Reigate): Will the hon. Gentleman give way?

Mr. Martlew: No, I am not going to give way. I wish to be brief and allow other hon. Members to speak.

Mr. Gray: On a point of order, Mr. Deputy Speaker. Is it parliamentary language for the hon. Gentleman to describe the activities of the Opposition as "criminal"?

Mr. Deputy Speaker: I have heard nothing out of order. It is a matter of argument, and it is not an unparliamentary word to use.

Mr. Martlew: If the hon. Member for North Wiltshire (Mr. Gray) is so thin-skinned, he should not have come into Parliament.

I have probably taken part in every BSE debate since the 1980s, and this House has done badly on the issue. I was a member of the Select Committee on Agriculture—I see the hon. Member for Congleton (Mrs. Winterton), another former member of the Committee, in her place—which looked into BSE. We saw all the experts, scientists, farmers and butchers, and we concluded that British beef was safe. That was a wrong decision, and I apologise to the House for getting it wrong. Politicians rarely apologise, but that is what happened. If we are not careful, wrong decisions could be made again.

Mr. Lembit Öpik (Montgomeryshire): First, is the hon. Gentleman saying that the Government's view is that British beef is not safe? Secondly, at what odds should the public's lawful activities be banned? Given that it is far more dangerous to drive a car to come to Westminster to observe the proceedings of the House, would the hon. Gentleman support the abolition of the motor car for the same reasons he supports the abolition of beef on the bone?

Mr. Martlew: That intervention does not warrant a reply. I think that British beef is safe now. It was not safe when we had the Select Committee, and we reached the wrong conclusion, although we made some good recommendations. Had our recommendation for tracing been implemented by the previous Government, our beef would not have been banned in Europe.

In a statement on 20 March 1996, the then Secretary of State for Health said that there was a strong possibility of a link between new variant CJD and BSE. That statement replaced everything that we had been told before. It was tragic because we have lost people. An 18-year-old girl in my constituency had her life before her—she was bright, intelligent and full of life—but she died from the new variant CJD. That may be why I take this matter more seriously than other hon. Members.

Dr. Liam Fox (Woodspring): Will the hon. Gentleman give way?

Mr. Martlew: I am sorry; I shall not give way again.

There are other reasons why I take the matter seriously. I am a Cumbrian Member of Parliament and I worked in the dairy industry for 20 years. We received a delegation of Cumbrian farmers and we had disagreement after disagreement, but one matter on which many of them agreed with me was that the Government were right to ban beef on the bone.

Dr. Fox: Will the hon. Gentleman give way?

Mr. Martlew: I shall not give way on that point.

Those Cumbrian farmers do not want their products going into butchers' shops with a Government health warning stamped all over them like a packet of cigarettes. That would be nonsense. They also realise that beef on the bone represents 3 or 5 per cent. of the market and that they need to get the European ban lifted. That ban will not be lifted if we sell potentially dangerous beef.

Mr. Paul Keetch (Hereford): Will the hon. Gentleman give way?

Mr. Martlew: No, I shall not give way.

If we are to put the beef trade back on its feet, the best that we can do is continue the ban of beef on the bone and get the European ban lifted.

Mrs. Ann Winterton (Congleton): There is one point that the hon. Gentleman has not dealt with, which he must answer now. If he believes in the ban of beef on the bone, why have not the Government treated the bones in the same way as specified bovine material? If there is contamination, that is the only way in which they could proceed.

Mr. Martlew: I gave way to the hon. Lady because she was on the Select Committee with me and I was hoping that she would take the opportunity to apologise to the House for the fact that she, too, got it wrong on that occasion.

The ban is temporary; once we have eradicated BSE from the British herd, it will be lifted. In June 1996, the Ministry of Agriculture, Fisheries and Food released a press release, which said that the UK had had three objectives under its policy to control BSE, including:

"to protect consumers of bovine products in the UK and elsewhere against any risk, however remote".

That was when the Conservatives were in government. If they were in government today, they would ban beef on the bone. The Labour Opposition would have been sensible and would have supported the Conservative Government. Conservative Members are now playing politics with this issue. I am fed up with cheapjack jokes about this serious matter.

11.14 pm

Mrs. Angela Browning (Tiverton and Honiton): I had intended to deal with the weakness of the Government's regulations in terms of their enforceability. However, I am so concerned about some of the Minister's points about safety that I would rather address the issue of human health and the food chain.

The Minister put a compelling argument based on the advice that the Government have been given by the Spongiform Encephalopathy Advisory Committee about bone and the potential infectivity of bone marrow. I understand only too well that when such advice is given, the Government must act.

In the past 10 years, as further research has been made known, primarily through SEAC, different parts of the carcase and different organs have been deemed to be infective or potentially infective. Advice was given to the previous Government on thymus and tonsils. Not long ago, research showed that the retina in the eye was potentially infective. Orders were made that required the removal of that part of the carcase, and its disposal in such a way as to prevent infectivity from entering the food chain and from being a source of contamination.

The Minister said that the action that the Government have taken on bovine bone allows them to go to Brussels and say that British beef does not contain infectivity. I accept that statement. If he believes that this is a human health issue, and if he can make that statement with confidence in Brussels or anywhere else because of the requirement to remove bovine bones from the carcase so that they do not enter the food chain, it must surely follow that the Government should introduce measures to dispose of those bones in the same way as every other part of the carcase with potential infectivity is dealt with.

I cannot think of another organ or another part of the carcase that is deemed to be BSE-infective that is not disposed of in that way. I invite the Minister to name any part of the carcase that is potentially infective according to official advice, but which is not disposed of in the strict and rigorous way that he is familiar with and which I have outlined.

Mr. John Bercow (Buckingham): He remains seated.

Mrs. Browning: Indeed, he remains seated.

The fact of the matter is that the Government made a political decision. The Minister invoked the name of the Prime Minister when referring to that decision. If it was a political decision, the argument about a potential risk to the food chain is not legitimate. It must be one or the other. He has not convinced the House of the genuine basis of his concern about infectivity to humans. If his concern was genuine, he would have classified bones as specified bovine material.

Mr. David Drew (Stroud): In the immediate aftermath of the introduction of the ban on beef on the bone, the Meat and Livestock Commission carried out a full investigation through consumer research. It found that 40 per cent. of people who eat beef will continue to do so, come what may. However, a further 40 per cent. were uncertain, and would be worried by any rumours that might be spread. If that were a problem, consumer demand would have fallen considerably, whereas demand for beef in the past couple of weeks has been at its highest since February 1995. Is that consistent with the argument about problems caused by a ban on beef on the bone?

Mrs. Browning: The hon. Gentleman's colleague, the Minister of State, said that by taking this measure he could confirm that beef did not contain infectivity. If I accept that as a genuine statement in the interests of human health—and the Minister has invoked the advice that he has been given; not just the SEAC advice, but advice from the chief medical officer—I must accept that he genuinely believes that there is a risk. If he believes that, he should follow it through. I invite the Minister again to name any part of the carcase that has been deemed to be potentially infective in regard to BSE that is not properly disposed of. Otherwise, his argument on the grounds of human health and safety does not stand up.

Let me make a final point to the Minister. If human health is indeed at risk, I must invite him tonight to answer a named-day question that I put to him on 5 February:

"To ask the Minister of Agriculture, Fisheries and Food, if the requirement to remove bone from beef applies to animals killed on the farm for the farmers' own consumption."

Clearly, if there is a risk—as the Minister has said tonight—it would be indefensible for him to allow farmers to consume their own beef on the bone.

The Minister replied to me:

"I will reply to the hon. Member as soon as possible."

In other words, on 5 February he was not sure whether there was a risk to farmers or to any other human being. I invite him to say now whether he believes that farmers who consume beef on the bone from home-killed animals are at risk.

11.21 pm

Mr. Alan W. Williams (East Carmarthen and Dinefwr): Like my hon. Friend the Member for Carlisle (Mr. Martlew), I have been present at many—indeed, virtually all—the debates on BSE in the House over the past 10 years. The Opposition—the Government of the day—would have done better to listen more to the contributions of Members such as my hon. Friend the Member for Carlisle, my right hon. Friend the Member for Caerphilly (Mr. Davies)—who was here tonight—my hon. Friend the Member for Clwyd, West (Mr. Thomas), and, in particular, my right hon. Friend the Member for South Shields (Dr. Clark), who was a shadow Agriculture Minister for many years.

At many stages during the late 1980s and early 1990s, we warned the Government that they could never rule out the possible connection between BSE and CJD. We warned them relentlessly that that was always a possibility, but they dismissed it completely, and accused us of scaremongering. The Government's track record at the time was too little, too late. If the accusation is that we have erred too far on the side of safety, that is wonderful.

Dr. Fox: Will the hon. Gentleman give way?

Mr. Williams: No. Time is very short, and I have many important things to say.

I wanted to intervene on the Minister. I tried nine or 10 times, but he would not give way. I am glad that I have now been called. *[Interruption.]* I mean the shadow Minister, the right hon. Member for Fylde (Mr. Jack). He got into quite a huff over an allegation that my hon. Friend the Minister had made about the previous Government. I wish—I am happy to give way to the shadow Minister on this point—that the previous Government would have the decency to apologise to the families of the 23 victims of CJD whose deaths were caused by lack of action and by assurances that, at the end of the day, did not mean very much. We hope that there will not be many more victims, but the fact remains that the Conservatives have created an awful crisis in my constituency and throughout rural Britain.

Like most other hon. Members, I was taken aback when I watched the lunchtime news that day and heard the headline story that, in future, bones would have to be taken out of beef because of infectivity in both the dorsal root ganglia and bone marrow. I noticed on that lunchtime bulletin that, immediately after the Minister's interview, the president of the National Farmers Union, Sir David Naish, gave his support for the decision. In addition, the Meat and Livestock Commission gave its immediate support, and very important, Ruth Evans, director of the National Consumer Council, in a letter to *The Guardian* on 6 December, said:

"This Government is to be applauded for avoiding prevarication"

on the issue.

Several hon. Members *rose—*

Mr. Williams: I will not give way.

I listened intently to the arguments of the shadow Minister, the right hon. Member for Fylde, in attacking the regulations. He based his arguments completely on the fact that the risk is infinitesimal; it is one in a billion. SEAC did say that, but it is speculation. We have no real idea what the true risk is. As my hon. Friend the Member for Cambridge (Mrs. Campbell) pointed out in an intervention, there is a long incubation period: it could be three, five, 10 or even 30 years. There may be just 20 or 30 CJD victims or there may be thousands; we do not know. In that case, that one-in-a-billion risk becomes a risk of about one in 10 million.

Several hon. Members *rose—*

Mr. Williams: I give way to the right hon. Member for Fylde.

Mr. Jack: Have I understood the hon. Gentleman correctly? Is he saying that all the SEAC advice is speculative? That is the import of what he has just said. He is undermining the whole basis of the Minister's argument.

Mr. Williams: I was saying that, when SEAC speculates that the chance is one in a billion, that is based simply on the fact that, to date, the number of new variant CJD victims is 23. The figure is based on that order of magnitude of incidence. If the incidence is 10, 100 or even 1,000 times as much as that, which we cannot rule out at this stage, that one in a billion figure becomes 10, 100 or 1,000 times less.

Mr. Keetch *rose—*

Mr. Williams: As the hon. Gentleman has tried to intervene several times, I give way to him.

Mr. Keetch: Will the hon. Gentleman give me some advice to pass on to the beef farmers of Herefordshire? Are they more likely to die from eating beef off the bone in Herefordshire than from drinking and smoking in the tea and smoking rooms of the House of Commons?

Mr. Williams: Our beef is probably the safest in Europe, and it will be safer still if the regulations are passed.

Mr. Paul Marsden (Shrewsbury and Atcham): Does my hon. Friend agree that it is indefensible to say that we should allow the 5 per cent. risk, whereby there could be one more case of new variant CJD? Clearly, it is not sustainable to say that there should be another death on top of the other 23.

Mr. Williams: The problem with the previous Government was that, throughout the 10 years that they handled the crisis, they never adopted the precautionary principle. The most serious allegation that the Liberal Democrats, the House of Lords and the Conservative party can make against us is that we err too much on the side of safety, but it is about time that Governments throughout the world erred on the side of safety.

Several hon. Members *rose—*

Mr. Williams: Time is running out, so I shall not give way again.

I am surprised that in this evening's well-attended debate, we have spent one and a half hours debating beef on the bone, when there are more serious issues affecting the rural economy. Because of the BSE crisis and the value of

the green pound, and thanks to the previous Government and the problems that they caused, the rural economy is in a desperate plight. Our time would have been far better spent—

Mr. Tyler *rose in his place and claimed to move,* That the Question be now put.

Mr. Deputy Speaker: I do not accept that motion.

Mr. Williams: Our time would have been far better spent considering the European beef ban. The lifting of the ban would be the answer to our problem. We should also have been discussing the painfully slow progress on the certified herds scheme.

It being half-past Eleven o'clock, MR. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 17 (Delegated legislation (negative procedure)).*

The House divided: Ayes 196, Noes 312.

Division No. 163] **[11.30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Mrs Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Cunningham, Ms Roseanna *(Perth)*
Curry, Rt Hon David
Dafis, Cynog
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'rns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swinney, John
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thompson, William
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Paul Tyler and
Mr. Donald Gorrie.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Casale, Roger

Caton, Martin
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr John
(Copeland)
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McLeish, Henry
McNamara, Kevin
McNulty, Tony
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Malleber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Murphy, Denis *(Wansbeck)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Rammell, Bill
Rapson, Syd
Robertson, Rt Hon George
(Hamilton S)
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann
(Dewsbury)
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Jane Kennedy and
Mr. Jim Dowd.

Question accordingly negatived.

Mr. James Paice (South-East Cambridgeshire): On a point of order, Mr. Deputy Speaker. Would you ask the Clerks to inspect the voting list to discover whether the Minister of Agriculture, Fisheries and Food voted? As the Minister responsible for a very controversial piece of legislation, which has upset farmers and consumers throughout the country, he had the discourtesy not to

appear for the debate, although he was seen elsewhere in the precincts of the House. If he voted, he could clearly have been present for the debate.

Mr. Charles Kennedy: Further to that point of order, Mr. Deputy Speaker. The House is relieved to see the Minister of Agriculture behind the Chair. May we have confirmation that, contrary to one rumour that ran through the Lobby, he has not resigned?

Mr. Deputy Speaker: The hon. Member's point of order takes the matter even further away from those on which the Chair rules. The record will be evident to everyone tomorrow.

PETITION

Under-age Drinking

11.42 pm

Mr. Paul Truswell (Pudsey): It is my pleasure to present this petition, which has been signed by 1,200 of my constituents. It concerns the tragic death of 14-year-old John Knowles. It states:

The petition of the citizens of Pudsey Constituency

Declares that we support Mr. and Mrs. John Knowles of Calverley, Pudsey, and our MP Paul Truswell in their campaign to amend the Licensing Act 1964 following the death of 14-year-old David Knowles. David died when he ran across the Stanningley Bypass, Pudsey, after consuming three cans of lager. He had purchased the alcohol for himself and a friend on two occasions from an off licence in Pudsey. Following police investigations, the Crown Prosecution Service initiated proceedings against those who had sold David the alcohol. This prosecution could not proceed because of the precedent set by the appeal of Russell *v.* DPP, December 1996. This case confirmed that people selling to persons under 18 can be found guilty under section 169(1) of the Act only if they are the licensee or the directly employed servants of the licensee.

In David's case, those who sold him the alcohol were employed by a national off licence chain, and not by the person whose name appears on the licence operating at their place of work. They were therefore immune from prosecution.

The Petitioners therefore request the House of Commons amend the Licensing Act 1964 to correct this major defect in the law which no longer provides the protection to people under 18 originally intended.

And the Petitioners remain etc.

To lie upon the Table.

Child Care Workers (Registration)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

11.44 pm

Mrs. Jackie Ballard (Taunton): I am grateful for the opportunity to raise this important matter. I understand that the Government are committed to a national child care strategy, and I applaud that end. They have also said many times that the provision of child care is crucial to their welfare-to-work strategy. However, there is an urgent need to ensure that there are adequate resources to regulate and monitor child care standards and that parents can have access to information about the people to whom they are entrusting their precious children.

Many working parents juggle with a variety of child care providers, including friends and relatives, live-in nannies—who are no longer only the province of the very rich, but often the resource of the moderately well-off—after-school clubs, child minders, holiday play schemes, creches and nurseries. With that in mind, I hope that the Government will be persuaded to introduce a system of national registration for all child care workers regardless of the setting in which they work.

As I am sure the House knows, a reasonably thorough system for the registration of child minders is carried out by local authorities. However, child minders can move to other local authority areas and seek registration there without revealing any problems that may have occurred in their original local authority area. There is no way of checking unless they admit to having been registered elsewhere.

There are no registration procedures, even locally, for people who work as nannies in the child's home. That is to the detriment of all the parties concerned: the child, the parent and the person providing the child care. The child is being cared for by someone who will not have been subject to any police checks and who may not even have had any relevant training. Parents have no way of checking a prospective nanny's background, such as by contacting previous employers—unless the nanny divulges their names—or by checking for relevant criminal convictions. They can get no independent view of whether the person whom they are considering for looking after their child would be suitable. They have only the references that the nanny chooses to supply.

Nannies are left to negotiate whatever terms and conditions they can with prospective employers. There is often no limit to the hours of work or time on call expected. They are often exploited by employers because there is no legal framework or registration system that could help to protect their employment conditions or rights. Last year, the case of Louise Woodward showed the potential risks of asking a young, inexperienced woman to work long hours looking after two demanding young children. Surely that is a case—and there are many others—which shows that a fairly simple change in the law could significantly reduce the risk of further incidents of harm to young children.

A national registration system for child care workers would also help prevent unsuitable people from being able to move from one local authority area to another. If someone works at a children's home in one area and leaves after complaints, but is not convicted of any

[Mrs. Jackie Ballard]

offence, there is often no way in which another local authority can be aware of it when considering whether to offer that person employment. A national registration scheme would allow people to be struck off in a manner similar to doctors if found guilty of professional misconduct.

Such a scheme could also help to increase the status of child care workers and give them recognition for the valuable role that they perform. On gaining a recognised qualification, people would apply to a national body for registration. The registration system could have a requirement for the individual to notify the body of any changes in his or her circumstances. There could also be a requirement for the individual to keep updated and take part in regular training. As the Secretary of State for Social Security said recently:

"Childcare is a fundamental part of Britain's infrastructure, on a par with transport or communications."

The Professional Association of Nursery Nurses is totally in support of the registration of child care workers and so is the Playpen Nanny Registration campaign, which was launched last July in the wake of the Louise Woodward case. It tells me that, in opposition, the Labour party was also very supportive of the idea of a national child care registration scheme, so I hope that the Government will consider a scheme for national registration as it would significantly increase the protection offered to children cared for in a variety of settings and to the workers providing that care.

11.50 pm

Mr. Steve McCabe (Birmingham, Hall Green): I must acknowledge the sincere concern of the hon. Member for Taunton (Mrs. Ballard) about these matters. However, I wonder whether she is being a little too narrow in concentrating so much on nannies. As she acknowledges, we already have registration for child minders and nurseries, under the auspices of local authority licensing. Tragically, as we saw recently in the case of Alex Rae in Bolton, that form of registration affords little protection if the child minder and nursery owner do not choose to follow the local authority recommendations.

I also wonder exactly how nannies would be registered under the hon. Lady's proposals. It seems to be a complex issue. About 150,000 people are engaged in all sorts of child care, some in their own homes and some in local authority, voluntary and private settings. We also know that about 70 per cent. of those engaged in residential child care have no qualifications.

The hon. Lady said that she wanted a register to which people would apply on receipt of qualifications. If we had that sort of register, we would exclude hundreds of thousands of people who are already engaged in child care. I wonder whether that is the way forward.

A lot of work has been done on the subject. Roy Parker's report in 1990, "Safeguarding Standards", made a number of recommendations and the 1997 report of the General Social Care Council's information group also made a number of recommendations. What the reports have in common is that they both imply a register with different levels of registration because they recognise that there has to be a procedure for registering those with qualifications, but that there also has to be a process for ensuring that those already engaged in work obtain qualifications. The reports both recommend a multi-level register, where people could be registered when in employment, but where there would be a target for obtaining qualifications, so that registration was not only a safeguard, but was aimed at consciously driving up standards.

My one point of issue with the hon. Lady is that I believe that we need a comprehensive framework both to safeguard children and to drive up standards among those who work with children. To take action largely in respect of nannies, without having regard for the variety of all those who work in other settings, could be a short-term measure which was of limited value and ignored a considerable body of work carried out in this country. Although I support the concept of registration, my plea is that we should not rush in. We should go for a comprehensive framework and aim to drive up standards among those who do not have qualifications as well as to register those who already have qualifications.

11.54 pm

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): I congratulate the hon. Member for Taunton (Mrs. Ballard) on what I believe is her first Adjournment debate.

Mrs. Ballard: Second.

Mr. Boateng: She has indeed been fortunate to have secured two Adjournment debates in her short time in the House. I congratulate her on choosing, for her second Adjournment debate, a topic of importance. The question of how we train and support child care workers is one that raises issues that go to the heart of the nurturing of children and young people and the circumstances in which they are brought up.

The hon. Lady concentrated specifically on nursery nurses and nannies, which is an important matter, not least because it touches on people's own homes and the personal arrangements that they choose to make in respect of the upbringing of their children. I would submit that such factors put nannies in particular in a different category from the generality of child care workers, so the response is necessarily a different one.

The debate gives us the opportunity to highlight the considerable success of the Children Act 1989 in providing a proper regulatory mechanism for those who provide services for, or work with, babies and often with vulnerable young children. It also gives me an opportunity to signal to the House the way in which my hon. Friends in the Department for Education and Employment and I are taking forward the issue of rationalising and streamlining the regulation, inspection and enforcement of early-years provision. We have an opportunity to make a real difference through the interventions we make in lives of children and, in so doing, to add enormous value in terms of their capacity to benefit from education in later life. The child development and education aspects of this issue are obviously important.

About 100,000 child minders, 5,700 day nurseries, 16,500 playgroups, 2,500 out-of-school child care projects and 4,800 holiday play schemes are registered under part X of the 1989 Act. Regulation ensures that acceptable standards are in place for the safety of our youngest

children and for the reassurance of their parents. The range of standards in the Act and its guidance are important when children are cared for on the premises of others, be those day nurseries, kindergartens, playgroups, pre-school or the homes of child minders. They ensure that children in such care are looked after by suitable people in suitable premises.

The legislation was not intended to cover those who care for babies and small children in the children's homes. There is a balance to be struck, as I suggested at the beginning of my remarks, between the rights of parents to make arrangements for the care of their children in their homes and the safety needs of those children. To most parents, who often wish to call on informal care arrangements provided by members of their families, formal regulation would be an unacceptable intrusion. When parents ask the teenage child of a friend to help with babysitting, they do not expect the state to interfere in such arrangements.

The Act does not regulate carers such as nannies and au pairs. In such circumstances, it is vital for parents to check carefully all those whom they employ in their homes to care for their children. As parents, they must take on the responsibility of ensuring that the person employed to look after their children is fit and proper to undertake that most important of roles. No registration or regulation system can be a substitute for the care that a parent should take in making such decisions. However, we welcome the efforts of those, such as nanny agencies, who provide information so that parents can make an informed choice when they take the decisions that can be of such crucial importance to their children.

It is also important that parents should inform themselves of the qualities that they should seek in those who care for their children. The hon. Member for Taunton mentioned some of the agencies that make such information available to parents. We shall also consider how training opportunities for those acting as nannies and au pairs can be made more accessible. It is clearly desirable that such opportunities should be made available to people who choose to do such work so that they are better able to add value to the lives of the children for whom they care.

My hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe) referred to the practicalities of registration, and the hon. Member for Taunton will, I am sure, recognise that we must take those into account. It is not practical to register every type of child care of short duration. Indeed, creches run for less than two hours a day or supervised activities provided on fewer than six occasions a year are not currently required to be registered and it would not be practical to require the registration of such facilities.

However, that does not abrogate the parental responsibility to check that children are properly cared for in such facilities. If parents leave their child at a creche at a fete or a similar event, they have a duty to ensure that the arrangements for caring for their child are satisfactory. It is not the role of the state to intervene in parents' lives in such a way.

A case was recently put before the House by the hon. Member for Doncaster, Central (Ms Winterton) concerning a problem faced by the social services in Doncaster. As a result, the local social services department has developed a good practice guide for short-term facilities to ensure that they are safe and proper places in which to leave children. The hon. Member for Taunton has helped us with tonight's debate. We shall consider how such material might be disseminated and adopted more widely on the voluntary, good practice basis.

Similarly, it is a matter for the Department of Health and the Department of Trade and Industry how agencies that provide nannies for use in a domestic situation might best be helped to ensure that such nannies are the sort of people that we would want to work in our homes, looking after our children.

There are also important issues regarding the position of independent schools, the fact that they are taking care of progressively younger children, the role of social services departments in that regard, and the interface between social services departments and the Office for Standards in Education.

Obviously, we want closer co-operation between social services departments and education departments in relation to the early years. As a national child care strategy develops, we want arrangements to be made throughout Government that will protect and nurture the interests of children and their development while respecting the privacy of people's homes and the peculiarly personal relationship that will always exist between the employers of a nanny, an au pair or someone brought into the home to provide such services, and the child and parent.

I shall say one or two words in response to points raised by the hon. Member for Taunton and my hon. Friend the Member for Hall Green about the future regulation of the social care sector. We have committed ourselves to the establishment of a general social care council. That is an important step forward, not least because it assumes responsibility for the development of professional standards in social care, and the link between the development of those standards and training.

Inevitably, there will be an impact on the regulation and discipline of workers in child care. However, it is important to understand that the way forward will not necessarily involve nannies or those working in that type of private domestic capacity. The arguments as to the appropriateness of registration will continue, even after the council is established.

Undoubtedly, the surest way of ensuring that we promote an agenda that is about standards—about using every opportunity to improve the quality of child care available to our children in a number of settings—is to recognise the vital role in that regard of education and relevant training. Training should be geared to meeting the vocational needs of people seeking to enter this area of work. It should be firmly rooted in common sense and good practice and recognise the balances that must be achieved. We must ensure that a range of provision is available and that parents take informed choices.

The hon. Member for Taunton raises an important issue, to which the House will undoubtedly return from time to time. It is right that we should. I hope that the hon. Lady appreciates that, while we are not able to go as far as she wants regarding the registration of nannies, we recognise that it is an important issue. It must be monitored carefully and viewed within the wider context of child care provision.

[Mr. Boateng]

It is important that, as we take this agenda forward, we ensure that the consultation process is open to a wider debate and a wide cross-section of views. It is also important that all those who have a stake in good-quality education and child care feel that they are in a position to influence the development of a regulatory system that meets the needs of the times in which we live—times in which people will increasingly look to order their lives by utilising a range of provision in this area.

Dr. Peter Brand (Isle of Wight): Will the Minister also consider another group of vulnerable children who are not currently protected either by the Children Act 1989 or education legislation? The parents of those children are not in a position to exercise the judgment to which the Minister referred. Such children come to this country to learn about the British way of life and the English language and, at present, have no protection. I am very worried about some of the domestic placements that are made for those children.

Mr. Boateng: The question of au pairs should be considered.

Dr. Brand: With respect, I obviously did not make myself clear. I am talking about foreign schoolchildren who attend language schools in this country and are placed with host families who are not vetted by any authority.

Mr. Boateng: That is another issue. There are signs that some people are seeking to exploit such children and their parents. However, that burden should not fall first and foremost on the British taxpayer and the state. It is important for any parent who seeks to make decisions about their children's education in a foreign country to take great care before launching their children into that country's education system. I do not believe that it is the primary responsibility of the state to take up the cudgels on behalf of such parents.

The state must ensure that there is transparency, accountability and proper regulation of a range of establishments in this country. We must also ensure that in this field—or, indeed, in any other—we do not abrogate the proper parental responsibility to take care and make sure that they are informed about the arrangements that they make for their children. If the hon. Gentleman suggests that we must assume responsibility for that area—*[Interruption.]* I hear what the hon. Gentleman says, but I am not persuaded.

We have an existing responsibility to will fulfil in terms of the development of our national child care policy. We must ensure that we have the appropriate range of safeguards in place. We shall meet that responsibility. The hon. Lady's debate tonight has opened the matter for discussion on the Floor of the House in a way that contributes towards an objective that I know we all share.

Question put and agreed to.

Adjourned accordingly at thirteen minutes past Twelve midnight.

House of Commons

Wednesday 11 February 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Hospital Services (Kent)

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Bridget Prentice.]*

9.34 am

Mr. Roger Gale (North Thanet): I am grateful for the opportunity to raise an issue which is of the utmost importance to my constituents living in Herne Bay, Margate and the Thanet and Herne villages. It is important to the wider community of east Kent and throughout the county, the south-east and the country.

I know that colleagues on both sides of the Chamber wish to catch your eye, Madam Speaker. If I am not interrupted too often, I hope to be as generous as possible with the time that you have afforded me and to confine my remarks to the minimum necessary.

The health authorities in Kent face painful decisions. Despite a painstaking and collaborative process by the national health service family, the choices have still set medical staff against medical staff, brother against brother, and caused political strife. The position has not been helped by some hysterical and irresponsible campaigning.

Mr. Richard Collins, speaking as director of surgery at Kent and Canterbury hospital, said that these were "complex issues" and that the debate was not assisted by the intervention of

"vested interests, including doctors and shroud wavers."

He was right. These are complex issues and they require careful and measured consideration, not the abuse of position and knowledge by people who, for their own interests, rather than the interests of public health, in some cases deliberately seek to mislead.

I want to use the next 20 minutes or so to offer what I hope will be a constructive contribution to a consultation that will last for nearly three months before a document for final decision thuds on to the desk of the Secretary of State for Health. I do not envy his task. Like any Health Minister—of any Government or any party—he has to work within a climate of change, and I do not believe that this is or should be a party political issue.

We must all recognise that funding is not unlimited, that the pattern of work and training for medical staff is changing and that advances in medical science, often dependent on fiercely expensive equipment and drugs, make many life-saving procedures possible. That, in turn, raises public expectation, demand and faith in the medical professions to almost intolerable levels. Thirty years ago, a cataract operation or a hip or knee replacement was a major procedure and a rarity; now, new eyes, hips or knees are the order of the day.

Junior doctors' training years and working hours have been reduced. A young hospital doctor who used to work more than 100 hours a week now works 56, and that figure is destined to decrease further. General practitioners who used to work day and night after day and night, now may not carry out night calls at all and work a much shorter week. However, the requirements of the royal colleges demand that, before they are let loose on the public, young doctors must be exposed to a given number of patients in a given number of specialties and under the right conditions. That is right. No one here would like even an appendectomy to be carried out by someone who said, "Oh, this is interesting—I have never seen one of these before."

As well as the importance of exposure to procedures during training, evidence clearly shows that, when the experienced consultant and his or her team carry out many of the same procedures, the outcome for patients—the real measure of the quality of the service—is better than when the same team cares for a wider range of patients. That is sub-specialisation. Therefore, if medical students and trainee doctors are to see enough patients in a shorter time, it is axiomatic that throughput must be greater and the hospital larger. To allow consultants to sub-specialise, there must be more of them, working in larger teams and caring for a larger population. I believe that it is that demand, rather than simply or even a cash shortage, that is causing many of the tensions that we now feel.

There are well over 30 24-hour accident and emergency units in the south-east region. I am told that it is likely that that number will have to be reduced by perhaps 10, with a consequent transfer of some other services. Throughout Kent, throughout the south-east and throughout the country, because no one is immune from the process, that will mean a great deal of heart-searching and not inconsiderable anger. We are experiencing that in east Kent, as I know only too well; we shall not be alone.

West Kent currently has hospitals in Dartford, Medway, Maidstone, Tunbridge Wells and Pembury, and the West Kent health authority told me:

"We recognised that improvements in clinical capability, professional opinions about safety and training, combined with financial realism and the need to meet health needs other than acute ones, all lead towards some traditional hospital services being reorganised to serve larger populations. We accept that in-patients will increasingly be seen at locations specialising in a particular service; but matched by better local access to day-case surgery and out-patient clinics."

Miss Ann Widdecombe (Maidstone and The Weald): Will my hon. Friend give way?

Mr. Gale: My right hon. Friend has told me that she will have to serve on a Committee later this morning and will be unable to make a speech in this debate. I am pleased to give way to her.

Miss Widdecombe: I am extremely grateful to my hon. Friend for giving way, and particularly for taking on board my reasons. Maidstone is a centre of excellence in its oncology services. As we are told that the East Kent health authority now plans that there shall not be cancer services at Canterbury, it is inevitable that those will be exported mainly to Maidstone. Does my hon. Friend share

[Miss Widdecombe]

my view that it is necessary that the West Kent authority is able to respond to that by expanding the service at Maidstone and not by expanding the queue?

Mr. Gale: I believe that it is necessary that West Kent is able to respond positively. Later, I shall deal in a little detail with the future of oncology services in east Kent.

In its concluding remarks to me, the West Kent health authority—in perhaps the most important sentence of all—said:

"We do not believe that the status quo is tenable for both professional/clinical and financial reasons."

The status quo is also not tenable in east Kent, where we face the prospect of redistributing the work currently performed by three district hospitals—Ashford, Thanet and Canterbury—to create two main 24-hour accident and emergency hospitals, backing up perhaps a city hospital in Canterbury, the Buckland hospital and a chain of, I hope enhanced, local hospitals, including Faversham, the Whitstable and Tankerton, the Queen Victoria hospital, Herne Bay, the Victoria hospital, Deal, and the Royal Victoria hospital, serving Hythe and Folkestone.

It is perhaps appropriate that I am initiating this debate, for my constituency straddles population centres that use two of the three main hospitals: the Kent and Canterbury, on the Ashford side of the city of Canterbury, and the newly built Queen Elizabeth the Queen Mother hospital in Margate.

I have been involved in the development of hospital health care in east Kent—through the preservation of the Queen Victoria hospital, Herne Bay, the closure of the Royal Seabathing hospital in Westbrook and the building of the new Queen Elizabeth the Queen Mother hospital in Margate—for the whole of my 15 years as a Member of Parliament.

There are those who say that the debate on health services in Kent has been going on for only a matter of months. It has not; it has been going on for years. Under the old Canterbury and Thanet health authority, Conservative Members fought our own Government for increased funding under the resource allocation working party formula. Both Thanet and Canterbury hospitals—the former more than the latter—were starved of cash while inner London took a disproportionate share of the available funds.

We have watched the roads develop with the population around the coastal strip, and we have worked to ensure that developments in health care matched the shift in gravity of the population away from the centre to the coast, and the social need and deprivation in, particularly, Thanet. It was the recognition of that need which led the health authority and the previous Government to fund development of the Queen Elizabeth the Queen Mother hospital in Thanet.

More recently—for the best part of three years—acute service working parties, with strong medical representation from all the major hospitals in the area, have been wrestling with the disposition of neonatal, paediatric, haematology, pathology, renal, oncology, ophthalmology, orthopaedic, cardiac and other services.

Since the spring of last year—not July or August, as some suggest—minds have been focused on the "Future of Hospital Services in East Kent" document. It saddens me enormously that some of the medical staff who took part in that process, who did not raise any public or even on-the-record private concerns, and who pressed, then and since, for concentrating services on a single site are now, in the light of the debate that has been generated, seeking to present the process as flawed and to criticise the health authority officials who managed the process.

I pay tribute to the regional chairman, Sir William Wells, to the chairman and the chief executive of the East Kent health authority, Jo Hawkes and Mark Outhwaite, and to their team for the work that they put into the discussion document published on 2 February, and their continuing work—in the face of fierce criticism and not a little personal and unwarranted abuse—in the consultation and decision-making process. I do not find it attractive that there are those who are seeking to have the document withdrawn on the basis of, at worst, some very minor or, in a couple of cases, typographical errors.

A five-option shortlist was produced. On 4 November last year, the options—a green-field site hospital; a single hospital based on the existing Kent and Canterbury hospital; and combinations of Thanet and Canterbury, Canterbury and Ashford, or Ashford and Thanet—were put to a meeting of all concerned at the Kent county cricket club, which included the working party, again including medical staff from all three major hospitals involved, and general practitioners' representatives.

Laurie McMahon, of the widely respected and independent Office of Public Management—an organisation specialising in NHS matters—asked all those present whether, in addition to the five options on the table, there were any other realistic and practical alternatives that should be considered. Significantly, no voice was raised to suggest that the work that was done was anything but thorough.

On the day before that meeting, the acute futures group held an unofficial meeting—at the request of Dr. Robin Withrington, clinical director of the Kent and Canterbury hospital—to discuss a submission based on the single-site option. A note prepared by the secretary of the group says that the submission was withdrawn because the health authority was to consider that option further, regardless. Subsequently, the consultants Messrs. Davis, Langdon and Everest prepared a report stating that the single-site option should be ruled out, because it would take too long to deliver and implement, would be inordinately costly and, most important, would cause the biggest loss of public accessibility.

It has again been suggested that specialist doctors at Canterbury were not consulted. The facts are that each trust provided representatives to the project, and each trust undertook to establish its own internal briefing mechanisms to ensure that other staff were involved and had the opportunity to contribute through their representatives. That seems to have worked at the Ashford Hospital NHS trust, Canterbury and Thanet Community Healthcare NHS trust and Thanet Healthcare NHS trust, and the written evidence provided by the heads of the specialties—such as the neonatal intensive care unit and renal unit—was provided direct to the health authority, along with other options from external experts.

If Canterbury specialists feel that they were not properly consulted, that would appear to be the fault of their medical director, who was a participant in the project.

At a meeting at Dover town hall before a wider audience, the authority presented its preliminary findings and presented two options for main hospitals: Thanet and Ashford, or Ashford and Canterbury. On 11 December, a preference for the Thanet-Ashford option was expressed by the East Kent health authority. The authority based that preference and those options on the available evidence. Again significantly, while much heat has been generated, no light has been shed by those complaining on what the Office of Public Management described as a "realistic and practical alternative".

There are those campaigning—I think quite dishonestly—for a solution of three acute hospitals, based on the maintenance of all three 24-hour accident and emergency units. On the available evidence, that is a cruel deceit and not a realistic proposition because of the required training and—we must be brutally honest—the financial constraints faced by any Government.

What is the solution? On the answer depends a likely pattern that will develop throughout Kent, the wider south-east area and, indeed, the country. Many of my constituents living in Herne Bay—many of them personal friends—have been angered by threats of so-called "cuts" or the "transfer of services" to locations that they regard as remote or inaccessible. They have also been frightened by wild talk of the "closure" of the Kent and Canterbury hospital, which, of course, is not threatened with closure at all. Indeed, only two days ago, a young journalist covering the story asked me whether I was not surprised that

"people would be upset because their hospital was going to be closed".

It would have been easy, and politically much more comfortable, for me to back the three acute hospital option and to leave the burden of decision on the "wicked" health authority. It would also in my view have been as profoundly dishonest as the behaviour of the medics and local politicians currently peddling that view, because I believe that, while there is much room for manoeuvre in the discussion document, the health authority has got the framework broadly right in its expressed preference.

Geographically and demographically—in terms of population density and social need—the two prime medical centres in east Kent should be in Ashford and Thanet. Once that has been recognised, it becomes abundantly clear that attention must be given to public transport within east Kent; but that will be true whatever the outcome of the review.

I am very aware that bus services between Herne Bay and the Queen Elizabeth hospital, for example, leave a great deal to be desired, as does the bus service from Herne Bay, via the centre of Canterbury and with a change, to the Kent and Canterbury hospital. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) has expressed to me his concern about services from, for example, the Elham valley to Ashford that will be needed by his constituents. Other routes will also need attention.

That is why the health authority is already working on a transport plan to meet patient and visitor needs, and why I have already had preliminary discussions with the county council to consider possible changes better to serve all our hospitals.

However, that does not gainsay the fact that the overwhelming majority of callers at hospitals, whether as patients or visitors, travel by car. The travel-time analysis on which the preferred option has been based is calculated not on raw population figures or "I can get from A to B faster" research, but on actual hospital activity—the use of real services by real patients. It demonstrates a clear advantage for the Thanet option, especially in the sensitive area of paediatrics.

The second, or Canterbury-Ashford, option put forward by the health authority for consideration would place two 24-hour accident and emergency centres within 14 miles of each other, while denuding the largest centre of population—Thanet—20 miles away of its acute services. However, that demographic reality should not be allowed to preclude the building of a brand new city hospital in Canterbury, which I whole-heartedly support and have promoted. Such a hospital would, of course, house the more than 80 per cent. of existing services that, even under the health authority's current proposals, will remain in Canterbury—hardly the "closure" that some have sought to portray in the local press and on public platforms.

I support the creation of a single east Kent health trust to manage the services and—here I part company with the health authority—the preservation and development of the services at all the local hospitals that I named earlier. Moreover, I believe that, while it is indubitably true that, if these proposals are adopted, some patients will have to travel further for some treatment by some specialists, as some already travel to Maidstone, to the Medway towns and to London, it is also true that, for many purposes—through a much wider choice of consultant outreach clinics and the development of day surgery—many of my constituents in Herne Bay will not have to leave the town at all. Why should they not be seen and treated in our own hospital, the Queen Victoria, closer to home? Following major procedures in another hospital, why should they not be able to recuperate in the Queen Vic, with friends and family close at hand?

I hope that Herne Bay's GPs will soon take advantage of the offer made to them by Dr. Alan Jones, the accident and emergency consultant at the Queen Elizabeth the Queen Mother hospital, who is pioneering telemedicine in the area. As a result of modern technology, patients at Deal will soon be treated with advice from the consultants in Thanet, and the same opportunity is being offered to Herne Bay. I am sure that our excellent and far-sighted local GPs will not wish to deny my constituents that service.

There is a tremendous role for our local hospitals to play. I pay tribute to the League of Friends and all those who have worked so hard to provide beautiful new out-patient and other facilities at the Queen Victoria hospital. Similar organisations have no doubt achieved equivalent improvements at the other smaller hospitals, too.

I know of no reason—again, I question the health authority's view—why the Canterbury arm of the Maidstone- Canterbury cancer centre, which provides excellent non-surgical oncology services, as well as some of the specialist surgery carried out at other cancer units in, for example, the Queen Elizabeth the Queen Mother hospital in Thanet, should not be transferred to a new city hospital.

Consultants working in Canterbury have sought to suggest that non-surgical oncology is not possible without the back-up services that go with a 24-hour accident and emergency unit. Try as I may, starting with Professor Calman's office, working through Dr. Graham

[Mr. Gale]

Winyard's office to the NHS executive and the regional cancer co-ordinator, I can find no one who is prepared to say that that is so.

I shall be told that the Royal Marsden, with its twin sites at Sutton and on the Fulham road, the Christie in Manchester and the proposed Bart's development, none of which has 24-hour accident and emergency units, are special cases. But are the Cookridge near Leeds, which is a stand-alone hospital in the countryside, or the Clatterbridge—neither of which has 24-hour A and E units, but both of which carry out non-surgical oncology—special cases as well? If so, it is perfectly possible—I am sure that the consultants will recognise this—to move the more modern linear accelerator from Canterbury to Thanet where there will be services that the consultants claim are required. My personal preference, however, would be for that well-established unit to remain as part of the new city hospital in Canterbury.

There is at present no definitive view about what services are essential, rather than desirable, to support a non-surgical oncology unit as part of a full Calman-Hine cancer centre. That being so, I can only repeat that it would be a sad irony if those taking an intransigent all-or-nothing approach to the issue were to paint themselves into a corner from which we cannot extricate them. They and, more important, the community that they wish to serve have a great deal to lose by that approach.

It is also time that we challenged the fact that Kent has no teaching hospital. It must surely make sense to seize this opportunity, for it can be either an opportunity or a threat, to establish, based on the university of Kent—I am sure that the vice-chancellor, Robin Sibson, would be the first to remind us that it is the university of Kent, not the university of Canterbury—a medical school founded on the East Kent health authority proposals and using the specialties, facilities and the undoubted expertise available at all our hospitals as the practical training ground.

Let me make it clear that I am not advocating a back-door route to a single-site centre at Canterbury; nor will I support the siphoning off of SIFTR money—the service increment for teaching and research—for medical students to one single hospital. There is a case for a medical school in Kent, based on and using the best of all the facilities in all the hospitals that we have on offer. In that context, it should perhaps be placed on record that, for example, the QEQM hospital has a critical care floor with a specialist complex of four operating theatres, an intensive care unit, a cardiac unit and a high-dependence unit all in close proximity, on the same floor and managed as a single unit. I think I am right in saying that the only other such unit in Britain is at Addenbrooke's in Cambridge.

The QEQM looks forward to a GP service alongside the new A and E department, with extended waiting space and a triage centre at the core that will allow GPs to keep more patients out of hospital and will free accident and emergency beds to handle the real emergencies. That is, of course, in line with the implementation of the White Paper's recommendations for medicine based on primary care groups.

The hospital offers good facilities, a good training opportunity for doctors without excessive hours, and access to sub-specialisation—the career path of tomorrow. It is right that these opportunities, and those at our other hospitals, should be made available to tomorrow's doctors—and they can be made available within the health authority framework.

It would be good to be able to end there. However, a situation is developing that has the potential to place at risk not only the reorganisation of services in east or west Kent, but the reform of the national health service nationwide.

I have already said that, following the announcement of the East Kent health authority's preferred option for two specialist hospitals in Thanet and Ashford, the Kent and Canterbury team began systematically to seek to undermine the work that had been done, in some cases by their own staff, to produce a blueprint for the future. That has grown into a campaign of misinformation, propagated in skilfully stage-managed and well-orchestrated medico-theatrical performances at public meetings. It has more to do with the abuse of power than people power, and could easily be replicated with interest in other parts of east Kent, throughout the county and beyond.

The purpose of the exercise is plainly to drown reasoned debate with noise, to force the East Kent health authority to resign en bloc, and to recommence the process of deliberation. The hidden agenda is to secure a single-site centre in Canterbury which would result in the tens of thousands of people who live on the coastal periphery and in the Ashford area no longer being within easy reach of the acute services that they currently enjoy.

Let me give a couple of examples of the misinformation. It has been suggested publicly that the Kent and Canterbury hospital is

"the most efficient hospital in east Kent and that Thanet is one of the least efficient".

The perpetrators of that lie—for that is what it is—have been made aware that the figures on which the claim is based date from before the closure of the Ashford hospital, before the closure of the old and inefficient Ramsgate hospital, before the extension of new day surgery treatments, and, most significantly, during the transition period when the Royal Seabathing hospital in Margate was closing and the services were being transferred to the Queen Elizabeth the Queen Mother hospital, which was a time of great disruption. The new figures are different, but the lie is still being peddled.

A consultant paediatrician working in neonatal intensive care in Canterbury, seeking to bolster the case for a three acute hospitals solution, claims to have blazed a trail by

"brokering a three-centre solution for paediatric care in east Kent".

He is being more than a little economical with the truth. The facts are different. He argued for a single site—at the Kent and Canterbury hospital—for paediatrics in east Kent. That would result in children from the most deprived area in the south-east—Thanet—and those from Ashford having to travel to Canterbury with their parents for all in-patient treatment. With paediatrics would have gone obstetrics and most of the maternity services from the area where many of the region's babies are born.

That is what that consultant and his colleagues were trying to impose on my constituents. They fought that corner before 20 witnesses, including me, at the Queen Elizabeth the Queen Mother hospital. He pursued

the same self-interested line at the university of Kent during two days of discussion on the health service. In the words of one present, he

"expressly and robustly argued for a single centre in Canterbury."

I am told that only when he was confronted with the reality that there was likely to be a two-centre solution to paediatric care at Ashford and Thanet did he change his tune and press for a three-centre service.

That is the truth, but not much of it is to be heard at public meetings, where teams of consultants and those who support them abuse their medical position to mislead. They have the power of life and death, but why should we believe their claims when we know that they have been less than honest in the past?

I now have to raise some highly sensitive issues about the health service in east Kent on behalf of those of my constituents from Herne Bay and Margate who have been subjected to the pathology services at the Kent and Canterbury hospital. It is widely believed that the senior medical staff at the Kent and Canterbury hospital were well aware of the shortcomings of its histo-pathology and cytology services, but chose to cover up the situation. That is why I have asked the General Medical Council to study the report of the inquiry into the circumstances under which eight women died and many others had needless operations. I am pleased that the GMC has confirmed that it is

"investigating the issues relating to cervical cytology screening at the Kent and Canterbury hospital".

I hope that the General Medical Council and the Department of Health will also inquire fully into the other cytologies and histologies relating to lung, rectal and breast conditions. My constituents and I have a right to know what other loss of life there was at that hospital as a result of misreporting. I want to know whether consultants were using outside pathology for their private patients because they did not want to expose them to the suspect services in their hospital. I want to know who, outside the pathology services, knew what was going on and said nothing. I want to know whether they are still treating my constituents from Herne Bay and Margate in the Kent and Canterbury hospital.

I have already asked for a further inquiry into the full histo-pathology service at the Kent and Canterbury hospital, over which doubts still linger. It is time that the hospital came clean and told the whole truth. I do not believe that it has done so yet.

I also want to know how general practitioners dare—one certainly has—to tell consultants at the Queen Elizabeth the Queen Mother hospital that they will not allow their patients to be treated by them any more, other than at the Kent and Canterbury hospital. What does that have to do with health care, when the consultant may have a unique skill that patients need and that may save a life?

I wish to make myself understood by those in the House and those outside it. I am not seeking to punish the Kent and Canterbury hospital for the malpractice of some of its medical practitioners. I want the truth and I want to know with certainty that all those who have been responsible for putting lives at risk and for loss of life are no longer working in the health service in east Kent or anywhere else. If that includes some eminent and hitherto respected people, so be it.

My family has used the Kent and Canterbury hospital and may have to use it, or a new city hospital, in the future. I have a high personal regard for the care and dedication offered by the nurses, by most of the medical staff and by the others on whom Kent and Canterbury and other hospitals depend. It is in all our interests that the issues should be resolved thoroughly, once and for all.

Finally, I return to my other concern. Some in the Kent and Canterbury hospital and the elected membership of the local authority are seeking—not in the interest of the health service provided to our constituents, but in the interest of their professional aggrandisement and comfort zones—to overturn, through intimidation and cacophony, the work done by the health authority and the rest of the NHS in east Kent on ensuring that the options are fully, honestly and openly explained and are understood by those who will be the users at the end of the process.

If he who makes the loudest noise is allowed to hold sway and the needs of institutions are put before people, if some of the most deprived in the country in Thanet and the elderly in Herne Bay and throughout east Kent are sacrificed to pacify those who are orchestrating the campaign, and if the recognition in last week's Green Paper of the link between social conditions and health is ignored, not only east Kent, but west Kent and the rest of the health service will lose. This will be a benchmark for the future. I urge my hon. Friend the Member for Teignbridge (Mr. Nicholls) on the Front Bench and the Minister to consider that, rather than party politics, when they respond.

I have taken more time than I wished. The East Kent health authority has courageously and methodically shown the way forward. It has said that it is willing to consider any practical and viable new proposals. I have made some workable suggestions for improvement, which I hope and believe will be listened to. We must remember that we in politics and those in the health service will have to work together when this difficult and painful process is over. I hope that all those of good will throughout Kent will shun those who are deliberately seeking to cause public strife and will concentrate on how best we can make the necessary reforms work.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Many hon. Members from the county would like to catch my eye. I appeal for brevity in the remainder of the debate.

10.7 am

Mr. Gwyn Prosser (Dover): I am grateful for the opportunity to take part in this important debate on health care and hospitals in Kent. The hon. Member for North Thanet (Mr. Gale) has spelt out some of the background of the pressures and changes that have brought us to the current situation. I shall not rehearse those issues. I certainly do not want to be involved in the hostile war of words raging between constituency and constituency, trust and trust and even consultant and consultant.

As we try to develop a new atmosphere in the health service, with the Government seeking ways in which trusts can co-operate and work together, looking for more unity among health authorities, it is a matter of great regret that the background to all the good words in the White Paper is being muddied by some of the practices in east Kent.

[Mr. Gwyn Prosser]

I was hopeful that the debate would provide an opportunity to draw some lines and find some ways of working towards a solution which would benefit people, patients and potential patients in east Kent, rather than highlight and inflame what is already a very difficult process. However, those are slim hopes.

I have been proud to be part of long-standing campaigns in Dover to maintain services for local people. In 1993, when there was a threat that services at Buckland hospital would be centralised at Ashford, 27,000 people signed petitions opposing the plans. In 1995, when there was a threat that the children's ward—the paediatric services—would be transferred from Buckland to Ashford, 40,000 people marched through the streets of Dover opposing the changes or presented petitions to the local health authority.

No one doubts the people's attachment to their hospitals. It is part of human nature to be loyal to one's hospital and have confidence in it, but times and the way in which health care is administered change, and we must understand and take notice of such factors. The same factors that drove proposals for changes in the past are driving the present proposals.

The review that the hon. Member for North Thanet has described has been conducted in a different atmosphere and a different way from previous reviews. Its analysis and recommendations were not dreamt up by bureaucrats and suddenly thrust on us from above. The so-called acute future groups comprised doctors, nurses and managers who practise in the health service, and involved the entire east Kent NHS family. We need to recognise the difference between how changes have been sought in the past and the way in which the latest process has been carried out. I welcome the method by which the changes have been sought—if not all the details and results. The results and recommendations are not infallible just because of the process. I have made it clear that the proposed cuts in Dover and Deal are totally unacceptable. However, the change of method gives a certain extra legitimacy to the exercise.

The consultation process will give us all an opportunity to challenge the recommendations and suggest different arrangements. The consultation document assures us that the changes are not driven by resources or costs. On page 1, it says:

> "It is a problem that cannot be solved simply by more money. Money has not caused it".

I welcome the hope expressed by the hon. Member for North Thanet that we can keep the issues out of the political sphere. I hope that his colleagues, present and past, will share his view that the important thing is to find solutions for people in east Kent rather than to kick about political footballs.

Although the plan concentrates acute services at Thanet and Ashford, there is still an option for change. If someone came forward during the consultation period with a plan to provide acute cover on all the present sites and meet all the criteria, it would, of course, be everyone's favoured option—both in the House and in my constituency. In reality, the fundamental change of concentrating acute services on two sites will probably prevail.

I shall concentrate my efforts this morning and in future on ensuring that hospitals in Buckland, Canterbury and Deal, and others mentioned by the hon. Member for North Thanet, are protected. We want to ensure that the impact of the proposed changes is not nearly as intense or damaging as those described in the consultation document.

If we are fully persuaded during the consultation process of the need for centralisation at Ashford and Thanet, and convinced that blue light admissions should no longer go to Buckland, Canterbury and others, that does not mean that Buckland and Canterbury should not continue to provide beds for acute or near acute recovery and convalescence. I think that we are all agreed on that.

People might be persuaded that, in their moment of crisis during their acute episodes, they must be ambulanced to a top-notch centre of excellence in the next town, which is complete with the best trained consultants, the best diagnosis equipment and the best access to specialised services. However, they will not accept that, having been diagnosed, having received their immediate treatment or having recovered from their operation, they should have to spend two, three, four or five more weeks recovering in a distant hospital, away from their homes, relatives and would-be visitors.

During all my discussions with health officials over past years, I have always been assured that Buckland beds would always be needed and that there would always be facilities for recovery locally. Unfortunately, that philosophy seems to have changed over the past few months—if not during the review. Now, health professionals are telling us that the recovery process is hampered, hindered or set back if a patient is moved from an acute hospital to their locality. They are telling us that the full range of acute services must be on hand during nearly all the recovery period. We cannot accept that change. We need to strike a balance between the need for fast, efficient recovery and the need of patients to be closer to home.

In my constituency, there is a disproportionate number of elderly people and households that do not own or have access to cars. The changes will be particularly to the disbenefit of patients and their families. If the people I represent in Dover, Deal and Aylesham are to swallow the bitter pill of losing acute services at Buckland, the pill must at least be sweetened by the prospect of retaining a significant measure of acute recovery services in local hospitals. Unless we can claw back some of the services, we shall lose a total of 500 beds in Canterbury, Deal and Buckland, which will be totally unacceptable to local people.

I am pleased to say that the South Kent Hospitals NHS trust shares local concerns with respect to Buckland. Its concerns have been included in the consultation document, and I hope that they will be taken into account. As well as increasing the number of beds at Buckland and other local hospitals, we see a case for 24-hour casualty cover at Buckland and the need to increase community health services in places such as Aylesham, Elvington and others mentioned by the hon. Member for North Thanet. Parallel to the campaign to maintain beds is the need to boost support for our general practices and health centres. If the health authority is to achieve the changes that it believes will benefit all the people in east Kent, it must take note of their very strong feelings.

10.18 am

Mr. Julian Brazier (Canterbury): My local community faces two serious threats: the rundown of the Kent and Canterbury hospital to a virtual cottage hospital and the closure of the much-loved Whitstable and Tankerton community hospital. As time is so short, I shall focus only on the Kent and Canterbury hospital.

Members of all parties agree that doctor training and working practices are driving the proposal. Hence, it is astonishing that the proposal has been prepared without any consultation with the royal colleges, and that the Royal College of Physicians has written to denounce the cornerstone of the findings.

Perhaps that should not surprise us, because during its studies East Kent health authority did not consult any of the royal colleges, the British Medical Association or the unions, and did not even speak to its neighbouring health authorities.

I understand the strong feelings of my hon. Friend the Member for North Thanet (Mr. Gale), but I wish that he had felt able to take the tone of his speech from Sian MacGregor, one of the cytology victims, who recently spoke out to defend the Kent and Canterbury hospital. She said:

"The whole hospital must not be blamed"

for the sake of one small department. After compensation has been paid, she said,

"we must move on".

Let us remember that that department is being closed, the three consultants responsible have gone, the chief executive has resigned, and even the chairman of the hospital, although exonerated in the report, has resigned. I was pleased that Sir William Wells made similar points in his report.

I have sent 1,200 individually written letters to the Secretary of State—the bundle that I have here represents the last three days' worth—and I have passed back to other Members who are here in the Chamber on both sides of the House many dozens of letters from their constituents supporting the Kent and Canterbury hospital.

However, I shall base my case not on my own constituents but on one central theme: the fact that the plans of the East Kent health authority—EKHA—for the reorganisation of services in east Kent represent a potential disaster for the whole region.

East Kent has five regional services, and all are located at the Kent and Canterbury hospital. The cancer centre has just won a charter mark for excellence—laying to rest the ghosts of the cervical smear tragedy. Only three hospitals in the country obtained a charter mark for cancer treatment last year.

When the EKHA carried out its studies on the future of our hospital services and rushed them through without consultation in the four months for which the clinical teams met, the teams were repeatedly told by the authority, supported by consultants from other hospitals, that the regional services, including those for cancer, could be operated independently of a major acute site with intensive care and other related facilities.

At the eleventh hour, the EKHA finally had to concede that it was impossible to run such services outside a major acute site, and that they would all have to go. Instead of reopening the clinical study groups, it decided to categorise that as a "risk factor". It certainly is a risk factor to break up five excellent teams.

To make matters worse, the EKHA planned to take many of those services out of east Kent. How are radiotherapy patients without cars expected to get to Maidstone for treatment, on some of the most congested roads in the United Kingdom? How can anyone think of moving neonatal intensive care to Chatham? How many tiny premature babies will die as a result? After all, they are the most vulnerable patients.

The second argument rests on quality. The Government have made it clear in their White Paper that the views of general practitioners are to be of paramount importance. Every GP, both in the Canterbury district council area and in Faversham and Sandwich, has opposed the plans for the Kent and Canterbury. Those GPs speak for 160,000 patients—40,000 more than the entire population of Thanet; yet they are being ignored.

On the EKHA's own figures, the Kent and Canterbury is the most efficient hospital in east Kent. I heard what my hon. Friend the Member for North Thanet said, and I understand why he feels able to criticise the EKHA's table. None the less, we must bear in mind the fact that the table also showed that the Kent and Canterbury was more efficient than all the hospitals in west Kent.

The third argument rests on the public transport issue. We heard a senior officer from Kent county council say as recently as last week that it is not possible to reconfigure a bus service on the basis of patients' use. According to the EKHA's population figures, 212,000 people live in the villages of east Kent. That is nearly two fifths of the population, and almost all of them are closest to either Ashford or Canterbury. Canterbury is, of course, the hub of the bus system in east Kent.

In contrast, it is extremely difficult to reach Thanet by bus from almost all the villages. Indeed, I understand that the hon. Member for South Thanet (Dr. Ladyman), who will no doubt contribute to the debate, recently had a hard time with his constituents in Wingham because of their problems in reaching the hospital in Thanet even from there.

That brings me to my final argument—hospital co-operation. I do not call for the closure of the hospital in Thanet, which is the only alternative option that the EKHA recognises. I believe that what has really initiated the crisis that is forcing the EKHA to propose the closure of a hospital, just after heavily investing in regional facilities there and working out the three-site solution for children's services, is Thanet's inability to recruit adequate numbers of consultants.

That problem has existed ever since I became a Member of Parliament, but it has worsened recently. The EKHA seems to believe that if Kent and Canterbury were closed, Thanet could somehow be made more attractive, but, for years, consultants have been attracted to east Kent to work at Thanet by offering them joint posts with the Kent and Canterbury. No fewer than 19 Kent and Canterbury-based consultants work regularly at the Thanet hospital. Canterbury, with all the attractions of a regional centre of excellence and with a whole range of services, can sugar the pill of having to work at a comparatively remote location.

If the hospital in Canterbury is closed, the much greater distance to Ashford—nearly 40 miles on one of the worst roads in England—will make the operation of joint

[Mr. Julian Brazier]

working and training arrangements impossible, not least because of the factors affecting junior doctors' hours that have already been alluded to. That means that, if recruiting problems continue, a multi-site option will no longer be available because the middle one of the three sites will have been removed.

If Thanet is unable to recruit and fill its posts and its retention and accreditation problems continue, there will be no fallback position. Shortages of trained personnel are worsening nationally, so the outlook is not good. Let us remember that the Kent and Canterbury is the only hospital in east Kent with all the relevant doctors' posts fully accredited by the royal colleges.

The EKHA has announced out of the blue that a major hospital in east Kent, at which the authority has recently invested heavily in regional services, must close. Its only argument is based on the areas of doctor training, recruitment and working for which the royal colleges are responsible, despite the fact that the Royal College of Physicians has begged to differ with it.

I believe that, by integrating training across all three sites—the multi-site option is possible if the middle site remains—the royal colleges' requirements can be met. That has already been done with children's services.

The proposal would involve uprooting our regional facilities, closing east Kent's best hospital and leaving two sites too far apart for joint activities. That would be a disaster for east Kent as a whole. We need an evolutionary approach and the restructuring of management and of doctors' working practices, not the closure of hospitals.

10.28 am

Dr. Stephen Ladyman (South Thanet): I have been made aware that a number of hon. Members want to speak, so I shall be as brief as possible.

I congratulate the hon. Member for North Thanet (Mr. Gale) on securing the debate, and I associate myself with almost everything he said. That is a rather strange experience for me. If anyone had asked me a year ago with whom I thought I would be fighting back to back in a huge political battle, I would scarcely have said the hon. Member for North Thanet, but that is how things have worked out. I congratulate him on taking a bipartisan approach to the issue and thank him for working with me to try to convey to the people of east Kent a more constructive message about the East Kent health authority proposals.

That has been difficult because of the huge campaign that has been whipped up about the Kent and Canterbury hospital. I understand the emotions of the people of Canterbury, but, having listened to the hon. Member for Canterbury (Mr. Brazier), the House will realise why 1,200 letters were written. For example, he said that the Kent and Canterbury is to be reduced to the status of a cottage hospital. That is not so. Under the health authority's proposals, the Kent and Canterbury will retain a casualty unit, maternity services, out-patient clinics, day surgery, rehabilitation wards and wards for the elderly. I believe that it could also retain a range of other services.

The hon. Member for Canterbury asked how many babies would die because the neonatal intensive care unit is to be moved. I tell him how many will die: none. A baby's condition is stabilised before it is moved to a neonatal intensive care unit. At present, babies born at Thanet who require the services of the unit must have their condition stabilised before they are moved to the unit in Canterbury. It will make no difference that they will have to be moved somewhere else; the fact that they will have the best possible staff and services makes the difference.

A recent campaign in a Canterbury newspaper featured a front-page picture of a baby, with a caption saying that it would have died if the neonatal intensive care unit had not been at Canterbury. That is completely false. The baby's condition had to be stabilised before it was moved to the unit. The newspaper did not point out that the consultant who saved the baby's life had had to travel from Thanet.

Such scaremongering and shroud-waving has whipped up a campaign that is no longer in the control of the Kent and Canterbury trust and of those people who want a constructive debate. We now have to contend with a monster that is blind to the facts and deaf to argument. I appeal to all sides to take a more constructive line.

I come to pathology and the recent report on cytology. I stress the need for a much broader inquiry into not only cytology, but the range of pathology services at the Kent and Canterbury. That is not because I do not believe that the situation has been resolved—I am confident that the new unit is efficient and properly led with qualified and competent staff. However, I am not confident that all the lessons were learned from the pathology debacle, that we reached the root of the matter, or that everyone was called to account.

On 20 November last year, I tabled some parliamentary questions to shed some light on the issue; I hoped that the answers would give an idea of when clinicians in east Kent, especially at the Kent and Canterbury hospital, realised that there was a problem and whether they had dealt with the problem there and then. The questions that showed that pathology services had improved received a proper response, whereas those that would have revealed that problems were not identified soon enough did not receive full answers. I hope that my hon. Friend the Minister will look again at those answers.

I believe that a study of referral patterns over the past 10 years will show that there was a point at which Kent and Canterbury clinicians started to refer their private patients to a different hospital for pathology services while they continued to send their national health service patients to a hospital whose pathology service they knew to be flawed.

My hon. Friend the Member for Lewisham, East (Ms Prentice) is indicating that she would like me to come to a speedy conclusion, so I shall speak briefly about the process of rationalisation. The review process was agreed on all sides. It involved clinicians of all types; it did not include politicians. It was described at several public meetings. There were no complaints about the process until the downgrading of the status of the Kent and Canterbury hospital was recommended. All the hospital trusts were clearly instructed to consult internally, to ensure that the views of the hospitals were known.

I know that other hon. Members want to speak, so, in associating myself with the comments of the hon. Member for North Thanet, I make a final appeal for a much more constructive debate. We should prioritise outcomes;

we must create a hospital service in east Kent that gives patients the best chance of recovery. Important as other issues, including transport, are, they must be secondary. As there is no practical option for a three-site acute service, we must, on the available evidence, accept the preference expressed by the East Kent health authority, which I hope my hon. Friend the Minister will ratify.

10.36 am

Mr. Michael Howard (Folkestone and Hythe): I congratulate my hon. Friend the Member for North Thanet (Mr. Gale) on securing this debate. My constituency no longer has within its boundaries a hospital that provides the full range of services; that battle was fought and lost long before I had the honour to become its Member of Parliament. However, it does contain the Royal Victoria hospital, which is briefly described in the East Kent health authority's consultation document as having

"92 beds providing care of the elderly and GP beds".

Those few words do not begin to convey the excellence of the care that is provided in that hospital, the warmth and the tenderness with which the nursing staff carry out their duties, or the evident appreciation with which the patients respond.

I have long been associated with the Royal Victoria. Some years ago, I was able to persuade one of the East Kent health authority's predecessor bodies to establish a minor injuries unit at the hospital. I was there just a few days ago to visit John Jacques, a distinguished citizen and former mayor of Folkestone. I was deeply impressed then, as I always have been, by the way in which patients are looked after.

The health authority proposes to reduce the number of beds at the hospital from 92 to 70. There is a further proposal to relocate the Arundel unit—a mental health unit—from the William Harvey hospital at Ashford to the Royal Victoria. I am at a loss to understand the logic behind those proposals. The general case for fewer beds is apparently based on a report referred to on page 12 of the consultation document, which concluded that the people of east Kent use hospitals more than most. However, that does not apply to the elderly who use most of the beds in the Royal Victoria. The case for a reduction in the number of beds at that hospital has not been made.

The hospital is located near the centre of Folkestone and close to several schools, so it is an inappropriate site for the mental health unit that is currently at the William Harvey hospital in Ashford. The East Kent health authority's proposals for the Royal Victoria are mistaken and misconceived, and I oppose them.

The proposals are a consequence of the larger proposals that have been discussed in the debate. I approached them with an open mind. Most of my constituents use the William Harvey hospital at Ashford, to which I am a frequent visitor. I am impressed by the quality of care that it provides.

A substantial number of my constituents use the Kent and Canterbury hospital, however. It is particularly convenient for those of my constituents who live in the Elham valley. Public transport links between Elham valley and Canterbury are relatively good, but public transport between Elham valley and Ashford is virtually non-existent.

At my last surgery in Elham, Mrs. Monica Russell—the wife of the vicar of Elham—brought along an elaborate map that she had made of the public transport links between various parts of my constituency and the hospitals which serve them. It is a remarkable document, which she has supplied to the community health council. It brought home to me that the implications of accessibility involved in the proposals are even greater than I had originally thought. Accessibility is one of the key criteria by which proposals of this kind must be judged.

I am convinced that the disadvantages of the health authority proposals in terms of accessibility are severe. They would have a particularly harsh effect on those of my constituents who are least well-off. This applies not only to those who are patients, but to those visiting friends and neighbours who are patients. The disadvantages could only be justified by overwhelming compensatory advantages. I am not convinced that the consultation document identifies any such overwhelming compensatory advantages.

The problem it seeks to remedy is not, we are told, caused by money or the lack of it, and would not be solved by more money. At the heart of it are factors involving the supply of doctors, the way they are trained and the new ways in which they need to work. The document says that the royal colleges recommend a minimum population for a main hospital, although in a rural area—such as that with which we are concerned—the same advantages can be achieved by two hospitals working together more closely.

As my hon. Friend the Member for Canterbury (Mr. Brazier) has pointed out, the Royal College of Physicians has emphatically denied the health authority's claim. The case, to put it mildly, is nothing like as straightforward as the health authority suggests. I do not think that my hon. Friend the Member for North Thanet is justified in describing those who favour the retention of three hospitals providing acute services as "dishonest". There is room for honest disagreement.

I shall follow the consultation process closely and I shall listen with interest to the Minister. The arguments must be tested thoroughly over the next three months. As things stand, my judgment is that the case for the health authority's proposals is far from made out.

10.41 am

Mr. Damian Green (Ashford): I shall be extremely brief, because I know that my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) wishes to speak as well. I give a partial welcome to the health authority's proposals, but I urge the Minister and the Government to make the consultation period under the health authority—and beyond, when the decision goes to the Secretary of State—a real one, and not simply a period of time-serving.

I associate myself with the remarks of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), who said that there is the possibility of honest disagreement about the proposals. They may broadly be on the right lines, but there are flaws and deficiencies in the proposals.

Both the main options include the William Harvey hospital in Ashford as a significant provider of the full range of services. This is clearly sensible, for four reasons. First, the hospital is appropriately placed, only 100 yards

[Mr. Damian Green]

from the motorway network. Secondly, most of the population growth in east Kent over the next decade will be in the Ashford area. Thirdly, the hospital has an excellent record in acute care and in certain key specialties. Fourthly, there is a possibility of expanding the site to absorb new services, given that a 20-acre site with planning permission restricted to health-related uses is immediately next to the current site.

There are other pressures which the health authority has not taken into account. A minority of my constituents look to the Kent and Canterbury hospital as their principal hospital provider, either because of its sheer geographical proximity or because they use the specialist services. One flaw in the proposal is the wholesale removal of those specialist services from Canterbury. Cancer has been much discussed this morning, and removing the cancer service from east Kent would put unnecessary pressure on Maidstone and would be bad for the population of east Kent. Clearly, change is needed in terms of the disposition of specialist services around east Kent.

Another potential flaw involves the future of the smaller hospitals. One such hospital which has not been mentioned is West View in Tenterden, which is searching hard for a solution combining NHS use with use by Kent social services and private nursing home beds to enable it to survive. The authority's move to close West View—after a long period in which proposals for a private finance initiative were discussed—follows the wrong kind of consultation. One hopes that that will not be repeated in the wider sphere of the consultation on these proposals.

The one-trust option would be bad for east Kent, as it would be an attempt at a bureaucratic solution which would not reflect reality. There may be evidence which has not yet been found for a three-site option. Clearly, the Secretary of State will need to have three things on his mind: the need to maintain the balance between the quality of care and the ease of access; the need to staunch the flow of money out of east Kent to, in the large part, the London hospitals which, for perfectly good reasons, are more expensive and thus cost the NHS more money; and the need to provide suitable training opportunities.

The decisions taken in the next few months will decide the quality of health care for the population of east Kent for the next 10 years. They require a serious and unemotional debate.

10.45 am

Mr. Andrew Rowe (Faversham and Mid-Kent): I wish to raise a couple of points in the minute that I have. First, I am sceptical of the present proposals, not least because the costings seem to be extremely dubious. I understand that the estimate given by the health authority for moving the cancer services to Maidstone is about £0.5 million. The chief executive of the Maidstone trust, when consulted, said that he thought it would be much closer to £10 million. Since neither the Mid-Kent Healthcare trust nor the West Kent health authority was consulted at all by the East Kent health authority—they do not appear in the list of consultees—I cannot believe that the consultation is soundly based.

Secondly, the recent radio debate showed clearly that, on the whole, the layman—the non-medical professional—behaved in a more mature and sophisticated fashion than anyone else. I was absolutely appalled by the animosity between the various medical directors and the chief executives of the trusts. One of the great weaknesses of the consultation document is that no consultation at all has taken place with the sophisticated lay people who are the users and financiers of the NHS.

10.46 am

Mr. Patrick Nicholls (Teignbridge): First, I congratulate my hon. Friend the Member for North Thanet (Mr. Gale) on introducing the debate, and on doing so with such style and vigour. This debate shows our system working at its very best. There is nothing more passionate than a Member of Parliament on either side of the House arguing passionately for what he believes to be in the very best interests of his constituents.

Even if time would allow me, I am a bit too long in the tooth to make the mistake of trying to appear as the deus ex machina at the Dispatch Box, trying to work out the rights and wrongs of everything my hon. Friend the Member for North Thanet drew to the attention of the House.

I was impressed when the hon. Member for Dover (Mr. Prosser) reminded us that there is a feeling of loyalty to a local hospital—and so there should be. Our whole political structure is based on the local Member of Parliament having a local feel for his local people, and arguing passionately for them. It can be difficult at times—and sometimes even inappropriate—for a Member of Parliament to look at things dispassionately. One takes a view and makes a decision about what is right in the interests of one's constituents, and one argues for that.

My hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) was more brave about doctors than I will be. It has been my experience in my half century on this earth that doctors can be quite ferocious in their disagreements with each other. It would be a brave man who would say that any given collection of doctors was right or wrong. In defending the medical profession—in case I have to see a doctor in the near future—I must say that although they are arguing, as Sydney Smith said, from "entirely different premises", and therefore can never agree, they believe passionately in their case at the time. It makes it difficult for the layman to work out who is right and who is wrong.

Dr. Jenny Tonge (Richmond Park): Will the hon. Gentleman give way?

Mr. Nicholls: I am sorry, but time does not allow me to give way.

My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) came to the debate with his usual silken analysis. He said that, very often in these situations of inevitable complexity, honest people will honestly disagree.

I cannot pretend to understand the merits and demerits of the minutiae of the plan, and it would be a brave person who said he did. However, I suspect that it is a situation in which honest people will passionately disagree from the best of motives. Fortunately, our system is eminently sophisticated. When irreconcilable positions have to be dealt with—when circles have to be squared and the judgment of Job made—we know that our opinions will

reach the Secretary of State for Health and the Minister of State, from whom I am sure we all greatly look forward to hearing.

10.49 am

The Minister of State, Department of Health (Mr. Alan Milburn): I shall have to employ the hon. Member for Teignbridge (Mr. Nicholls) as a warm-up man. I congratulate the hon. Member for North Thanet (Mr. Gale) on securing a debate on a matter of concern to him and his constituents, as well as the other right hon. and hon. Members who have contributed to the debate. I applaud all those who have raised the issue with me privately and in the Chamber, both today and on previous occasions.

I was pleased that the hon. Member for North Thanet said at the outset that the issue was not party political, a point borne out by my hon. Friend the Member for Dover (Mr. Prosser). The nature of the debate has fully testified to that approach. The debate has also highlighted that health service change in Kent, as elsewhere, is a complex and contentious issue.

As the hon. Gentleman said, the debate in east Kent has been going on for some time. I fully understand the real concerns about the future of hospital services in the area. Local communities rightly feel a strong attachment to their local hospitals and want to know what the future holds for them. As the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) suggested, that is a concern among patients and the public, as well as the hard-working NHS staff. I understand the anxieties aroused by consultation of the sort that is being undertaken, but it is vital that health authorities get decisions about the future of local health services right. The worst outcome is for decisions to be rushed and to be wrong.

I wish to make two points clear at the outset. First, I want to encourage local people and local organisations to participate fully in the consultation exercise. Many of the points that have been raised this morning are matters for response during the consultation process. Secondly, I wish to assure local people in east Kent—including the hon. Member for Ashford (Mr. Green) and his constituents—that the consultation is genuine. I read the consultation document yesterday with great care. It explicitly seeks views on one option, and it also asks for alternatives to be suggested in the next few months.

I shall dispose of one other misconception, and it is a point that was raised by my hon. Friend the Member for Dover. The proposals are not primarily driven by questions of finance. The major problem confronting the NHS in east Kent, as elsewhere, is the supply of doctors, the way they train and the ways that they need to work to ensure the best outcomes for patients. That is what we all want, and that is what unites all right hon. and hon. Members. Those who say that the answer lies simply in putting more money into the local health service have got it wrong. We can put more money in, and we will, and we can take money out of bureaucracy, and we will, but the fundamental problem will remain.

I am aware that work is in hand across Kent to review patterns of hospital services. West Kent health authority has faced similar issues to East Kent in terms of the need to consider the best future pattern for acute hospital services. I assure hon. Members—especially the right hon. and learned Member for Folkestone and Hythe, who has had to leave the Chamber—that the two health authorities are working closely together to ensure that their strategies coalesce. I can assure the House that the NHS executive regional office will keep a weather eye on developments to ensure that the two proposals that emerge align for the benefit of patients.

Co-operation should be the order of the day in east Kent. We have already seen a huge collaborative effort from all parts of the NHS in the area. As right hon. and hon. Members know, the background to the issue arose from the preparation for the consultation exercise. Right hon. and hon. Members were right to point out that that preparation included the involvement of professionals from the secondary and primary care sectors. In addition, late last year efforts were made by the health authority to consult local community representatives, including local Members of Parliament and local authorities, before the consultation exercise. I am satisfied that consultation took place ahead of the consultation document being issued. That does not mean that every "i" that is dotted and every "t" that is crossed in the consultation document is necessarily right. I assure the House that the document is a genuine consultation document and is open to amendment.

I am also aware of the public commitment given by the chairs and chief executives of NHS organisations in east Kent to work together to ensure that the public debate about the future pattern of hospital services is as informed and mature as possible. As we know, that is no easy task, because emotions are inevitably running high and local people have real concerns and fears about the process. However, it is important that we conduct the debate maturely and as openly as possible. A start has been made with the establishment of three principles. First, it is recognised that chairs and chief executives of the trusts and health authority in east Kent have a responsibility for the whole health service in the area, as well as for their individual organisations.

Secondly, it is recognised that, within a broad framework, each organisation has a right to put its case and should do so, but—whatever the outcome of the review—the different parts of the NHS in east Kent will have to work together in the future. Joint work is critical to the successful implementation of change.

Thirdly, it is recognised that how a case is put is as important as the substance of the case. An informed debate will be marked by moderate language: an ill-informed debate will be marked by immoderate language. I applaud the commitment that has been given to those principles and I expect nothing less. However, if there were any evidence of intimidation and threats—and I have heard such suggestions from several quarters—I would be extremely concerned, as would the NHS regional office. We will not countenance such behaviour. We need an intelligent debate about the future of health services in the area.

I have been very encouraged by the decision of the health authority and the trusts' chief executives to reconvene the "Tomorrow's Health Care" steering group. The reconvened group will ensure a joint mechanism for assessing and discussing alternative proposals to the authority's preferred option, or variations on options, that may arise during the consultation. That reflects a continued willingness to try to put aside any sectional

[Mr. Alan Milburn]

interests and to work together to find a way forward that makes the best possible sense for the NHS and the people of east Kent.

Right hon. and hon. Members will understand that I cannot be drawn into consideration of the merits of the authority's options, or any alternatives to them. Consultation on the options has just begun and it will end on 8 May. I assure the House that no decisions have yet been taken and there will be plenty of opportunity to scrutinise the authority's proposals, to review the assumptions that underpin them, to test them against alternatives and to make other suggestions. The health authority has signalled its willingness to listen, and I would expect no less of it. Should the authority's final proposals be contested by either of the local community health councils, the final decision will rest with Ministers. I must and will keep an open mind until then. If the decision comes to Ministers, it will be fully informed by the responses to the health authority's consultation, and based on a balanced assessment of the proposals.

One thing is certain. Standing still is not an option for the national health service. The NHS in east Kent has to change. I want it, as I am sure do all hon. Members, to become more modern and dependable. Precisely what form the change should take in hospital services is a matter of intense local debate. The NHS there must fulfil its duty to explain to the public why change is necessary and how it will strengthen the local health service. I am sure that hon. Members will continue to represent their constituents' interests both here and locally. I hope that they will use their enormous influence to play their part in persuading the people of east Kent that change is essential to a modern national health service. I expect the health authority to take into account all the points that have been raised this morning in considering responses to the formal consultation. I urge all interested parties to work together.

Mr. Deputy Speaker: Order.

NHS Maternity Services

11 am

Mr. Alan Hurst (Braintree): I am grateful for the opportunity to open this important debate. The national health service is half a century old and can rightly be proud of its progress on safe deliveries during that time. In 1960, there were 30 stillbirths per 1,000; by 1992, that had been reduced to eight per 1,000. That is real progress, but there are still concerns as regards the poorer parts of our community and ethnic minorities. Firm progress is required in that respect.

By 1992, 99 per cent. of babies were born in maternity units. Until that time, the thrust of the Health Department's policy was for all children to be born in maternity units. That assumption was challenged by the Select Committee on Health under the chairmanship of the hon. Member for Macclesfield (Mr. Winterton) in 1991 and 1992, which concluded that women should be given far more information about childbirth and the opportunities open to them, and the choice of home delivery or delivery in a maternity unit.

The Committee's report led the Government to set up their own inquiry, the expert maternity group, under Lady Cumberlege. Its extensive investigations led to the milestone document, "Changing Childbirth" in 1993, on which our assumptions about childbirth are now based. In particular, it enjoined local health authorities to review what progress they should make in the light of the recommendations over five years.

Stress was laid on several points. First, the prospective mother should have a named midwife to ensure continuity from the moment of knowledge of conception through to the birth and after. Secondly, the mother should be entitled to see her medical notes. Third of the salient features was that she must be given a choice about where the baby is to be born. That could be in a general hospital under the guidance of a specialist, in a general practitioner-led unit, a midwife-led unit or at home. There was some evidence that GPs were loth to recommend prospective mothers to go anywhere other than a general hospital, under the guidance of a specialist. That led to the under-use of small maternity units, especially in small towns and rural areas.

Polls have been carried out on maternity. One by MORI earlier in the decade showed that the overwhelming majority of women would like choice and that many would consider a small maternity unit or the opportunity to give birth at home. Such opportunities have been missed for decades. While we were improving the safety rate, choice was going out of the system. Mothers were being guided—that is the lightest word that I can use—towards a certain pattern of giving birth. Control was not in their hands but in those of the authorities. I am loth to use clichés such as "women-centred" or "child-centred" but, to revert to English, they mean that the person in charge of the operation, the mother, should make the decisions. That is the clear thrust of "Changing Childbirth".

I have introduced the debate, knowing that some of my hon. Friends have similar problems in their constituencies, because several health reviews are going on in the counties. I heard the end of the previous debate on health services in our neighbouring county of Kent. There appears to be some diversity of view about how to proceed. I was greatly reassured when my hon. Friend the Minister of State for

Health stressed the importance of real consultation. It might be well said, "Heaven preserve me from consultation," since consultation—not invariably but sometimes—results in conclusions that are at odds with the views expressed by those consulted.

The reports of the Select Committee and of the Government's expert maternity group work, and "Changing Childbirth" have a clear emphasis. The Committee's report states:

"We recommend that the policy of closing small rural maternity units on presumptive grounds of safety be abandoned forthwith. We further recommend that no decision be taken to close such a unit unless it can be explicitly and incontrovertibly demonstrated that they are failing to provide value for money and that the costs to the consumers are carefully taken into account in making such calculations. We recommend that in considering an appeal against the closure of such a unit, the Secretary of State should make presumption against closure unless the case is overwhelming, since we believe that there is a shift in attitude towards maternity care which can only be met by maintaining such units as a realistically available option."

That is the kernel of my case.

Our health authority in north Essex has recently been through a consultation exercise ironically entitled, "Taking the Initiative". Unison has drawn up a report entitled, "Taking Liberties". Local people often refer to it as taking the mickey. In essence, the consultation exercise has gone through. The term "taking the initiative" may be right if taken at face value, since the initiative has been taken to defy every guideline and inspiration in "Changing Childbirth": the conclusion is at complete odds with that which one might have assumed if the exercise had followed the guidelines.

Although the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) is not here, he spoke to me yesterday. In Maldon he has a problem similar to mine in Braintree. The closure of both our maternity units is proposed. I think that I have his authority to say that what I have to say about Braintree he would echo on behalf of Maldon. In Braintree, it is proposed to close the William Julian Courtauld hospital and move its facilities to another site. Maternity services will slip during that move, so that no maternity service will be based in the town of Braintree.

The consultation exercise took the views of local residents. Some 600 or more attended public meetings, and unanimously expressed the opinion that the maternity service should remain. It took the view of local GPs, who thought that maternity services should remain in a local unit in the town of Braintree. It took the views of the local authority, Braintree district council, which thought that maternity services should remain. It took the view of the community health council, which thought that maternity services should remain. The local authority spoke to midwives, who said that maternity services should remain. It spoke to parish councils, which said that maternity services should remain. Everyone the local health authority spoke to in the town of Braintree and the surrounding villages gave the same answer.

Mr. Ivan Henderson (Harwich): Does my hon. Friend agree that health authorities not only have failed to listen to the people who care for people and provide front-line services but ignore proposals put to them by midwives, doctors and others involved in local health services? Is that the case in my hon. Friend's constituency?

Mr. Hurst: I am grateful to my hon. Friend who has similar problems to those who represent Braintree, Maldon and Chelmsford. He makes the point well. The word "ignore" is perhaps too strong, but it appears that health authorities have misjudged—if I may put it that way—the views expressed to them by the local people. That is especially true in Braintree.

The W. J. Courtauld hospital may be familiar to hon. Members. It was founded and set up by the Courtauld family shortly after the first world war in recognition of the contribution made by its work force in Braintree, Bocking and Halstead to the war effort and the success of the Courtauld family. It was further supported by subscription of the working people of Braintree. It has become a hospital for which people have great love and affection.

In the previous debate, the hon. Member for Teignbridge (Mr. Nicholls) said that there was great importance to be attached to local hospitals and the affections that they bring forth in local people. They are an asset that should be lost only slowly if they are to be lost at all.

Mr. Bill O'Brien (Normanton): In my constituency, we have the same problem. My health authority wants to transfer maternity services away from Pinderfields general hospital, leaving a large area without cover. One of the reasons given is that the number of births in the area is too low. Another is the difficulty in recruiting qualified and efficient staff. I have listened to my hon. Friend giving the details of his case. Has he been given the same reasons?

Mr. Hurst: It is clear that the same arguments are used in every area. The ratio of midwives to patients at our local hospital is 1:19. I believe that, in the town of Maldon, it is 1:16. In Chelmsford, to which mothers from Maldon and Braintree will have to go, it is 1:48. There is a section in the consultation document entitled "Equality". It is an old form of equality that I thought went out a long time ago, with the collapse of the Soviet Union. It is called levelling down. The argument is that, because we in Braintree, Maldon and certain other country towns have a good service, it should be taken away from us. The terrific result is a move from 1:48 to 1:42 in Chelmsford. So the people of Chelmsford do not benefit substantially, but the people of the country towns of north Essex lose substantially.

The people who lose most of all are the poorer residents of country towns in north Essex. They have to travel to the nearest large town at enormous inconvenience to them and their relatives—the woman's husband, mother, father or whoever wishes to visit her. The closure of the local hospital is a fundamental attack on the rights and equality of poorer people, especially those living in country areas and small towns. That was mentioned in the debate last Wednesday about rural poverty. I am disappointed to hear that the problem is not localised; it is clearly occurring in other areas.

My hon. Friend the Member for Harwich rightly said that health authorities do not appear to listen. I referred earlier to the W. J. Courtauld hospital, founded by the Courtauld family. A hospital support group has recently been formed to support services. Its committee is chaired by a descendent of the Courtauld family, Julian Courtauld. It has led an active and well-researched campaign to show that there is no benefit in financial or material terms to the proposals.

[Mr. Hurst]

The exercise started out as an attempt to save money. The argument was that the health trust and hence the health authority were not balancing their budgets so savings needed to be found. The original figure floated around was some £6 million. I fully accept that the Government have provided north Essex with additional funding of £17.5 million, which I believe in growth terms came to £7.8 million. So on the face of it, the deficit was balanced. But health authority deficits are rather like a mirage. When one gets close to them, they disappear, only to reappear further down the road, probably in rather larger form. I give some humble and modest advice to my Government. When money is given to health authorities, they should ensure that it will be spent on what we wish.

I shall draw my remarks to a close, because I know that several other hon. Members are anxious to speak about problems similar to those in Braintree and north Essex. I am sure that hon. Members agree that an enormous advance was made with the publication of "Changing Childbirth". The principles enshrined in it appear to be welcomed by everyone in every profession and walk of life connected with health. It will be a great tragedy if health authorities take it on themselves to undermine those principles without even saving any money. My health authority has pledged that the money saved by closing the Maldon and Braintree units will be transferred to a new low-cost unit in Chelmsford. So there is no cost saving. The closures are a further attack on the rights of women to give birth where they wish and on the rights of poorer country and small town people.

I conclude by quoting from the latest document, the White Paper entitled "The New NHS". It follows the same principles. It appears that the Government do not live in the past—in 1992 or 1993. The White Paper says:

"Too often in the past community hospitals have been sidelined. Their potential contribution to managing the pressures of rising emergency admissions has often been ignored. Patients will be able to use local community hospitals to the full rather than having to travel to more distant acute hospitals. This will be particularly significant in rural areas."

I am grateful for the opportunity to bring this case before the House today. I look forward to the speeches of hon. Members on both sides of the House who, I fear, have experiences similar to ours in Braintree.

11.8 am

Dr. Jenny Tonge (Richmond Park): I am delighted to speak in this debate not only because I have delivered babies, but because I have been delivered of three babies. I have personal experience, but I shall not bore hon. Members with the details of my labours. I am sure that they suffer under that yoke far too much with their own families.

Until I arrived on this planet, I was involved with the management of and liaison with community maternity services in the health area in which I worked. So I am delighted to speak in support of the hon. Member for Braintree (Mr. Hurst). I thank him for introducing the debate. No one would dispute the need for a woman-centred approach to childbirth. It is welcome that we have moved away from the notion that women should give birth wired up like robots. That used to be the case in the not so distant past. If we are to move away from that model, we have a lot of things to think about. I should like to share them with the House.

First, if we are to have woman-centred childbirth and maternity care, in which care and time is spent on each patient, with midwives travelling from home to home and community base to community base as well as working in hospitals, we will need more midwives. There will be big staffing implications: the more time that is spent on patients, the more staff will be needed. Therefore, we cannot get away with the present exhausted band of midwives. Although they do the most fantastic job, they are frequently overworked, terribly pressed and unable to take proper holidays. We must remember that the staffing implications of any new policy also have financial implications.

Although we want women to be able to exercise choice about where they give birth, we must also consider their safety and that of the child. I fully appreciate that, in the majority of cases, childbirth is a perfectly easy thing—women are delivered of babies and babies are born whatever happens. It is worth noting, however, that the reductions in perinatal and maternal mortality rates achieved in recent years have been due to medical intervention and good obstetric care. We must consider safety.

If we are to provide safety, we must have midwives out in the community, backed up by ambulances that are specially designated for maternity care. In the 1960s, they used to be known as flying squads. Those special ambulances should be able go out to patients and babies who are in distress and bring them to a properly equipped centre. We must also have GPs who can competently intervene, and obstetricians on call to intervene if necessary. All those requirements need extra funding.

We must also make sure that special care baby units, or SCBUs as they are fondly known by my medical colleagues, are easily available and well equipped, and that their staff are well trained.

In my area of Kingston and Richmond, great efforts have been made to personalise maternity care. Kingston hospital has one of the most beautiful new maternity units that I have seen, with wonderful wards for women in labour, which look like hotel rooms. They have comfortable reclining chairs for the poor old husband, who, as we all know, suffers far more than the woman, as well as televisions and drinks facilities. At the flick of a switch, however, such rooms can be converted into a delivery room with high-tech hospital care. Unfortunately, the pressure on that unit is so great, with women coming in thick and fast, and the staff are so short on the ground, that those lovely hotel-like facilities which enable women to relax and enjoy their childbirth are not used very much. The switch is always flicked to the delivery mode, and as soon as one mother has delivered, she is out, and the next mother has to come in. Again, it is a matter of resources.

The Liberal Democrats would support women-centred childbirth, but, like care in the community, it is not a cheap option. That is the major point I want to stress. As with care in the community, if the policy is to be introduced properly so that women have choice, adequate funds must be provided. We know how difficult that is. I am not saying that the Government should spend, spend, spend, but the provision of women-centred childbirth is not as easy as it sounds, it needs additional resources.

We believe that maternity services and child health are probably among the top priorities for our health service, and we would like such priorities to be drawn up nationally. I hope that the House realises, however, the huge financial implications.

11.23 am

Mr. Ivan Henderson (Harwich): My hon. Friend the Member for Braintree (Mr. Hurst) mentioned briefly the fact that, this year, extra money has been given to North East Essex health authority. I should like to thank the Minister and the Government for that, as well as for the additional winter pressure money and money for breast cancer treatment. That funding has been well received in my constituency.

Maternity services are of great significance within my constituency. The overwhelming impression that anyone would gain from reading "Changing Childbirth" is that it is designed to promote and increase the choice available to women and their partners. I am sure that every hon. Member would agree that that is important as long as choice is exercised on the basis of sound advice and good information and is in the interests and safety of the mother and unborn child.

I am concerned because my local health authority is seeking to replace the excellent maternity units at the Clacton and Harwich hospitals with no more than birthing units. I saw no mention of such units when I studied "Changing Childbirth". I also asked the Library to provide me with some evidence of the work of such units around the country, but it has been unable to supply me with one bit of information. I have no evidence to show how those units have operated, their success or the take-up of their services.

I know that the North East Essex health authority has set up one birthing unit at Halstead, but, in a year, just five people have used it. The take-up at such units is not great, and we need far more information about them.

The community needs to know that the services of the large general hospitals are available if patients need them. In Harwich, all we are asking is that the basic needs of my constituents should be met. As the hon. Member for Richmond Park (Dr. Tonge) has said, there is always the possibility that specialist treatment may be needed, and it is nice to know that it is available. The maternity unit at Harwich has worked well for many years and has enjoyed good support from constituents, midwives, local GPs and other health professionals.

In my constituency, savings would be made only by withdrawing proper choice. The emphasis of "Changing Childbirth", however, was to give women more choice—for example, by opting for a home birth—and the document discussed the safety of that. The evidence supported women's right to have that choice, but said nothing about removing women's choice for in-patient care at local hospitals. But that is exactly what the change to birthing units is all about.

If local services at Harwich and Clacton hospitals are withdrawn, the only alternatives to a 40-mile round trip to Colchester general hospital is either to opt to have a baby at home or to go into a birthing unit for just a few hours. There is no real choice for those who want to opt for in-patient care.

In the past, the services at Harwich hospital, which is an extremely good community hospital, have been taken up by many women. They all enjoyed the care and comfort provided by the staff.

Among the evidence that I collected from the Library was that given by the Maternity Alliance. One of the problems of my constituency is poverty. Many problems are caused in Harwich and Clacton by homelessness, poor housing, bad transport facilities and lack of car ownership. My hon. Friend the Member for Braintree referred to similar problems. That organisation expressed its fears about the new proposals and said:

"The Maternity Alliance raised concerns that the reduction in average length of stay post-natally should not be achieved at the expense of the health and well-being of women and their babies."

It highlighted the need for lying-in wards in rural and urban areas for young and single mothers, homeless women, those living in unsuitable accommodation, women with heavy domestic responsibilities and those who had multiple births.

In keeping with the Government's stated commitments to increase choice, every pregnant woman should have the opportunity to receive care in the community or in the hospital of her choice, from the health professionals of her choice, and for as long as she feels necessary. That choice—among other things—has been taken from my constituents at Harwich and Clacton.

In return for putting all my constituents through the pressures and trauma of the review, and in return for removing choice at both hospitals, £37,000 will be saved each year—although, in the first year, only £10,000 will be saved.

Despite all the public meetings, all the opposition, the petition bearing 25,000 signatures—10,000 of which, as the Minister will see, went to the Department of Health—postcard campaigns against the changes, and women marching in the streets with doctors and midwives in front, no notice has been taken.

My hon. Friend the Member for Braintree mentioned concerns about consultation. The North East Essex community health council will appeal against the decisions to reduce services on maternity and casualty. It says:

"It is also unfortunate that the Authority clearly stated 'the fact that a majority of people may be unhappy with a proposal would not, in itself, be a criterion for a rejection'."

The authority is not listening. Some health authorities are not listening to the people.

During my weeks and months in this place, I have heard the Minister say that the service is not our service or the health authorities service but the people's service. Those people have spoken out—in petitions, in public meetings, in marches and in health authority-organised workshops—and they have not been listened to. They have been put through a traumatic time.

The health authority agrees that we shall have less choice. When it published the proposals, it said:

"Drawbacks: There would be no inpatient services at Clacton and Harwich . . . For some women resident in Clacton and Harwich this means less choice about where they would like to have their babies."

As the hon. Member for Richmond Park said, women need to know that they are in control, and that their choice has been met. It places more pressure on a woman to be separated from her family—not to have her loved ones near her—at what can be a highly emotional time. The family may be 20 miles away, perhaps without means of transport. In my area, car ownership is low and public transport facilities are poor. There is high unemployment

[Mr. Ivan Henderson]

and much poverty. Family members may be unable to afford to be present for the birth, and if they get there they probably cannot afford to return the 20 miles from Colchester.

I have looked through "Changing Childbirth". Given the way in which it was presented and the investigations that took place in 1991, 1992 and 1993, I urge the Minister to consider how some health authorities are interpreting "Changing Childbirth" to pursue their own agenda. We need to consider that seriously; if we had done so earlier, we might not have had to put the public in my constituency and the Braintree constituency through the experiences to which they have been subjected over the past few months.

In my constituency, the midwifery teams at Harwich and Clacton have made several excellent proposals for retaining the maternity units—such as a proposal to reduce the beds in one unit from six to four—following the guidelines of "Changing Childbirth" and team midwifery. They have gone a long way with that concept, but they still have not been listened to.

The health authority has not listened to the people on the front line; it certainly has not listened to the public; it has not listened to me. I have had the chair and chief executive of North Essex health authority up to visit me in the House several times. Recently, he said to me in the House, "The reason why we are making cuts in your services both in Harwich and Clacton is because they are too good. There is inequity across north-east Essex." As my hon. Friend the Member for Braintree said, the sole aim of the consultation appears to be to level down.

As a Government, we should be identifying best practice throughout the country and building on it. We should be paying attention to community hospitals such as those in Harwich and Clacton, building on best practice and praising those people for nurturing the services over the years. They need the praise.

Doctors, nurses and health workers have put a great deal of effort into retaining small community hospitals, but we are putting those people through as much trauma as the public, if not more. They feel very strongly about their local hospitals, and so do the public—they are theirs. As probably happens in all constituencies, in my constituency, charity events are held, the proceeds of which help to buy equipment for the local hospitals. People believe those hospitals are theirs, and they believe that they should be listened to and heard.

I urge the Minister to look at the way in which some health authorities are interpreting the recommendations of "Changing Childbirth", and to try to stop the traumatic things that are going on out there.

11.35 am

Mr. Kerry Pollard (St. Albans): I feel passionately about this subject, but few hon. Members are in the Chamber to discuss it today, and they apparently show a lack of interest in it generally. Also, it is mainly the middle-aged men in grey suits who are here rather than the people who would benefit from midwife-led units—

Mr. David Drew (Stroud): What about pinstriped suits?

Mr. Pollard: Blue pinstriped suits as well, then.

I want to talk for a second about my credentials. Mine are backed by the highest authority; I have a papal productivity medal, having seven children, and I believe that I could also be classed as a "hero of the Soviet Union", if such a place existed.

I want to focus on the maternity services provided by midwives. Many births are home deliveries, with the baby being delivered by highly trained and dedicated midwives—much the best option for many women. In my family's case, we preferred home deliveries, and four of our babies were born at home. When my daughter Sally was born, my wife was upstairs with the midwife, I was making the tea and the four boys were sitting on the stairs, and it was one of the proudest moments of my life when I could take the new baby and show her to her four brothers and say, "Here's Sally; she's your sister." That was a birth at home, with a midwife whom we all knew and trusted.

Undoubtedly, many women prefer, and some need, the facilities of a large district general hospital, with all the expertise that that involves—in obstetrics and so on—but there is a place for home delivery and, increasingly, for midwife-led maternity units.

Since the formation of the national health service 50 years ago, midwives have delivered 35 million babies and provided care for those babies' mothers. Midwives have made a major contribution in the reduction in maternal and baby mortality rates. The number of women in the United Kingdom who die in labour and the number of babies who die in the first month of life is at an all-time low. We are the envy of the world.

During this time, there have been massive changes in the NHS, major reorganisations and many different professional views about what is right for mother and baby, but the midwives' commitment, adaptability and high level of skill have remained consistent throughout.

The present Government believe—as did the previous one—that a woman has the right to choose her carer during pregnancy. The 1911 National Insurance Bill was amended to provide that the mother shall decide whether she will be attended by a medical practitioner or a certified midwife and shall have free choice in such selection. Today mothers throughout the country are choosing to have midwife-only care at midwife-led units—especially when their childbirth is likely to be normal—and to use the skills of obstetricians and their medical colleagues only when there is a perceived risk. I want to give two examples of units: first, the midwife-led unit at Royal Bournemouth general hospital; secondly, the Edgware birth centre.

In the first example, a study compared the level of care and service satisfaction at Poole hospital with that at the midwife-led unit at Royal Bournemouth general hospital. It concluded that there was some difference in the care received but little difference in the outcome for either mother or baby. The study found that the general hospital births were more likely to involve higher rates of induction and greater use of anaesthesia—particularly pethidine and epidurals—whereas Bournemouth babies were more likely to be born in a birthing pool. It also found that there was very little difference in the care provided for low birth weight babies and those requiring special post-natal treatment—a satisfactory outcome for the midwife-led maternity unit.

The second example, the Edgware birth centre, is a relatively new unit, which came into being as a result of the closure of Edgware hospital as a district general hospital. The unit is funded completely by the Department of Health, so it does not impact on the budgets of the local health authority or trust. The unit opened on 1 September 1987 and cost £84,000. It comprises five rooms, each with its own en-suite shower, and one room with a plumbed-in birthing pool.

Initial interest in the unit among the local population has been high—indeed, more than 100 visits have been requested by local pregnant women. A survey of local women found that 61.6 per cent. would like to deliver in a stand-alone midwife-led unit at Edgware. The most common reasons given for that decision were proximity to home of the place of delivery and confidence in midwives. The Royal College of General Practitioners and the Royal College of Midwives support the concept of midwife-led units and believe that the unit at Edgware is "safe".

In 1996, *The Lancet* published a study that concluded that women who received midwife-led care exclusively were less likely to be given labour-inducing drugs; less likely to be given an episiotomy but no more likely to have a perineal tear; and were less likely to have interventions. The NHS spends £1.1 billion on maternity care. If midwife-led units of sufficient size could be developed—and retained, bearing in mind the earlier comments of my hon. Friend the Member for Braintree (Mr. Hurst)—money could be saved and targeted to those women who need specialist care and the life-saving services of an obstetrician. More money might also be released for general NHS use—perhaps it could be devoted to reducing waiting lists.

I pay tribute to all the midwives in my constituency of St. Albans, who do a brilliant job. My good friend Ita McCracken, who is a sister midwife at our local antenatal clinic, recently went with a group of other local midwives to visit Heatherwood hospital in Ascot, which has a midwife-led unit. They found that mothers and staff were very satisfied with the unit. Staff morale was high, as was staff retention. One mother said, "We are special here; it's like going from home to home." They also believe that the unit is cost-effective.

The previous Government set a target that, by November 1998, 70 per cent. of mothers would know their midwives. In my area, that figure is only 30 per cent., and I believe that a low-risk maternity unit would redress the balance. Staff at a midwife-led maternity unit would have easier access to their clients and families. Such a unit would form part of community services, readily involving the various agencies and professional bodies and working towards improving maternity care.

There is wide support for a midwife-led maternity unit in St. Albans. I have met various trusts and the health authority to further that cause and I am confident that, before long, we shall have our own midwife-led unit in St. Albans.

11.43 am

Ms Rachel Squire (Dunfermline, West): I pay tribute to my hon. Friend the Member for Braintree (Mr. Hurst) for his excellent speech and for securing this Adjournment debate. He covered many of the points that I wished to draw to the attention of the House. I join other hon. Members who have spoken in the debate in praising midwives, in particular.

The provision of maternity services in the national health service is of great interest to many—if not the majority—of our constituents. However, their interests, views and voices are often ignored by the current system of decision making in the health service, which is conducted by unelected and unaccountable health authorities in England and Wales and by health boards in Scotland. The comments of my hon. Friend the Member for Braintree also apply north of the border. In 1991–92, 33,000 people in Dunfermline and west Fife signed a petition seeking to keep their local maternity hospital, or at least retain a maternity ward in the new hospital. Their views were ignored. Even though a new hospital opened in 1993—the same year the maternity hospital closed—with a specially built and equipped maternity ward, it has been allowed to gather dust ever since because of the decision to centralise services at one town in Fife.

My hon. Friend said that health authorities carry out strategic reviews and call them "health initiatives". That also sounds horribly familiar. As part of its integrated care strategy, Fife health board has suggested turning the specially equipped maternity ward at the Queen Margaret hospital into a grannies ward for long-term care of the elderly. It proposes to spend millions of pounds more on centralising the service further, despite community views to the contrary.

It is claimed that centralisation is cost-efficient. We must question whether it is cost-efficient to leave a specially built and equipped ward empty and spend millions of pounds transferring services to another hospital. Mention has been made of poorer communities and transport difficulties. The closure of maternity services at Dunfermline has hit hardest the villages of west Fife, which are some of the poorest communities. The bus service in the area runs only once every two hours—and babies are not known for synchronising their arrival to fit in with the bus timetable. Many people in those communities cannot afford the bus fare for one journey to the hospital. The Government must tackle the problem of power without accountability. We must provide locally based maternity services.

The issue of the NHS complaints procedure was raised with me in respect of maternity services, but I believe that the same points are relevant across the board. Tragically, some parents still experience the death of a baby, and some babies are born with disabilities. In recent months, more than 50 families from all over Fife have contacted me to express their concerns about the medical intervention that took place during the birth of their child and the treatment that they received when they started asking questions. As a result of pressure and publicity, an independent review panel was set up and it is about to produce its report. Therefore, I shall not question the objectivity of the panel or anticipate its findings.

I speak for parents when I say that the NHS complaints procedure does not allow them a proper say. For some time, it has not allowed them to speak directly to the independent review panel, and parents feel that it is difficult for them to put on paper the trauma of what they went through. I emphasise that in no way do I denigrate the excellent services that are provided by maternity and other staff in Fife in delivering thousands of babies. Despite changes and improvements, the NHS complaints procedure still fails to give a strong voice to the few, but important, people who suffer tragedy or trauma in our

[Ms Rachel Squire]

health service. I hope that that will be addressed by the Government, especially in terms of questioning medical accountability.

Once again, I place on record my praise for the thousands of health service staff, especially midwives. Throughout the country they bring great happiness to people. I hope that the Government can ensure that those who provide such an excellent service and the families who seek such a service will have a greater voice in making decisions on the future of our maternity services.

11.51 am

Mr. David Drew (Stroud): I congratulate my hon. Friend the Member for Braintree (Mr. Hurst) on initiating the debate. I also congratulate all those who have participated. The debate is fortuitous because the maternity hospital in my constituency is under threat of closure, and it is useful to be able to speak about that. However, I shall not engage in special pleading; the current review is right and proper, although many of us feel that we know the answer. I hope that the hospital's future will be assured.

The review is part of Gloucestershire health authority's strategic review, and plans for the hospital form one of the few firm proposals in it. The idea is that closing the Stroud maternity unit will save about £150,000 from a budget of £248 million. I hope that hon. Members will agree that that is a drop in the ocean. Much support has already been garnered by local people who are organising a campaign to keep the hospital open. On Stroud's streets on Saturday one could not fail to bump into people who had either signed a petition or were about to sign it. People were taking car stickers and offering what help they could. That is a tribute to the strength of support for the hospital. The local newspaper, *The Stroud News and Journal*, and the National Childbirth Trust have engaged in a well-organised and, I hope, successful campaign—if one judges it by the many letters that I have received.

There is an emotional spasm when there is any proposal for closure in the NHS. It is usually opposed and there is support for the facility which may not have been apparent before. Our debate is about much more than that. As hon. Members have said, people are voicing their concerns and arguing for choice, which is what the debate is about. It is especially about choice for women, but other issues need to be highlighted. There is a perennial battle in the national health service between high-tech and low-tech. Consultants tend to favour delivering babies in large general hospitals, which is against the wishes of GPs and other professionals such as midwives. I wish that that did not happen, but that is part of the real world.

As we wrestle with trying to form a new NHS using the White Paper and, I hope, the Bill that will follow, those matters are at the root of the dilemma that faces us. We cannot underestimate the importance of patient choice. We must listen to not just women but men. I declare an interest because my wife had one child, Christopher, in the maternity unit at Stroud, and another, Esther, was delivered at home with the help of community midwives. I can vouch for the excellent care, support, advice and other assistance that were given by the teams who worked to the best of their ability.

I shall fill in some details without elaborating, so that the review can take its natural course. It is important to give some of the history of the problems that have been mentioned in the debate. The Stroud unit opened in 1953, which is some time ago, on the site of the current hospital, which dates back to 1875. The unit must not be considered in isolation. It is an important part of a complex of services in the community hospital. It has a unit for in-patients and has consultant out-patient services on the site. There is an elderly persons unit for those who suffer mental health problems. The accommodation for elderly persons has been moved from another unit to the community hospital in Stroud, and it is sad that we now face the closure of a key part of the complex.

There was major refurbishment of the maternity hospital in 1993 at a cost of £140,000. It was reopened by Dr. Mark Porter, who I am sure is known to some hon. Members as the television doctor. The refurbishment was part of an upgrade at the hospital and was partly undertaken as recompense for the loss of the Berkeley maternity unit in the south of my constituency. At that time, we were assured that that would be the end to the so-called cuts and that community provision would continue at Stroud for ever and a day. Now we are faced with closure. History teaches some lessons and returns us to issues that we faced before.

The maternity unit is now run by community midwives with GP support and that has been done by agreement. My GP friends assure me that delivering babies is not a skill for irregular practice, and say that they were more than happy when the community midwives took on the major part of running the service. The hospital unit employs 21.53 whole-time equivalent midwives, 6.24 unqualified staff and one administrative and clerical person. It employs a considerable number of people because it delivers the range of services and provides 24-hour cover.

It is important to appreciate that a nine-bed unit can offer not just intra-partum care, which I understand is labour and delivery, but antenatal and post-natal care. Women are offered an informed choice on place of delivery, and the options available are to give birth at one of the two district general hospitals at Cheltenham and Gloucester, or at Stroud, or to have a home birth.

In July 1997, the midwifery-led service took over completely. It has tried to keep to the letter of the report "Changing Childbirth" so that, wherever possible, women have a named midwife and the service is open to all. I know that consultants have the authority to recommend, certainly with the first born, that the birth take place in the district general hospital. However, one of the great benefits of the unit in Stroud is that, after the birth, women can come back to that community unit. That should not be underestimated.

An integrated midwifery model of care is in operation, with midwives having both a hospital and a community role. The midwives work in teams and provide 24-hour cover. Two peripheral consultant clinics are held at the maternity unit by visiting consultants from Gloucester and ultrasound scanning facilities are offered on the general hospital site.

Parentcraft education is offered in homes, hospitals, health centres and surgeries and there are day and evening sessions. My fear would be the loss of that service. It could be seen as an easy way of making genuine cuts and such advice could be reduced or removed completely.

Mr. Tony McWalter (Hemel Hempstead): Does my hon. Friend agree that, given the substantial additional

funds that the Government are making available in the NHS, perhaps the first priority should be a freeze on the cuts in the pipeline from the previous Government? They are causing damage to the NHS in all our constituencies.

Mr. Drew: I thank my hon. Friend but, as I have said, it is right that the review takes place. It should take place against the background of trying to improve—the aims are mentioned in the White Paper—community-based provision and primary-led care. Some of the so-called reviews seem to be going in the opposite direction.

There was some disappointment that, until recently, there was a decline in the number of births at Stroud. I am pleased to say that, with the new approach of midwives taking the lead, that has turned around. Between December 1996 and March 1997, there were 67 deliveries in the hospital, but it is expected that the figure until March this year will be 118. That is a significant increase. One of the good things to come out of the campaign is that it will emphasise that this service is available, and it is hoped that more women will make use of it.

Home confinements are on the increase. Between April and September 1996 there were seven home births, and between April and September 1997 there were 15. If women do not have the choice of a local community facility, I am sure that many more of them will want home births. I understand that that is more expensive. However, having had one of my children at home, I think that it is important, to offer that service.

A 24-hour advisory service is in operation and, during the past year, some 1,244 advice calls were taken. That is important, because people trust the service when it is provided locally. They may know the person giving the advice in a community such as Stroud. That service has now been extended to the forest of Dean.

The breastfeeding rate is 71 per cent. at discharge. I understand that that is substantially higher than the national average. There are many day cases, including foetal monitoring and assessment of women for spontaneous rupture of membranes, blood pressure checks, anti-D prophylaxis and early labour. In early labour, women may feel that they need a local facility. There may be more problems if such a service is available only at the district general hospital.

The average length of stay is 2.6 days. Good local provision is important for access. The arguments about poverty and access were rehearsed a week ago, but were re-rehearsed today by my hon. Friend the Member for Braintree. It is much easier to reach a local facility than the district general hospital in Gloucester or Cheltenham. More particularly, if the service is well provided locally, I believe that women will stay in hospital for a shorter time. Therefore, there is an inherent reduction in cost. If there is no choice and women have to go to the district general hospital, they may have to stay longer.

Thankfully, in 1996 and 1997, the rate for stillbirths, perinatal mortality and maternal deaths was nil. As has been mentioned many times, I am sure that that is due to the overall success of maternity services within the NHS. Long may that continue. I hope that we do not see any deterioration.

In January this year, there was a major investigation, through the district auditor, of the facilities available at Stroud. It looked at the scope and approach of the service at Stroud, including the management and organisation, antenatal care, intra-partum care, post-natal care and the relationship with local GPs. The key findings were interesting. The report said that it was an effective woman-centred service, incorporating a high level of continuity of care and experienced midwives providing an integrated service between hospital and community setting. It also said that there were effective liaison arrangements with Gloucestershire Royal NHS trust—our major local district general hospital—to ensure that women who delivered there and moved to the Stroud unit received seamless care. It said that there was a good-quality maternity service at average cost. It is not more expensive. We are talking not about cost savings, but about a service that can be efficient and practicable.

There were many good examples of how the service was being operated to good effect. The only other key issue was the need to raise the figure for bed occupancy, which is currently about 50 per cent and rising. However, it needs to be higher. That is all part and parcel of getting the message across that community-based maternity units have a role to play, can do the job well and are the popular choice if people have confidence in them. I hope that people in the medical profession will try to get the message across.

An action plan looked at ways in which services could be improved and expanded. We have heard today about other similar cases, but I think that Stroud is as good an example as any we have heard about.

I should like to mention the problem caused by a split trust—an acute trust and a community trust—which is the position in the western part of Gloucestershire. The community maternity unit is within the community trust, whereas the acute trust is responsible for the district general hospital. There is always a temptation to suck money towards the acute end. I know that the Government are aware of that. That is why they have placed the onus on a primary care-led approach. It is important to understand that the salami-like cuts end up helping the acute end, but that the money has to come from somewhere. It often comes from the community end, which is completely contrary to what people want; they want choice in the local community.

I hope that, as part of this debate, we have managed to get the point across about the importance of choice. We are not talking about a more expensive service. We are talking about the service that people want in their local community and about understanding that, as we reform the NHS, people have the right to say what type of service they want. I therefore hope that the maternity units in Stroud and in the constituencies of my hon. Friends will continue.

12.9 pm

Mr. Patrick Nicholls (Teignbridge): I wish that time would allow me to deal in more detail with the six excellent contributions that have been made in the debate, but it is in the nature of these short debates that that is impossible. However, it would be remiss of me not to thank the hon. Member for Braintree (Mr. Hurst) for giving us the opportunity to talk about this subject. The hon. Member for St. Albans (Mr. Pollard) thought that the Chamber was not well attended. Compared with other attendances that I have seen over the years, it is not bad.

The quality of the speeches has shown what an important subject this is. If I may sum up his views in this way, the hon. Member for Braintree was concerned

[Mr. Patrick Nicholls]

that, because of present trends towards rationalisation, precisely those people who particularly need choice—those who live in remoter rural areas or who come from poor and disadvantaged backgrounds—might be deprived of choice. He rightly started off with what was, in a sense, the turning point of the wider debate: the report in February 1992 of the Select Committee on Health.

It is probably rare for a Select Committee report to change the way in which things are done to quite the extent that that report did. Any of us who visited maternity hospitals in the 1970s will have got the impression that the process was done to, rather than for, the woman. At times, one almost got the impression that some doctors were induction-happy, saying, "We are going to throw the switch now. You are going to have your child at this very moment." I perhaps exaggerate to make a point, but, in recent years, the atmosphere in maternity hospitals that I have visited is certainly different from that in the 1970s.

The hon. Member for Braintree rightly warned us against jargon. I dislike it as well, but it is useful shorthand to say that the Select Committee report wanted a "woman-centred" approach. That must be right. That is the key difference between the process before the report and the process afterwards.

I shall not go through the recommendations of the Select Committee in any great detail, but may I briefly mention four of the broad principles behind its recommendations? It recognised that the relationship between the woman and her care givers was of fundamental importance; that women needing intensive obstetric care in the NHS should also be able to enjoy continuity of care and carer, so far as that was possible; that, within a hospital, women should be able to exercise choice as to the personnel who would be responsible for their care; and, perhaps most important, that the woman having a baby should be seen as the focus of care, and that the professionals providing that care should identify her needs and develop arrangements to meet them that were based on full and equal co-operation among all those charged with her care.

Those were the key findings. As a result, the Select Committee was able to make several recommendations: that midwifery-managed maternity units should be developed; that practice in hospital delivery units should be changed to enable women to feel at home and to be in charge of their labour; that working practices should be changed to enable midwives to have their own case loads and to take full responsibility for the women for whom they cared; and that a duty should be placed on all general practitioner practices to enable women to have a home birth, if that is what they wanted.

In due course, as we know, the Government of the day published a report entitled "Changing Childbirth", which accepted the thrust of the Select Committee report. Again, if time allowed, which it does not, I would go through some of the particular ideas and recommendations, but, in accepting the Select Committee report, the then Government had it in mind that the woman should be at the centre of the process. She should be the person who was in charge and, so far as possible, in the driving seat, with home deliveries available to her.

It is interesting to note how the policy has developed over the years. To some extent, the evidence is anecdotal. Hon. Members have talked about "rationalisation", which is probably the kindest way to put it. The effect of rationalisation is to transfer maternity services away from the area where people live. Far from bringing the possibility of a home delivery closer, rationalisation means that the hospital where women are going to have their baby is much further away. Obviously, that is not in any shape or form within the spirit of what the Select Committee or, for that matter, the then Government had in mind.

It is interesting to consider the extent to which the aspirations of the Select Committee—and, I think, of all hon. Members who have spoken in the debate—have been fulfilled. In recent times, several reports have been published. I shall not go through those in any great length, but it is probably true to say that, subject to one or two caveats, the consensus seems to be that the process has worked and that making home births available has worked.

I mention three reports that I have spotted; the Minister may want to say something about the generality of the point, if not comment on its detail. In 1997, the Policy Studies Institute produced a document entitled "A leading role for midwives?". It expressed some reservations about the emphasis on the shift to midwife-led care. The report was based on three pilot "Changing Childbirth" projects. It suggested that, although there were undoubted benefits to both women and midwives in midwife-led care, it was important not to jeopardise good working relations between midwives and the medical profession. It said that the higher costs of providing such a service should not be overlooked.

The Audit Commission produced two interesting documents. One was entitled "First class delivery: improving maternity services in England and Wales". It suggested that there were considerable variations in patterns of care, which could not be explained by differences in "case mix" or local circumstances. Fragmentation of service delivery was highlighted as a problem, as was the issue of conflict between providing "women-centred" care and meeting other NHS service objectives such as increased efficiency.

There was a follow-up to that report, entitled "First class delivery:"—the puns are inevitably to be found—"a national survey of women's views of maternity care". It discussed the experiences of 2,400 women in pregnancy, birth and post-natal care. One part of the report focused on how women felt they were treated by their care givers, with between 50 and 60 per cent. of women "strongly agreeing" that they were

"treated well as a person"

during pregnancy, birth and post-natal care, and most of the remainder "tending" to agree. The authors suggested:

"depending on how you look at them, these results are either encouraging because the majority of women agree that care was good, or worrying because only just over half the respondents were able to agree strongly with the statements".

Inevitably, in medicine as in other things, fashion has a part to play. There is no doubt that the fashion was—rightly, in my view—for women to be able to make an informed choice, after taking medical opinion, on where they would have their child. Inevitably, pendulums tend to swing one way and the other. In his winding-up speech,

the Minister may say a word or two about whether that pendulum has swung too far. If there is solid and substantial evidence that the levels of mortality and, shall I say more loosely, of complication are much higher with home births, this will be as good an opportunity as any to discover that.

I end on this point because I am anxious to give the Minister as much time as possible to respond. It involves the key part of this debate. I dislike pinching clichés from my opponents but, if they are good clichés, why not? The whole point about the national health service is that it is not owned by consultants or politicians; it is a service for the people. Ownership of that service is vital.

Being the key player in an essentially natural operation—child birth—is not the same as being ill. Yes, medical opinion and expertise have their place, but they should start from the position that this is a normal, joyful experience, where the woman is the person who is calling the shots. In 1992, the entire emphasis was changed to ensure that that was exactly what happened. I hope that we will not hear from the Minister that he detects that there has been any backsliding in the system because of that change in emphasis.

Although the Minister will already have noted it, I draw to his attention the point that so many Labour Members have already made with some eloquence: rationalisation, even if done for very good medical reasons, can deprive people of the choice that all hon. Members want them to have.

12.19 pm

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): Ownership of the national health service is indeed important, which is why the Government and Labour Members have reclaimed it for the people. We need absolutely no lessons from Conservative Members on the importance of ensuring that people own the service. I make no apology for introducing a note of party political acrimony into this debate.

We have heard from one Labour Member after another, and from the hon. Member for Richmond Park (Dr. Tonge), of the importance of ensuring that consultation within the NHS is real consultation. We owe a debt of gratitude to my hon. Friend the Member for Braintree (Mr. Hurst) for ensuring that today hon. Members have had an opportunity to speak about the various consultative processes that are occurring in their constituencies and to make the points that have to be made about the value that their constituents attach to maternity services.

Importantly—I do not want to be parochial about the subject—this debate has enabled hon. Members to consider their constituencies within the context of the wider issues raised in delivering an effective and caring maternity service. Those opportunities are the true value of Wednesday morning Adjournment debates, which enable hon. Members on both sides of the House to speak to the issues and to increase our knowledge and engagement in the subject.

Some important points have been made in the debate and, in the short time that remains to me, I should like to deal with as many as I can. Unfortunately, I shall not be able to give hon. Members who are participating in a consultative process in their own constituency—whether it is in Essex or in Gloucestershire—the satisfaction that they would like by acceding to their specific perspective, which they undoubtedly hold sincerely and profoundly. They will know that, as consultative processes are coming to fruition, it is not appropriate for Ministers to comment in detail or to express a view either for or against specific proposals, because those matters may eventually come to Ministers for a decision.

I can promise all hon. Members—I am conscious that my hon. Friends the Members for Braintree and for Harwich (Mr. Henderson) have a specific interest in the outcome of the current consultation in Essex—that the NHS in the hands of a Labour Government is a people's NHS, and that it holds a very different view on consultation from that which held sway under the previous Government. Hon. Members know only too well from our own experience what consultation in the NHS was like under that Government: the passage of a prescribed time before a predetermined conclusion was affirmed and implemented. That is what it was, but that is no longer what it is.

I promise my hon. Friends the Members for Braintree and for Harwich—and, should the circumstances arise, my hon. Friend the Member for Stroud (Mr. Drew)—that, if Ministers are called on to make decisions on maternity services, we will take on board all the points that are made and consider all the information presented to us in the light of the principles that we all share and that have been endorsed on both sides of the House.

I should like, without using too much time, to consider the current position of midwifery and maternity services, in which considerable gains have been made since the inception of the NHS. We owe a debt of gratitude to the dedicated midwives and clinicians working in maternity care for delivering a first-class service. In the past 50 years, since the NHS was founded, the rate of maternal deaths has been decreasing, demonstrating the high standard of antenatal care provided. At 5.5 deaths per 100,000 pregnancies, the rate is the lowest ever.

The hon. Member for Teignbridge (Mr. Nicholls)—who speaks for the Opposition with a considerable interest in and commitment on the subject—made an interesting point on the satisfaction with, and effectiveness of, midwifery care. The point was dealt with in an Audit Commission report published last year, which showed that the vast majority of women were happy with the antenatal care that they received. About 90 per cent. of them expressed happiness with midwifery care, and about 80 per cent. were satisfied with their medical care. We need to take on board that important message.

Important points have been made in this debate by Labour Members and by the hon. Member for Richmond Park—who, based on her own professional practice, speaks on the matter for the Liberal Democrats with considerable knowledge and experience—on the importance of the role of midwives and, significantly, on the need to ensure that there are sufficient numbers of properly trained midwives.

The Government—with the issues of effective recruitment and retention very much in mind—addressed the issue of additional funding. In the 1997–98 allocation, we made £350,000 of additional funding available for each region, to boost nurse recruitment and retention and to help nurses on career breaks go back to work. Last October, we made additional allocations for a publicity campaign to promote those objectives.

[Mr. Paul Boateng]

My hon. Friend the Member for St. Albans (Mr. Pollard) made an important speech—to which I shall reply shortly—and my hon. Friend the Member for Hemel Hempstead (Mr. McWalter) made an effective intervention. I should like to draw their attention to the work of the Barnet and Hertfordshire education consortium, which has sponsored a specific "return to health care scheme"—to which 61 nurses and midwives responded in person or by post, resulting in the commissioning of a "return to midwifery practice" course at the university of Luton which started last October. That is the type of initiative that we want to develop. We take on board also the points that have been made by hon. Members on the need to spread good practice. Good practice is obviously the key, and we cannot afford to be complacent.

The Edgware development was mentioned in a detailed and, I thought, important speech by my hon. Friend the Member for St. Albans. It is the Department's intention to pilot the development at Edgware hospital for two years and to ensure that there is an independent evaluation which we can then use to generate best practice elsewhere.

We know that there is good work being done out there—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We now come to the next debate.

A21 (Kent)

12.30 pm

Mr. Archie Norman (Tunbridge Wells): I am grateful for the opportunity to raise the acute problem of the A21 main trunk road, which connects the M25 with Hastings.

I am also grateful to the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Hampstead and Highgate (Ms Jackson), for attending the debate. I am fully aware that there has already been a series of Adjournment debates on various roads; it must seem at times that every Member of Parliament has a particular road project that he wishes to pursue. I admire the Minister's patience and tenacity in sitting through every debate and repeating time and again her mantra about the Government's roads policy and their integrated transport strategy. I have studied carefully the roads review documents and the Minister's remarks made in previous debates. I am grateful to the Minister for Roads, Baroness Hayman, for her feedback on the consultation process on the south-eastern roads review. I shall come to that in a moment.

The point of this debate is to highlight the acute anxiety felt in Kent and East Sussex about the state of the A21. This is not a new issue, but one of long standing. It is a matter of importance every day for my constituents and those of colleagues who have to sit gridlocked in traffic because the improvement to the road, which has widespread support across the south-east, has not been implemented.

The improvement to the A21 is not a new proposal. There was a public inquiry in 1992, and various projects have been prepared over the past 20 years. Indeed, the improvement proposal had been brought to a state of readiness for implementation before the roads review was announced. If the House will excuse the expression, the proposal was kicked into the long grass as a result of the roads review, and has been a victim of the consultation process. I am not contesting whether or not we need a roads review, but the simple fact is that the A21 has not been improved because of that time-consuming process.

It is important to recognise that we are talking not about a new road but about improving the existing one. At the moment, there is an hour-glass effect on the A21—in other words, the initial stretch from the M25 has been dualled, as has the stretch past Pembury, but the piece at Castle Hill is still a single lane, which creates a dreadful bottleneck.

Sir John Stanley (Tonbridge and Malling): Does my hon. Friend agree that, of all the sections of the improvement scheme along the A21, the one that would yield the greatest single cost benefit and the one which should be proceeded with on its own if necessary, is precisely the one to which he has referred—the completion of the dualling between the end of the Tonbridge bypass and the Pembury bypass? Without that, the whole of the triangle formed by Pembury, Tunbridge Wells and Tonbridge will remain more or less a permanent traffic jam during the day.

Mr. Norman: I entirely share my right hon. Friend's view. The economic argument for improving the Castle Hill stretch is overwhelming, and I shall mention that again in a moment.

What we are seeking from the Minister is not a recitation of the arguments about the roads review but reassurance that the facts about the A21 are being fully taken on board and that, subject to the outcome of the review, there will be no further delay in taking action.

The Minister has outlined the new criteria for the roads review, and I want to show that the A21 improvement programme meets those criteria fully. It commands virtually universal support from individuals and organisations in the south-east, including Kent county council, East Sussex county council, Hastings council, Tunbridge Wells borough council, Kent police, Kent ambulance service, Pembury local parish council, which is most affected by the Castle Hill stretch of the road, the West Kent chamber of commerce, the Freight Transport Association, all the hon. Members—I believe—with constituents living along the route, and the vast majority of my constituents in Tunbridge Wells. In other words, this is a relatively non-contentious road proposal, if there ever is such a thing.

Incidentally, the A21 improvement scheme came out extremely well from the initial feedback from the roads review, as reported to us by the Minister for Roads. As we understand it, not only is the Castle Hill stretch seen as a priority today, but the Lamberhurst route will be an important route for decongestion purposes later.

Sir Geoffrey Johnson Smith (Wealden): East Sussex county council also considers the scheme to be part of a strategic integrated transport system. If the improvements are not made, things will become even worse than they are now.

Mr. Norman: I share my right hon. Friend's views. He makes an important point, which shows that the proposal meets entirely the requirements of integration, which is one of the important criteria set out in the trunk roads review.

I deal now with the criteria that I understand are being applied, quite reasonably, to new trunk roads project. They are accessibility, safety, economy, the environment and integration.

Mr. Charles Wardle (Bexhill and Battle): Before my hon. Friend goes into those details, does he accept that what he says about the A21 in Kent applies with equal force to its southern reaches in East Sussex, especially between Flimwell and the bottom of Silver Hill, and also between the southern end of the Robertsbridge bypass and the intended junction with the proposed Hastings eastern and Hastings western and Bexhill bypasses? I am sure that the hon. Member for Hastings and Rye (Mr. Foster) will confirm that.

I think that my hon. Friend will understand why I tell many of my constituents who are exasperated by the blockages on the A21 that the probable reason that Harold lost the battle of Hastings was that he was held up on the A21.

Mr. Norman: I concur and sympathise entirely with my hon. Friend. The A21 is the only viable route to many parts of the constituency, areas to the south and, of course, Hastings.

One of the criteria of the roads review is accessibility. Congestion is acute. The superintendent of Kent police tells me:

"The Castle Hill section of the A21 is a nightmare. It add at least 25 minutes to the journey into Tunbridge Wells. Police movement, despite the assistance of sirens, is inhibited by the current situation."

That is clearly unacceptable.

Mr. Michael Jabez Foster (Hastings and Rye): The time problem is one that my constituents regularly bring to my attention. In fact, business movements from Hastings to the M25 are increased by some 25 minutes, the very figure to which hon. Gentleman referred. As a consequence, not only are companies now saying that they will not come to Hastings, but many leading companies are saying that they will leave the town, thus adding to the existing deprivation.

Mr. Norman: It is important to remember that Hastings, unusually for a town in the south-east, is a relatively deprived area, with unemployment running at, I believe, about 10 per cent.

On safety grounds, the case for improvements to the A21 is overwhelming. There have been 227 accidents—serious accidents, I believe—on the relevant stretch of the A21 in the past five years. The current cost-benefit analysis apparently suggests that the road is costing £24 million a year in safety problems and delays, although I appreciate that the COBA criteria are being flexed. I understand that they will be changed to take into account environmental costs.

In environmental terms, the project is relatively benign. In fact, there are substantial environmental gains to be had from improving the route, not least in Lamberhurst, a village in a conservation area which is seriously blighted by the volume of heavy traffic flowing through it.

The environmental situation in Lamberhurst is serious. Milk rounds have to be specially scheduled and postal deliveries rearranged because it is unsafe to deliver milk or post at certain times of day. The head teacher of Lamberhurst primary school tells me:

"Frequently at school medicals the children are unable to respond to hearing tests because of the level of traffic noise. I am seriously concerned for the safety and health of the pupils of my school, which borders the A21."

The public inquiry of 1992—traffic has increased since then—concluded:

"Carbon monoxide concentrations at those properties in Lamberhurst close to the A21 were at peak hours just above the threshold which would trigger the requirement for a special air quality report. A bypass would decrease these concentrations by about half."

There are strong environmental reasons for improving the route.

The scheme fits into the East Sussex plan, the West Kent plan and the local plan for the economy. Tunbridge Wells council informs me that there are six commercial developments, mostly at the Longfield road site adjacent to the A21, for which planning permission is being held up because of the uncertainty about the road. Economic development is being retarded because of that uncertainty. Everybody in the area expected the scheme to be going ahead at the time of the Wealden Down design, build, finance and operate agreement.

[Mr. Norman]

The scheme fits in with the integrated transport strategy for Tunbridge Wells. The park and ride site identified at Woodgate corner is just off the A21. It also ties in with the new hospital project under preparation. Access to the Pembury site is off the A21 and is affected by the congestion problems that I have referred to.

The managing director of AIM Plastics, a local Tunbridge Wells business, says:

"I truly believe the frustrating bottleneck will become a real limitation on the commercial development of the town. Companies like mine will very soon move away rather than waste our time in a daily unavoidable traffic jam."

That is a clear illustration that the road improvement will affect economic development in Tunbridge Wells, which some may call a relatively prosperous town, and in Hastings, which is a relatively deprived town on the south coast.

Using the Minister's criteria, the proposal is relatively uncontentious. It should have gone ahead already, although we understand why that was not possible. We are not asking for another roads review—I trust that the Minister will not tax our patience by explaining the integrated transport policy yet again; we have studied and understood. We want reassurances, subject to the outcome of the roads review. We fully appreciate that the Minister cannot pre-empt the outcome of the roads review.

Will the Minister give us some idea of when the roads review will be published? We understand from Baroness Hayman that it will be during the time when the daffodils are out. Daffodils come out early in Tunbridge Wells, and we have had a mild winter. Will the Minister give us an assurance that the daffodils will be out before May?

May we be assured that, once the roads review is published, no time will be wasted in developing priority projects—of which this is one—to be proceeded with? We do not want to hear that the roads review has precipitated another review of what the priority projects should be. If the criteria are properly applied, will we be able to move ahead with the project?

Will the Minister be prepared to consider the project pragmatically and, if necessary, incrementally? If there are specific problems of timing or public expenditure, it would be better to proceed with parts of the de-bottlenecking than to wait many years until a massive project can be put together. We would rather pursue the project incrementally over the years, with a bit now and a bit later, than have nothing for many years.

Will the Minister reassure us that she is fully aware of the extent of the problem, of the acute anxiety and distress that it is causing in Tunbridge Wells and of the damage to property and injuries to people? One constituent had a juggernaut in his front room last October. That was the third such incident. I am pleased to report that it was a Somerfield lorry.

We want reassurances that, subject to the criteria that have been set out and subject to the roads review, the acute problems suffered by my constituents and those of other hon. Members present will be heard. We want to move not from review to review, but from review to action.

12.44 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): If I had not been aware of the acuteness of the problem before the hon. Member for Tunbridge Wells (Mr. Norman) spoke, I certainly would be now, not only because of his detailed and informative speech, but from the presence of other hon. Members on both sides of the House who regard the issue as particularly important for their constituencies. I congratulate him, and thank him for his generosity in allowing interventions from the right hon. Members for Wealden (Sir G. Johnson Smith) and for Tonbridge and Malling (Sir J. Stanley), the hon. Member for Bexhill and Battle (Mr. Wardle) and my hon. Friend the Member for Hastings and Rye (Mr. Foster).

I suggest to the hon. Member for Bexhill and Battle that, if the archer had become bored by the delay, Harold might have won the battle. I say to the hon. Member for Tunbridge Wells that the Government would be irresponsible to time a review on an issue as important as our roads and an integrated transport strategy on the appearance, disappearance or non-appearance of daffodils. The climate in this country is such that they may be flourishing in February and flat on their backs dead at the beginning of March.

I am grateful to the hon. Member for Tunbridge Wells for raising the topic and for his generous concerns about my appearance at the Dispatch Box. As he rightly says, every hon. Member has a road for which they want to argue. That is right and proper. I am sorry that he regards the Government's pronouncements on why we have a roads review and why we have taken such pains to consult on an integrated transport strategy as a mantra. I know that I have talked about it many times, but, as it is the structure within which we are approaching the problems, it is worth repeating.

Our decisions have to be put into a wider policy context. The hon. Gentleman should be particularly aware of the importance to the economy and to the quality of our life of good communications. He must also be aware of the backdrop against which the Government are approaching the issues. Forecasts published last autumn predicted a nearly 40 per cent. increase in traffic over the next 20 years. If current policies continue unchanged, congestion will get worse, with an even more severe impact on our environment. Those who have no access to private transport will find it even more difficult to get around.

We need to develop an integrated transport system that makes the best use of each mode, ensuring that all options are considered on a basis that is fair—and, even more important, is seen to be fair—and takes into account from the outset considerations of accessibility, integration, safety, the environment and the economy. All those issues have been raised today, with direct relevance to Tunbridge Wells and the other constituencies that have been referred to.

Above all, an integrated transport system must be sustainable. One of the encouraging aspects of what we acknowledge is an ambitious task is the consensus on the need for change. We cannot achieve our aims in isolation. We are actively engaging those involved in transport, with a wide range of external advice and expertise. Local authorities, businesses, trade unions, transport professionals and transport users are involved in our work.

That is the context of the roads review—examining the role that trunk roads should play in an integrated and sustainable transport policy. Against that background, we have three broad options for our roads: first, to make better use of infrastructure; secondly, to manage demand; thirdly, to provide new infrastructure.

To make the best use of infrastructure is the obvious first choice. The infrastructure has been provided at substantial financial and environmental cost, and we must make the best use of the investment. My noble Friend the Minister for Roads recently launched the Highways Agency toolkit of a selection of techniques and ideas for making better use of our trunk road network as part of an integrated transport system. Technologies old and new can help to make better use of our roads network, but, realistically, there is a limit to the benefits to be gained simply from using such techniques, which means that we must also look seriously at other, harder options, such as managing demand and providing new infrastructure.

The management of demand is a vast topic, encompassing reducing the need to travel—by land use planning, for example—an assessment of the extent to which a shift to other modes can be encouraged, and inevitably, the question of controlling demand by pricing or rationing mechanisms. Many local authorities are seeking by means of integrated transport packages to combine demand management and other measures so that mobility is maintained, but the adverse consequences of it are reduced. The hon. Member for Tunbridge Wells referred to the steps that his local authority is taking in that area.

Mr. Norman: I understand the Minister's points. We have of course heard them many times before. We fully appreciate that they are part of the script. The proposed A21 improvement is part of an integrated transport policy, fits the park and ride scheme and uses existing roads. We are simply saying, "Let us improve the road we have." The proposed scheme is highly economic and fits with the criteria that she has described.

Ms Jackson: I well understand the hon. Gentleman's points; he is reiterating what he said earlier. Essentially, he is asking for a specific decision now on one specific road. I am sure that he accepts that, given the complexity of the problem with which the Government are faced, it would be wrong simply to dismiss an entire consultation process that has been engaged throughout the United Kingdom. We have to make a change. We have to devise an integrated transport strategy that can meet the transport and traffic needs of this country and its people—for not only the short term but the medium and long term.

Mr. Norman: I hope that the Minister will forgive me for repeating myself again. We are not asking for a specific outcome of the roads review now. We are asking for a reassurance that, as soon as the roads review is complete, and if, as we expect, it is proven that the A21 scheme fits the criteria, we will be able to move rapidly to a stage where a project can be drawn up and put forward. Are we instead to be faced with another series of delays and reviews?

Ms Jackson: I make no criticism of the hon. Gentleman repeating himself. I am about to do precisely the same. There is little point in asking for the conclusions of a review until that review has been completed. That, in essence, is what I believe he is asking for.

To return to policy rather than script, in the local transport settlement that was announced in December by my right hon. Friend the Minister of Transport, I was particularly pleased that the Government were able to continue to support Kent county council's transport package for Tunbridge Wells, and provide increased support for packages for Maidstone, Ashford and Canterbury. All those packages will help to alleviate congestion. The Government also provided a special allocation of supplementary credit approvals to be targeted on measures designed to improve public transport, cycling, walking and traffic calming in Dartford and Gravesend.

Providing new infrastructure is a very difficult option, both financially and given the impact that it may have on the environment. Our starting point is that we will not proceed with major new road construction unless we are satisfied that there is no better alternative.

Mr. Michael Jabez Foster: Does it follow that, if my hon. Friend is satisfied that there is no alternative, approval is given? The feeling in my constituency is that there is no alternative, no rail link—unless we are to come into London by sea. That is perhaps the only option apparent to the people of Hastings and Rye.

Ms Jackson: I congratulate my hon. Friend on what I would dub a very nice try. I should point out that the Government have already stated that they are looking at incorporating all transport modes, not least inland waterways and coastal shipping. I shall leave him to decide what he will make of that reply.

The Highways Agency's programme of small safety schemes is continuing, and includes several schemes for the A21. It includes providing improved turning facilities, improving junctions, minor realignments of the route, and providing footways.

Despite the arguments put forward in the debate, which I well understand, the Government believe that there is no substitute for rigorous case-by-case examination of the options. Volume two of our roads review consultation document, "What Role for Trunk Roads in England?", sets out region by region the perceived traffic problems and the roads programme inherited from our predecessors.

The existence of a scheme in the inherited programme is seen as prima facie evidence that there is a transport problem. We sought from our regional consultations a view on whether those are the most important problems or whether other problems deserve greater priority. We envisage two outputs from that part of the review: a firm, short-term investment programme, and a programme of studies to look at the remaining problems—out of which the medium and long-term investment programme will emerge.

Turning to the particular concerns of the hon. Member for Tunbridge Wells, as he said, the A21 is a road of regional significance, linking Hastings, which has assisted area status, and Tunbridge Wells to London and, via the M25, to the rest of the country. It is the only radial trunk road between the M20 to Folkestone and the M23/A23 to Brighton. It is paralleled in the transport corridor by the London-Tonbridge-Hastings railway. It is predominantly

[Ms Jackson]

a single carriageway road with a number of local bypasses: Sevenoaks bypass, built in 1968; Tonbridge bypass, built in 1970; and Pembury bypass, built in 1988.

The residential areas in the towns along the A21 generate significant commuter traffic, which uses the A21 to access the M25 and the national network. The A21 also acts as a distributor road for the local network.

I understand the desire of the hon. Member for Tunbridge Wells for early decisions on the schemes that have already completed their statutory processes and have been through a number of reviews, but I repeat that we must first complete our on-going review.

The Government office for the south-east held three day-long seminars in autumn as part of our consultation process on integrated transport. One in Ashford in October looked at transport corridors in the region of the Government office for the south east, including north-south routes between the M25 and the south coast. Many of the points that the hon. Member for Tunbridge Wells made about the importance of safety, the environment and of achieving the regeneration objectives for Hastings with regard to the A21 Tonbridge bypass to Pembury bypass dualling and the A21 Lamberhurst bypass schemes were also made by delegates at the seminar and in the written responses that we received to the roads review.

My noble Friend the Minister for Roads recently met hon. Members who represent the south-east region, including the hon. Member for Tunbridge Wells, to discuss the views expressed by delegates at the seminars and to hear any further views that hon. Members wished to add. We shall be taking all those views into account in deciding how best to proceed.

Our roads review is a vital part of our work in developing a forward-looking integrated transport policy that supports a strong economy, contributes to a sustainable environment and helps to create a just and inclusive society. Through the work under way on trunk roads, we wish to achieve a robust short-term programme and a system for planning future investment in the road network, whether that is through measures to make better use of the network or by providing new infrastructure—which, as I said, is fair and seen to be fair; which allows a proper opportunity for all concerned to make their contribution; and which looks at transport problems squarely in the context of an integrated strategy.

The first output will be an integrated transport policy White Paper, which we hope to publish in the spring. The second will be the outcome of the trunk roads review, which will be published in a report—no more than a few months later, we hope. That will flesh out the Government's integrated transport policy as it affects trunk roads and will outline which schemes are to be taken forward to construction in the next few years—subject, in some cases, to satisfactory completion of the statutory procedures.

As I said earlier, I am grateful to the hon. Member for Tunbridge Wells for bringing the issues relating to the A21 in Kent to the attention of the House. I am sure, however, that he understands that, until we have completed the roads review, we cannot say what conclusions we will reach about the A21.

Home Zones

12.59 pm

Mr. Fabian Hamilton (Leeds, North-East): Mr. Deputy Speaker, I want you to imagine a long terraced street in Leeds built in the early part of the century, normally cobbled, but now covered in grassy turf. There are no cars, and children are playing in the street as if it were a park. That is exactly what the residents of a group of streets in Chapel Allerton in Leeds, known as the Methleys, did in the summer of 1996, just for a weekend.

The residents grassed over the street to make a point: that those streets are for people—for children, not for vehicles. The weekend was fun, but more than that, the residents worked together for a common purpose—to give their children a safe play area.

The Methleys were built in 1903 as housing for workers. I understand that the developers were subsidised by the then Conservative Government. They consist of solid terraced houses, like so many others throughout the country. Some of the houses have small gardens, but there are few green spaces. Once, the 300 or so houses held an homogenous group of people all of whom worked in the same place. Now they are home to a diverse group of about 650 people from many different backgrounds and cultures.

It all started in the early autumn of 1994. Rita King, who has lived in the Methleys all her life, wanted to start a play scheme in the nearby primary school, to get the children off the streets over the summer holiday. Having failed to get the play scheme going before the end of the holiday, she realised that something more was necessary, so she organised a public meeting.

The meeting was well advertised and unusually well attended, and the focus was on children. Steven Renee from Leeds Metropolitan university came to talk about what could be done locally, and the people there set up Methley Neighbourhood Action and applied for a Royal Institute of British Architects community fund grant for a feasibility study, which was carried out by a local architect, Edward Walker.

In August 1995, one of the gable-end walls was painted white and made into a cinema screen on which films were projected. That was one of the first "on the streets" events. The first film shown was Alan Parker's "The Commitments", which had an audience of more than 300 people, sitting on living room sofas brought out into the street, with the aid of, as *The Times* put it:

"four local girls who acted as usherettes complete with torches and name badges, handing out free popcorn"—

a different sort of cinema indeed.

What brought the Methleys to national prominence was the brave decision to turf the entire length of Methley terrace for the weekend of 17 August 1996. Methley Neighbourhood Action hired a firm called Inturf. Its sister company had done the same thing in the Champs Elysées in Paris—slightly grander than the Methleys—but that was the first time that such a scheme had been carried out in this country.

The effect was to create a sort of village green, which allowed the local children to play safely outside on a clear summer day. The £1,500 cost of the turf was met by Leeds city council, Shell's "Better Britain" project and

Transport 2000, and the grass was kept fresh by the children using watering cans as, thanks to Yorkshire Water, there was a hosepipe ban at the time. Most of the time the children just ended up watering each other.

The police, I am glad to say, were helpful, and I understand that the council highways department "looked the other way" from the temporary road closure. On 17 August 1996 *The Guardian* said:

"Methley Terrace (100 yards long, 10 degree slope, houses on the left, school on the right) was covered in green turf. It looked like a pathway to heaven".

Because few of the houses in the Methleys have gardens, the street is the only public space available. The aim of the weekend turfing was to show just how effective simple changes in street design can be. It was the idea of Adrian Sinclair, a theatre director and teacher who lives in the Methleys with his partner, Linda Strudwick, and their two small children.

Of course it could not last, although one resident who had lived in Methley Terrace for 38 years, and who had been rather dubious about the plan beforehand, said:

"I'd like this grass to be permanent. We thought this road plan would be impossible, a bit of a ridiculous thing to do, but they've proved us wrong. They've done a good job".

By Monday, Methley terrace was back to normal and the turf was sold at 70p a square metre to residents lucky enough to have gardens.

In 1995, Methley Neighbourhood Action had carried out a survey of the residents to find out what their main concerns were. It revealed that four issues were uppermost in their minds: traffic, the environment—including dog mess—crime, and play for children. Since that survey, those four issues have been concentrated upon.

The nature of the neighbourhood has changed a little, of course, since the properties were built in 1903. There is now a much greater diversity of people living in those streets, including residents of Polish, Asian and Afro-Caribbean origin. The range of jobs—and the lack of them—is also far greater than in 1903, so one of the aims of the home zones idea is to bring local people together and to re-establish a sense of community and identity. That has been successful, and has been greatly helped by Transport 2000's "Streets for People" campaign.

Last December, the Children's Play Council held a meeting in the House of Commons, hosted by my hon. Friend the Member for Peterborough (Mrs. Brinton). At that meeting, 12 children and four adults from the Methleys told us about what they had done in that small group of city streets. They were so enthusiastic that my hon. Friend decided to introduce a ten-minute Bill, which she did on 27 January.

In her introductory speech, my hon. Friend told the House:

"A home zone is a street or group of streets where pedestrians and cyclists have priority and cars travel at a top speed of 10 mph. Drivers have to give way to pedestrians and cyclists and are normally responsible for any injury caused to them. The change in the status of the road is clearly indicated through signing, traffic calming measures and landscaping features such as seating, other street furniture and plants."—[*Official Report*, 27 January 1998; Vol. 305, c. 149.]

My hon. Friend went on to say that research conducted by the Joseph Rowntree Foundation in 1996 had found that estates with traffic calming measures and good space in the front street provided the best environment for children. Nearly one child in four engaged in all kinds of healthy activity in such areas—three times the level in poorly designed estates. My hon. Friend quoted the authors of the report as saying that streets in such estates should have a speed limit of 10 mph.

When children can play in their local streets within sight of their own homes, the activity is enriched in two ways. They enjoy the experience of open public territory with all the challenges offered by street life, similar to the communal play often described by their grandparents. They are also observed by friendly adults—not policed, not made part of the institutional framework provided by the school or youth group, but none the less sheltered by their own community.

It is especially opportune that I have the chance to raise the issue now, because the Children's Society has designated February as the country's first ever children's planning and environment month. The society feels that children need to be involved in planning issues if we are to make our cities, towns and villages safe for children and young people to thrive in.

For several years, the Children's Society has promoted the views of children and young people in planning. Apparently, the issues about which children often express concern include the danger of traffic; pollution; the need for safe places to play and for after-school meeting places free from alcohol and drugs; and poor street lighting.

Ian Sparks, chief executive of the Children's Society, has said that there is a perception that cities are in danger of becoming no-go areas for children.

"We want to reclaim our communities for children",

he said—and that is exactly what Methley Neighbourhood Action is trying to achieve.

Mr. Paul Truswell (Pudsey): Does my hon. Friend agree that, far from being traffic-management measures only, home zones have enormous potential? They will make more secure and stable those areas that face the problems that he describes, and they may also reduce the demand for, and drift to, the development of green-field and green-belt sites.

Mr. Hamilton: My hon. Friend is absolutely right. Home zones are not about traffic management only. They have a whole range of social effects on the communities, as I hope I have begun to describe.

No home zones have yet been established in the United Kingdom, but what happened in the Methleys has shown us what is possible. That is a tribute to all those who have worked to organise the community, particularly Adrian Sinclair, Thalia Savva, Tim David, Linda Strudwick, Steve Hodson and Rita King, to name but a few.

There is nothing unique about the Methleys, which shatters the myth that there is no longer any such thing as a community. Methley Neighbourhood Action has brought together and given a common purpose to a culturally and socially mixed group of people.

What are plans does Methley Neighbourhood Action have? Edward Walker's report, published in November 1995, gives some ideas for plans for the millennium. He suggests that non-local traffic should be kept out of the area and emphasis put on the fact that the Methleys are a distinct and special housing neighbourhood. Moreover,

[Mr. Hamilton]

he recommends that all entries to the area should be marked by gateway features, and that the character of the streets should be changed to ensure pedestrian priority over all vehicles in all the streets.

The residents of the Methleys now feel that they have the responsibility for keeping their own streets clean. They are not letting the council off the hook, of course, but they believe that things can be done jointly. For example, a community clear-up was held last Saturday, and when I visited the area last week it was far cleaner than most other parts of the city.

The Countryside Commission millennium green fund, together with Leeds city council, has agreed to finance a community garden, which will be constructed at the end of a road that will be closed. It will be a genuinely public area and project. Partly financed by the local authority, it will be created by the residents and is due for completion by the end of next year.

I conclude with the words of John Hodson, one of the Methley residents who came, with 12 children and four adults, to London in December. These are his views of that day in Westminster:

"I was excited about being able to go in front of MPs and talk about something that if they gave the power to the local council would be able to help lots of people with the problem of cars going too fast.

The most memorable part of the whole trip was when we were actually in the Houses of Parliament, in the Jubilee Room, talking about Home Zones, why we should have them and what they would be to people who live in areas where there are too few places for children to play and too many cars travelling too fast.

The worst part of the trip was when the camera crew"—

from Yorkshire Television—

"kept us standing in the rain so they could film us meeting Fabian Hamilton . . . Overall the day went brilliantly and was a memorable day and a great experience".

1.13 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I congratulate my hon. Friend the Member for Leeds, North-East (Mr. Hamilton) on reintroducing to the House the issue of home zones only two weeks after my hon. Friend the Member for Peterborough (Mrs. Brinton) raised the subject through a ten-minute Bill—I am happy to see that she is here today. I thank the hon. Gentleman for his generosity in allowing our hon. Friend the Member for Pudsey (Mr. Truswell) to contribute; in his comparatively short intervention, he detailed with clarity some of the benefits that are inherent to home zones.

The issue seems to be coming at us from every direction. The Children's Play Council recently published a brochure entitled "Home Zones", which featured the Methleys area of Leeds on its cover. As my hon. Friend the Member for Leeds, North-East said, the Children's Society attaches much importance to the concept; in declaring February a month dedicated to children and their play, it underlined the fact that—as everyone who is interested in the social and educational development of children has known for a long time—play in safety and with others is a great teaching tool.

One of the proposals for the creation of home zones is that pedestrians and cyclists should be given priority over vehicles. Pedestrians currently have statutory priority when crossing the road at zebra and light-controlled crossings. Rule 68 of the highway code requires drivers who are turning into side streets to give priority to those pedestrians who are already crossing. Elsewhere on the carriageway, however, all types of traffic have equal entitlement to pass and re-pass, so new legislation would be required.

Other proposals include 10 mph speed limits, traffic calming and changes to the appearance of the street. I would love to have been sitting on one of the sofas when the film was shown in the street that had temporarily been transformed into a cinema, although I regret that only popcorn, and no ice cream, was available.

It may help the House if I explain what is already available to local authorities to make the streets safer and more pleasant—for residents and their children, for walkers and for cyclists—and perhaps to restore that sense of community to which my hon. Friend so tellingly referred. The Road Traffic Regulation Act 1984 contains powers for traffic authorities to make orders regulating, restricting or prohibiting the use of specified roads by traffic or by specified types of traffic. The grounds on which orders can be made include maintaining and enhancing local amenity, and preventing use of a road by traffic that is deemed unsuitable. Orders can be used, for example, to keep long or heavy vehicles out of purely residential areas.

One of the aims of establishing home zones is to create an environment in which children can play safely in their streets, as my hon. Friend said. I am old enough to remember a time when the street was the only place where we could play.

Section 29 of the 1984 Act contains a specific power providing that traffic authorities may make orders prohibiting or restricting the use of a road by traffic, or specific types of traffic, to enable the road to be used as a playground for children. Such orders are expected to make provision for reasonable access to premises on, or adjacent to, the road.

Those powers have been used by some local authorities, but the Act is explicit about the purposes for which such orders can be made. An authority that wanted to use the powers to provide more general benefits to the local community could be liable to challenge. Indeed, some residents might be uneasy about the prospect of their street being specifically designated as a children's play area.

My Department's guidance on the use of this order-making power advises that the roads that are chosen should neither be of value to through traffic nor lead directly into very busy roads. That guards against the danger of children—who can lose all sense of time and place when they are most engaged in play—running on to busy roads.

The advice is that, in deciding whether to designate a road as a playground, authorities should look critically at the availability of public open space in the vicinity that could provide a suitable alternative play site. It also suggests that it is preferable, where possible, to designate a group of streets rather than one street.

Section 31 of the 1984 Act provides for traffic authorities to make byelaws in respect of roads designated as playgrounds. These may make provision with respect to the admission of children to the road; to the safety of children in the road and their protection from injury by

vehicles using the road for access purposes; and generally to the proper management of the road. Such byelaws are subject to confirmation by the Secretary of State. My Department has not issued advice on what such byelaws might contain. The guidance simply observes that, in practice, councils scarcely ever find it necessary to make them, and that applications for confirmation would be treated on their individual merits.

The requirement for very low speed limits presents other difficulties. We do not have traffic-calming measures that could reduce speeds to 10 mph. Research has led to the design of road humps and other features which, although relying on discomfort, do not crete unreasonable discomfort. To achieve greater reductions in speed would require extreme discomfort being employed. Complaints have been received—for example, from groups representing disabled people—about the discomfort experienced from the present humps. Using more severe ones would severely disadvantage people with disabilities. Our current research has not investigated the use of road humps or other traffic-calming measures to achieve very low speeds, so it would be necessary to carry out further research to ensure that such devices are safe to use on public roads.

We know from extensive international research that, as vehicle speeds reduce to 20 mph, the risk of fatal or serious injuries to pedestrians decreases significantly, but further speed reductions do not bring about corresponding safety benefits. Twenty mph zones have proved to be very effective in reducing speeds, accidents and accident casualties—particularly those involving pedestrians and cyclists.

Monitoring of vehicle speeds shows that drivers are less likely to adhere to low speed limits. Therefore, the making of 20 mph speed limits is dependent on the local authorities introducing traffic-calming measures, thus forcing traffic to slow down. A system was devised that involved local highway authorities making such a speed limit order if average speeds could be reduced to 20 mph or less using self-enforcing traffic-calming measures. That established the concept of 20 mph zones. To date, over 300 have been put in place. They require the consent of the Secretary of State.

My right hon. Friend the Minister of Transport has announced plans to make it easier for local authorities to create such zones. It is the intention to simplify the procedure, enabling local authorities to make greater use of such schemes in residential and other urban areas. The exact changes to the procedures are being developed and are expected to be in place later this year.

There is a need to make progress, and we support the broader objectives of home zones. There is much experience of 20 mph zones and traffic-calming measures generally. Those measures, in conjunction with existing legislation, can be used to establish safer and quieter streets in residential areas. It is clear that inappropriate speed is one of the main causes of accidents. The Department's "Kill Your Speed" publicity campaign emphasises the dangers. Traffic calming has proved remarkably successful in reducing pedestrian casualties; 20 mph zones can reduce child pedestrian casualties by 70 per cent.

Much can be done to change the road layout to help limit vehicle speeds and to improve the appearance of a calmed street so that it no longer looks like a traffic route. The road humps and chicanes—which are effective in reducing speeds—can be used in conjunction with other features to change the characteristic appearance of the highway. The relative widths of the carriageway and footway can be varied, and this may be helpful in establishing a gateway to low-speed areas. Appropriate signing, street furniture—possibly including sofas—and a carriageway surface that is better adapted to walking and cycling could feature and reinforce the message to drivers that they are entering a lower-speed, residential area.

My Department will be pleased to work with local authorities wishing to establish such low-speed zones on a trial basis. Trials would help determine how far 20 mph zones, traffic calming and the other measures would go towards achieving the home zone aims and how to reconcile potential conflicts between play areas and the residential environment. Home zones as they are deployed in other countries would require some fundamental changes in our legislation, but we should in any event first look at exploiting existing powers to the full.

The Government are committed to changing the current perceptions and attitudes towards transport and the environment, and towards car use in particular. Measures to realise better conditions for walking and cycling, to reduce pollution and to reduce the dominance of the motor car all relate closely to the home zones objectives. Surely our prime considerations should be our children, their safety and their ability to play in safety.

Guardsmen Fisher and Wright

1.25 pm

Mr. Martin Bell (Tatton): I am extremely grateful for this opportunity. I shall be brief, as I know that other hon. Members would like to intervene. This, to me, is not a party or a partisan issue. It is an issue which involves justice and the rights of men.

At the outset, I pay tribute to two Members of Parliament who have promoted their constituency interests and who have a long record of involvement in the case. One is the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), one of whose constituents is Sheila Fisher, the mother of Guardsman Fisher; the other is the hon. Member for Angus (Mr. Welsh), whose constituents include Guardsman Wright. I also pay tribute to the hon. Member for Linlithgow (Mr. Dalyell) who, unfortunately, cannot be present today but whose support for the cause of justice is invaluable.

Perhaps I should explain my involvement. It comes as a result of a request from the Release group, representing many old soldiers and their families and other people concerned about this case. Regiments are families, and the feeling of this family is unanimous. My involvement is also in accordance with the wishes of the two Scots guardsmen themselves, serving life sentences in Maghaberry prison in Northern Ireland, and of their families. I was very pleased to receive a most gracious note to this effect from Mrs. Fisher.

It is not my intention, nor is it that of the campaign, to reopen the case of Guardsmen Fisher and Wright—the time for that has passed—or to plead extenuating circumstances or excuses, because the time for that has passed as well. However, I will restate the plain facts of the case. On 4 September 1992, Guardsmen Fisher and Wright were part of a Scots Guards patrol in the New Lodge area of Belfast. Fisher was then 24 years old, and Wright was just 19. The patrol commander became involved in an altercation with a young man, Peter McBride, whom the patrol had stopped for questioning and who had wrenched the patrol commander's radio earpiece from his ear.

Mr. McBride ran off and the two guardsmen were ordered to give chase and grab him. Three streets later—after warnings that they would shoot if he did not stop—they shot and killed him. The young men believed that they were acting in the line of duty, and that Peter McBride was a terrorist. They also believed that their own lives were in danger. It is now clear that they made a terrible error of judgment—I would even call it a murderous error. For this, they were tried and sentenced to life imprisonment as common murderers, for the law as it applies in Northern Ireland makes no distinction between what they did and a cold, deliberate act of murder by a cold-blooded, deliberate murderer. Indeed, the law makes it clear that a British soldier on duty alleged to have killed a suspect under any circumstances can be tried only on a charge of murder. Lesser charges of culpable homicide or manslaughter are not permitted. A murder conviction carries a mandatory life sentence.

Mr. Andrew Hunter (Basingstoke): Does the hon. Gentleman agree that it is morally indefensible for the British state to treat soldiers who, at a time of tension, make dreadful mistakes in the same way as it treats those who conspire and calculate to kill, maim and commit acts of terrorism against the state?

Mr. Bell: I agree with the hon. Gentleman. This troubles Labour Members as well—I know that it does. In the real world, what do we have? Fisher and Wright are being treated as common murderers, as if they had set out that morning with the intention of murdering someone. Instead, they were serving their country and they were instruments of British Government policy.

The guardsmen are now into their sixth year of imprisonment and later this month they will serve their 2,000th day in gaol. In the comparable cases of Privates Clegg and Thain, the sentences served were between three and four years. To make those points is not to diminish or belittle in any way the grief of the McBride family, but it is to make the point that there were other victims and other victim families—and there still are. This is a time for reconciliation rather than vengeance. I know that there are members of the minority community in Northern Ireland who will agree that Guardsmen Fisher and Wright were also victims of the conflict—and still are.

Mr. Alan Clark (Kensington and Chelsea): I am grateful to the hon. Gentleman for giving way so early in his speech, to which I am listening with great attention. When he draws the attention of the House to the fact that the guardsmen have already served six years in gaol, we must remember that that is longer than the average time served in gaol by common murderers—not by terrorists—who are sentenced to life imprisonment. With two thirds remissions and various other provisions for parole, such common murderers—without even the excuse that terrorists often have of commitment to various ideals—seldom serve more than six years in gaol.

Mr. Bell: I thank the hon. Gentleman for that point. Our disquiet is also shared by Members on the Government Benches, as it should be.

As the sentences will not be reviewed until October, it may be asked whether now is a good time to seek an early review or an early release, in view of the tensions and the time of hope and promise in the negotiations. We have reached a sensitive moment, but any time is a sensitive time in the peace process. A clear line must be drawn between justice and politics. We seek from the Government an assurance that political considerations have nothing to do with the continued detention of Jim Fisher and Mark Wright as common criminals.

I was gratified to read in a letter sent to me by the Minister of State a recognition of a distinction between a terrible mistake made by soldiers on duty and a premeditated act of murder. He wrote:

> "Clearly, the circumstances that resulted in this particular murder cannot in any way be compared with carefully pre-planned and executed murders carried out by terrorist-type offenders."

That is an important distinction. If it is made in the category of the crime, it should surely also be made in the length of the sentence.

I believe that I speak for a growing number of people in this country when I say it is time for an early review of the guardsmen's sentences. It is time to stand up for the victims of the conflict, and Guardsmen Fisher and

Wright are victims of the conflict, just as Peter McBride was a victim of the conflict. It is also time for justice and for mercy.

1.32 pm

Mr. Andrew Welsh (Angus): I congratulate the hon. Member for Tatton (Mr. Bell) on raising this important subject, and thank him for the opportunity to make a brief contribution to the debate. I also congratulate the Scots Guards Association on its activities on behalf of the two guardsmen, including petitions, letters and media activity—even down to the creation of a pipe tune called "Freedom", which I look forward to hearing. The two men can be assured of the absolute support of their regiment, both past and present.

My plea today is on behalf of my constituents, Mr. and Mrs. Wright and their son Mark, and for the release of both guardsmen. I am well aware that the situation involves a tragedy for three families—one in Northern Ireland and two in Scotland. The only hope in an otherwise hopeless situation is to allow the two men to rebuild their shattered lives. Their crime was simply to do their duty in the most trying and difficult circumstances possible—circumstances that most of us can barely even imagine. What is done is done, and the events of that day cannot be reversed.

The legal system has made the guardsmen pay a considerable price for what happened, but there must come a point when the penalty is finally paid and the two guardsmen can resume their lives as free men and rebuild their futures. Since young Mark Wright has now spent nearly a quarter of his life in prison, that time must have come. His parents have lived from October review to October review, only to have their hopes dashed every time. Legal moves have been made to try to win freedom for the guardsmen, but again their parents have been disappointed.

I ask the Minister to let the guardsmen share, at the very least, in the Christmas prisoner release scheme. It is a cruel irony to see convicted civilians return to their homes for Christmas, while the two soldiers are kept under lock and key. Although I want both men to be released permanently, I ask that, while they remain under sentence they are allowed to share the benefits of any temporary release scheme. I urge the Government to treat the men as a priority and to treat them on the merits of their case, instead of as part of any wider system of negotiations. The time has come to free those men—and the sooner the better.

1.34 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): The hon. Member for Tatton (Mr. Bell) has taken a keen interest in the cases of Guardsmen Fisher and Wright in recent months. I am aware of his public support for the campaign to secure their early release, and I congratulate him on his success in securing this Adjournment debate today. I join him in recognising the role played by the men's constituency Members of Parliament—the hon. Members for Carrick, Cumnock and Doon Valley (Mr. Foulkes) and for Angus (Mr. Welsh)—who have taken a keen interest in the families. I pay tribute to the assiduous way in which they have carried our their duties on behalf of the families.

The cases of Guardsmen Fisher and Wright have generated considerable interest, both inside and outside the House. Since taking office, the Secretary of State for Northern Ireland and I have responded to more than 100 inquiries from hon. Members about the cases and to many more inquiries from other interested parties. I therefore welcome this further opportunity to explain to the House where the cases currently stand.

The facts of the cases are well known, but are worth restating none the less. The guardsmen were jointly convicted of the murder of an unarmed civilian youth, Peter Paul McBride, during an incident that occurred when they were on patrol in Northern Ireland, as the hon. Member for Tatton described. In the words of the learned trial judge, Lord Justice Kelly:

> "It is only right to point out that the events the accused Fisher had to deal with took place in daylight, on a bright morning in early September, with the suspect on foot retreating from him at all times and increasing the distance between them and over a distance of three streets. It was not a panic situation which required split second decision or split second action, if any action at all".

He continued:

> "As in the case of Fisher, the events of this early September morning did not, or could not, in my opinion have put Wright in any panic situation or any situation which called for a split second decision."

Similarly, it is right to point out that the judgment in the cases of Fisher and Wright was reserved pending the outcome of the Clegg appeal to the House of Lords on a point of law. In delivering his judgment, Lord Justice Kelly said:

> "I delayed my decision in this case until the House of Lords determined the point of general importance in Regina v Clegg, namely, whether a verdict of manslaughter was open to a court in circumstances when a soldier or police officer on duty used unreasonable force and killed a person in self-defence or in defence of another. Their Lordships answered the question in the negative. Even if their Lordships' answer had been in the affirmative I doubt if a verdict of manslaughter would fit my findings in this case".

The Guardsmen appealed their convictions and in delivering the judgment of the Court of Appeal, the then Lord Chief Justice of Northern Ireland, Sir Brian Hutton, stated:

> "No bomb or firearm of any type was found in the course of the search and it was not in dispute that at no time had the deceased been carrying a gun or a coffee jar bomb or any type of bomb. Therefore, as the deceased was shot when he was unarmed, the appellants, on the objective facts, had no lawful justification for firing at the deceased."

The guardsmen were refused leave to appeal to the House of Lords on 8 March 1996.

It is, of course, not the role of the Secretary of State to determine questions of guilt or innocence. That is rightly a matter for the independent courts. However, the power to release life sentence prisoners in Northern Ireland rests with the Secretary of State for Northern Ireland. Before exercising that power she is required to consult the Lord Chief Justice of Northern Ireland and the trial judge, if available.

In line with the established procedures, the first internal review of the guardsmen's cases began in early 1996, shortly after their appeals to the Court of Appeal had been dismissed. At that time, it was decided that the cases should be considered by the review board in October 1998, when the guardsmen would have served approximately six years in custody, and not at the normal 10-year stage. The then Secretary of State was advised of the decision and expressed his agreement with it. The prisoners were advised of the outcome of the review in writing on 13 June 1996. The decision was challenged in the courts by way of judicial review proceedings.

[Mr. Adam Ingram]

In his judgment, delivered on 20 December 1996, Mr. Justice Girvan criticised the decision on two main grounds. The first was that the Northern Ireland Office had not addressed itself to the proper question in examining the cases. In his view, the test to be applied should have been whether the cases raised issues worthy of consideration by the board, and if so, when. Secondly, he said that insufficient regard had been given to other cases, especially those related to other soldiers convicted of murder, sentenced to life imprisonment and released after a few years, and to manslaughter cases.

A fresh internal review of the cases of Guardsmen Fisher and Wright was carried out in accordance with Mr. Justice Girvan's judgment. On that occasion, and on an exceptional basis, the then Secretary of State personally took the decision about the timing of the first referral of the cases to the review board, following advice from his officials. He decided that to ensure that the discretion of the board and, ultimately, the Secretary of State, was not limited by too late a referral, the cases should be considered by the board for the first time in October 1997, at the five-year point. The decision was, of course, without prejudice to the outcome of the review board's recommendations and the deliberations of a future Secretary of State. It is perhaps worth reflecting that the first review by the board normally takes place at the 10-year point, in the context that the average period served against a life sentence in Northern Ireland is around 15 years.

The guardsmen were informed of the fresh decision and advised that the earlier than normal review was not a guarantee that a recommendation for release would follow. They then brought a judicial review of the fresh decision and the cases were heard once again before Mr. Justice Girvan.

Mr. Alan Clark: The Minister cited the average term served in Northern Ireland. In putting the situation into the context of public indignation, which is very relevant, it is fairer to take the average served in mainland Britain. I do not know for certain—he could discuss it with his right hon. Friend the Home Secretary—but I believe that the average term actually served for criminal murder is between six and eight years before probation or parole proposal is given.

Mr. Ingram: The best advice that I can give the right hon. Gentleman is that for murder, no remission is granted to lifers. The average period served by lifers in England and Wales is between 13 and 15 years, contrary to what he said. If there is a dispute about the facts, they can be clarified later.

In his reserved judgment, delivered on 2 July 1997, Mr. Justice Girvan ordered that the decision be taken again. Having carefully considered the new judgment and after consulting the Department's legal advisers, it was decided that the judgment should be appealed. On 15 August 1997, the Court of Appeal allowed the appeal and set aside Mr. Justice Girvan's order of 2 July.

The Court of Appeal commented on the thoroughness with which the consideration of the cases had been carried out. It held that the Secretary of State had applied the proper test in determining when the cases should first be considered by the review board and concluded that there had been sufficient analysis of the allegedly comparable cases.

The review board duly considered the cases at its meeting on 14 and 15 October 1997 at the five-year stage of the sentence. The confidential recommendation of the board was then referred to the Secretary of State for her personal consideration. I assure the House that the cases have been the subject of very detailed and thorough consideration by all those involved at the various stages of the review process. No extraneous considerations, political or otherwise, have been permitted to influence the decisions taken. I can give that absolute assurance to the hon. Member for Tatton.

Rev. Ian Paisley (North Antrim): I trust that the Minister will come to the representation made by the hon. Member for Tatton (Mr. Bell) about why privileges given to others have not been given to these men.

Mr. Ingram: I will cover that point in due course.

The hon. Member for Tatton made a strong point about concerns that extraneous matters might have been brought into play. I set out the detailed way in which the Department and Secretaries of State have handled the matter to show that it has been dealt with very thoroughly and that no political or other considerations have in any way been brought to bear on the decisions taken. I stress again that the cases have been dealt with strictly on their individual merits.

Clearly, these are difficult cases, about which different people hold strong but conflicting views. The Secretary of State has recognised that, and, in personally considering them, following receipt of the views of review board, has been extremely careful to approach them objectively, based on the way in which the courts upheld the conviction for murder. She considered at length all the currently available information, court judgments and reports about the cases, including that relating to the other cases identified by officials and by the guardsmen's legal representatives, and she considered carefully the background circumstances in which the murder occurred. She concluded that, given all the available information, Guardsmen Fisher and Wright had not served a period sufficient to reflect the seriousness of the crime. She therefore decided to invite the review board to consider the cases again in October 1998, when each guardsman will have served approximately six years.

The two guardsmen were each provided with a written gist of the Secretary of State's consideration of their cases. The decision reflects the fact that a very serious crime has been committed that resulted in the death of an unarmed youth who was running away from an army patrol in circumstances in which the court found no lawful justification for the shooting. However, it also reflects the difficult background against which the offence was committed and in which the guardsmen were operating during the course of their duty and the fact that there was no premeditation.

Clearly, the circumstances that resulted in the murder cannot in any way be compared with carefully pre-planned and executed murders carried out by terrorist-type offenders. The hon. Member for Tatton referred to that statement. The letters of every hon. Member who has written to me reflect that point.

The guardsmen have recently been granted leave to seek judicial review of the Secretary of State's decision, but no date has yet been set for the hearing.

Mr. Hunter: Has the Minister not effectively told us that it was as a result of the Secretary of State's personal intervention that the successful appeal of the guardsmen did not proceed to review last October and that it was effectively a political decision, her intervention, that resulted in a postponement of the activity of the review board?

Mr. Ingram: I do not think that I said that at all. I would like to disabuse the hon. Gentleman of that thought. I was saying that there was very careful handling. Every aspect of the case was taken into consideration: the allegedly comparable cases, and the nature and seriousness of the crime. I set out at length the background to that and the judicial comments made. So there is no overlay, and no intrusion of political interference in the case.

Mr. Alan Clark: I am most grateful to the Minister for giving way a second time. Can he really tell the House that nowhere in all the papers attaching to this case is there mentioned any reference to the political aspect of a possible decision?

Mr. Ingram: The right hon. Gentleman is an experienced Member of the House, and has served as a Minister. He will know that it is impossible for me to recollect every document off the top of my head in the way he asks. What is important is not so much what the advice is or what is commented upon in a document as that which is taken into consideration in coming to a conclusion. I refute the implication that political considerations came into play.

Many of those who have raised these cases with myself and the Secretary of State have done so on the basis of a comparison with the cases of other soldiers convicted of offences committed while on duty in Northern Ireland—notably Private Clegg and Private Thain. While it is useful to recall these and other cases and to be aware of their outcomes, and the reasons for them, they lend little assistance to the deliberations, given the full facts of the guardsmen's particular cases.

Clearly, there are some parallels in terms of the lack of premeditation and the stresses on soldiers operating in Northern Ireland. However, it is not helpful to take the parallels too far, or to ignore the differences in the background circumstances. I am sure that hon. Members will understand that the courts must apply the law as it stands to the facts of individual cases.

Successive Governments have held to the principle that the criminal law, including that on the use of lethal force, should apply to members of the armed forces in the same way as it applies to all other citizens. To do otherwise would diminish public confidence in the impartiality of both the security forces and the law itself.

The hon. Member for Tatton asked whether the guardsmen should have been charged with the lesser offence of manslaughter as opposed to murder. In a response to the earlier case of Private Clegg, the then Home Secretary commissioned a review of the law of murder. The purpose of the review was to examine whether persons who used excessive force in order to maintain law and order, or in self-defence, should be liable to a charge of murder or manslaughter, or some other charge, in circumstances which had resulted in the death of another person. The review also examined whether any special defences should apply. The conclusion of that review, announced early in 1996, was that an adequate case to change the law had not been made.

Like any other citizen, members of the security forces may use only such force as is reasonable in the circumstances for the prevention of crime, or in effecting or assisting the lawful arrest of offenders or suspected terrorists. Soldiers receive specific training on their legal position before being deployed to Northern Ireland, and are constantly reminded that they have no immunity from the law, and must always remain responsible for their actions under the law.

Mr. Martin Bell: I wonder whether the Minister is aware of the growing unease about this case in the armed forces, outside the armed forces and among the public at large, and not only in Scotland. There is a feeling that something is wrong. Does he share that view?

Mr. Ingram: I am certainly fully aware of the strength of feeling on this. We have had inquiries from about 100 hon. Members and many other letters. It would therefore be wrong to say that we were not aware of it. I am only too well aware of the difficult circumstances in which the forces of law and order have to operate in Northern Ireland. It is a difficult and arduous task that they have to perform on our behalf. But clearly, the rule of law must apply to those members of the security forces in the same way as it does to any other citizen.

To do otherwise would prejudice the minds of others as to the way in which the security forces were carrying out their actions and would diminish the rule of law overall. I make that point strongly. While we can share the concerns and understand the problems, the rule of law has to be applied equitably at all times. Clearly, these young soldiers and others who serve in Northern Ireland have difficult experiences.

One other point that has been raised with me in correspondence, although it was not raised in the debate, is why the guardsmen have not been permitted to serve their sentences in a prison nearer their families. The Government attach considerable importance to enabling prisoners to maintain family ties, and there are established mechanisms to permit this. To date, neither of the guardsmen has pursued a transfer. Should they wish to, I can assure the House that any application would be treated on its merits.

The hon. Members for Angus and for North Antrim (Rev. Ian Paisley) raised the issue of Christmas leave. It has also been raised with me in correspondence.

It is important to put on record exactly what rules apply to Christmas home leave. It is available to prisoners who have served 10 years and to determinate sentence prisoners who are receiving pre-release leave. Like two thirds of sentenced prisoners in Northern Ireland, the guardsmen did not qualify. Clearly, if special circumstances had been applied to their case, we would have been faced with demands for judicial review and for equal treatment from the other prisoners in Her Majesty's prisons in Northern Ireland. That is the reason why the matter was dealt with in that way.

[Mr. Ingram]

The guardsmen have not applied to go back to their families. That is a matter for them. If they wish to seek such a transfer, their applications would be treated on their merits.

I give this assurance to the House. I have listened with great interest to all that has been said by the hon. Member for Tatton and other hon. Members today. I wish to assure the hon. Gentleman that the views that he has expressed will be kept firmly in mind when the cases are next considered. They will be drawn to the attention of my right hon. Friend the Secretary of State for Northern Ireland.

I hope that the hon. Member and others who have contributed to the debate today and those who are campaigning outside the House on behalf of the guardsmen are prepared to accept that these cases are being dealt with according to the proper procedures, and that extraneous matters have not influenced, and will not be allowed to influence, decisions in relation to these cases.

It being before Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Peace Process

1. **Mr. Corbyn:** If she will make a statement on the peace process. [26863]

The Secretary of State for Northern Ireland (Marjorie Mowlam): First, may I say that our thoughts are with the families of Brendan Campbell and Robert Dougan, who were callously murdered this week? Those murders and those that preceded them are appalling, and I am sure that all hon. Members in the House utterly condemn what has happened.

In contrast to those bleak acts, I have been encouraged by the discussions that have taken place—last week, at Lancaster house and this week, in Belfast. I hope that that momentum will be maintained when the talks move to Dublin next week.

Mr. Corbyn: I thank the Secretary of State for that reply, and congratulate her on her efforts to keep the peace process going in Northern Ireland.

Can my right hon. Friend confirm that, despite the appalling killings that took place yesterday, and those of the past few weeks, the British and Irish Government are determined that the peace process should go on and that all parties should remain around the conference table and remain in proper and full negotiation to bring about a permanent peace that can end the killing and mayhem that have been so prevalent in Northern Ireland for so long?

Marjorie Mowlam: I thank my hon. Friend for his kind opening remarks. I join him in deploring the fact that nine people have been killed this year and three killed in December. We do not want to see that repeated. I also deplore the recent murders that have taken place in Northern Ireland. It has been widely asserted that one or other paramilitary group linked to parties in the talks, to which my hon. Friend has referred, has been involved in those killings. That fact has not been reliably established. If and when it is, I assure my hon. Friend that the Government will not hesitate to act to determine whether the party concerned has demonstrably dishonoured its commitment to the Mitchell principles.

Mr. Trimble: I associate myself with the Secretary of State's remarks about the murders, and particularly wish to extend sympathy to the relatives of the victims not just of the two killings of which we have been aware this week, but of what appears to have been another killing, because a body has been dumped close to the Fermanagh border, in an area regularly used by republicans to dump bodies.

I also welcome what the Secretary of State said about the application of the Mitchell principles. She will be aware of the need to maintain the integrity of the political process and to ensure that it is not used and abused by the terrorists, as it has been in the past. In that connection, has she been in touch with the Royal Ulster Constabulary and asked the Chief Constable for his assessment of who has been responsible for the murders this week? The answer is fairly clear to everybody, and certain conclusions will be drawn if there is a reluctance on either her part or that of the Chief Constable to face up to the inevitable.

Marjorie Mowlam: I thank the right hon. Gentleman for his comments and I agree with him that the need to preserve the integrity of the peace process is central. That is what we said two weeks ago, when we faced a comparable situation in some senses—we are not yet sure how comparable. The right hon. Gentleman implied that the facts are already clear, but there is still a great deal of speculation about who is involved and we have not yet reliably established what actually happened.

In answer to the right hon. Gentleman's final question about whether we have consulted the RUC, of course I am in constant contact with the Chief Constable regarding his assessment, and I was obviously in contact with him this morning because of Northern Ireland questions this afternoon.

The investigation has not yet been completed. The Chief Constable is not ready to draw conclusions, but I can assure the right hon. Gentleman that, when he does, I know that, as on previous occasions, he will inform me, and I will certainly put that information in the public domain when I know. Speculation is not constructive at this point, but when the facts are there, I will ensure that the right hon. Gentleman and everyone knows.

Mr. McNamara: First, is my right hon. Friend aware that the Government are lost in admiration for her physical and moral courage in the personal and political difficulties that she has had over the past few months and years? Secondly, none of us doubt her integrity on this matter, and we very much welcome her statement that the Mitchell principles will govern any decision that is taken, not any petty sniping from one side or another.

Marjorie Mowlam: I thank my hon. Friend for those kind comments. It is not only the actions of the Government or of Her Majesty's Opposition that are important in the process. Whether we make an agreement by 1 May on the principles of consent of the parties and the people in Northern Ireland will depend on the leaders of the talks in the process, as well as on the actions of the two Governments.

I believe that we have made progress in the past couple of months. I believe that the determination and the courage that all political party leaders have shown is important, and I hope that they will continue. I hope, despite the view of some hon. Members in the House, that the process eventually becomes inclusive.

Mr. Brooke: Does the Secretary of State recall that, at the Evian talks on Algeria, delegates were issued with ski clothes and with Volkswagens with skis on their roof racks? Without going that far, does she agree that a period of media-free purdah might be productive and might even save lives, and does she recall that the Evian talks were successful?

Marjorie Mowlam: In reply to the right hon. Gentleman's question, I shall focus on the role of the

media, which is terribly important, and which was the crux of what he said. There is a contradiction that we have talked about a lot, both in government and with the parties. The difficulty is that the public have a right to know what is going on and, if they are going to vote in a referendum, they need to know the facts. They need to know how their political representatives are discussing the issue, and what is happening week by week.

The other side of that equation is that negotiations are not successful if they take place in the glare of the media, because people immediately entrench their position and one then cannot achieve the necessary accommodation and discussion of the issues. Therefore it is a very difficult question to address, which is why—skis, Range Rovers and Algeria apart—it can sometimes be beneficial to have a period when there is no need to respond immediately. That is my view, but ultimately it will be for the parties to decide what they think is most constructive and helpful to move the process forward.

Mr. Robert McCartney: Is the Secretary of State aware that a vast number of people in Northern Ireland would be horrified at the prospect of the readmission to the talks of the Ulster Democratic party after the organisation that it fronts murdered three Catholics, and that, equally, if the information from the Royal Ulster Constabulary should reveal that the Provisional IRA were involved in the recent murders, their expulsion should be permanent, as should be that of all those who are in breach of the fundamental Mitchell principles?

Marjorie Mowlam: I thank the hon. and learned Gentleman. In answer to the second part of his question, I have made it clear that, when the facts are reliably established, we and the Irish will discuss the issue and reach a conclusion, without hesitation, as to following the rules of procedure that have been set down in the talks.

In response to the first part of the question, about the Ulster Democratic party, I should say that, having looked at the details and read the Mitchell principles, we implemented a decision two weeks ago. I have said that we need to examine the words and deeds since then; we shall do so towards the end of this week, discuss with the Irish and take a decision. That is in line with the Mitchell principles, and I think it is a fair and equitable way forward.

Rev. Ian Paisley: Will the Secretary of State enlarge upon when, in her opinion, the facts might be made clear? Will that be when arrests are made, when charges are levelled or when a court case is adjudicated? Is she prepared to accept the Royal Ulster Constabulary's inquiry and the findings that it will put before her?

On the other side, matters were brought to a head when the RUC made a statement about the Ulster Freedom Fighters. The UFF also admitted its involvement, but it is hardly likely that the IRA and others will admit anything. When does the Secretary of State believe that she will be in a position to say that the facts are clear? Does she agree that the current situation is causing grave concern across all parties in Northern Ireland? Both the Roman Catholic and Protestant communities are deeply concerned about recent events. I am sure that the Secretary of State is well aware that the police are visiting prominent people in Northern Ireland, including politicians, and telling them that they are being targeted for killing.

Marjorie Mowlam: I thank the hon. Gentleman for his question. I am aware of the present situation—no one who has travelled to Northern Ireland could be unaware of it. The hon. Gentleman lives there; I do not. However, I am sure that he will agree that there is great fear, distrust and worry on the ground within both communities. That is why it is important that, from a security perspective, we do all that we can to reassure people. Instability will create further fear in the present climate, which is difficult for everyone to cope with.

In response to the first part of the hon. Gentleman's question, I shall do what I did before. When the RUC and the Chief Constable take an independent operational decision and come to me with the facts, we shall act. We did that before, and we shall do it again.

Ms Southworth: Five years ago, a terrorist bomb killed two children in my constituency. Colin Parry, the father of one of them, told me today, "We want no more deaths." Will my right hon. Friend ensure that the voices of the victims of violence—people who seek an early, peaceful and lasting settlement—are heard at the conference table?

Marjorie Mowlam: I thank my hon. Friend for her question. The events in Warrington will never be forgotten by anyone. We remember particularly the commitment of Mr. Parry and others who, despite losing people dear to them, were able to look beyond their hurt and loss and say, "It is important that other families do not experience the same suffering." One must take difficult decisions in this job—and I have taken some that have been unpopular, particularly with the other side of the House. However, one thing keeps me going. People telephone to say, "We have lost people. That hurt. We do not agree with your decisions." However, it is interesting to note that I receive about the same number of calls and letters from people who have lost family and friends but who say, "I don't want anybody else to experience what we have been through."

Mr. Öpik: Given the very tense situation in Northern Ireland—where, frankly, any action by the Government could be misinterpreted—will the Minister consider establishing a high-profile communications process between the Government and community leaders so that they may understand the true intent of new legislation? In that way, new legislation—such as the Public Processions (Northern Ireland) Bill—may be tested in the conference chamber instead of on the streets of Northern Ireland.

Marjorie Mowlam: I thank the hon. Gentleman for that question. As to the Public Processions (Northern Ireland) Bill—I know that the hon. Gentleman served on the Committee that considered the measure—we are in the process of seeing how we can distribute material to the public.

The hon. Gentleman's broader point—which relates to the first question asked from the Opposition Benches—is well taken: how do we encourage people to engage in decision making? That is very difficult. We have engaged the parties in the talks, and we involve some community

groups, industry and trade unions in the Group of Seven. However, I am open to ideas about how we can reach out even further. The newspapers in Northern Ireland have been very good at publishing information, but we must find other ways of reaching people and ensuring that they know the details of legislation and the talks.

Mr. Barnes: Whatever hideous things the paramilitaries do in Northern Ireland, does not the future depend, to a large extent, on what might be called a Hume-Trimble agreement? Should we not do everything we can to encourage the parties to reach such an agreement? An agreement that is finally put to the Northern Ireland people will entirely undermine the position of paramilitaries for the future.

Marjorie Mowlam: We have always argued that it is the parties that have to reach agreement. As I said in response to an earlier question, we obviously want that agreement to be as inclusive as possible. Although, as my hon. Friend suggests, an agreement between the UUP and the SDLP is the central focus, it would be much more beneficial for everybody to be included because the probability of the agreement being accepted would be that much greater. Other parties represent other sections of the community, and we should like an agreement to be as inclusive as possible. However, I know that I will not get very far with the DUP. Beyond that, the agreement must be between the parties, and in the present process we want to do what we can to reach that conclusion.

Mr. MacKay: The Secretary of State clearly shares our view that the men of violence must not hijack the political process. We were delighted when she took our advice and threw the Ulster Democratic party out of the talks. Will she ensure that it does not return to the talks as its paramilitary colleagues are clearly still bent on sectarian violence? We strongly believe that, if the IRA is proved to be behind the latest murders, there is no question but that Sinn Fein has breached the Mitchell principles and should also be removed from the talks.

Marjorie Mowlam: I think that I have already answered the second part of the hon. Gentleman's question a number of times. The first part was about taking advice. I have often made it clear that I will take advice from across the board because it is important to listen to everybody's view and draw a conclusion, which is what we have done. The hon. Gentleman asked about the UDP not coming back into the talks. We have made it clear that we want to make the process inclusive. We have also made it clear that, in line with the Mitchell principles, if by word and deed it shows a commitment to the Mitchell principles, then after a certain time, which we are now assessing, the position can be altered. That was agreed with the parties at Lancaster house when this matter was discussed two weeks ago.

Mr. MacKay: Is the Secretary of State still sticking by the sufficiency consensus rule, which would mean that, if Sinn Fein is removed from the talks, the talks would not be over by any means and a settlement could still be reached?

Marjorie Mowlam: We still stick by the sufficiency consensus rule, and my sums say that, as the SDLP is there, we can go ahead.

Mr. Mallon: The Secretary of State will recognise that, once again, the Governments and the political parties are caught in the classic Northern Ireland dilemma. There is the moral imperative to ensure that the Mitchell principles and the principles of democracy underline the talks. There is also the political imperative to ensure that there is a final settlement and that it is inclusive.

Does the Secretary of State agree that whatever decision is made on the evidence that, is presented to the Governments and through them to the political parties in the talks, that decision must be rooted in terms of the moral core of the political process in which we are all involved? Does she further agree that, to sustain that, urgency must be injected into the talks process from this Parliament and from the Parliament in the Republic of Ireland so that those who are not engaging, those who are half engaging and those who are posturing are not allowed to stand in the way of reaching a final agreement on this crucial problem?

Marjorie Mowlam: I agree with the hon. Gentleman's analysis of the problem that lies between the moral principle and the political imperative. We faced it two weeks ago and we shall face it again on this issue if and when the facts are presented and we need to.

On the hon. Gentleman's second point, it is crucial that the urgency of the present situation is taken into account, not just by people here but by the party leaders, the Irish Government and others who have an interest in this process. In the weeks ahead, we will be faced not just with trying to take the process forward—as we get closer to the detail, it gets tougher on the parties to try to find an accommodation—but with the fringe groups who are not committed to the process and want to destroy it, such as the Irish National Liberation Army, the Continuity IRA and the Loyalist Volunteer Force. With them on the edges making trouble with violence and murder, it will be very tough. I second the call for urgency.

Nursery Education

2. **Mr. Jim Murphy:** If she will make a statement on nursery education in Northern Ireland. [26866]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Tony Worthington): We are creating 2,200 new pre-school education places from September. That will be an increase of over 20 per cent. on existing provision. It will be the first phase of a planned expansion programme, targeted on the children in greatest need, which will be extended as resources allow to provide a full year of pre-school education for every child.

Mr. Murphy: I thank my hon. Friend for that reply and welcome the announcement of new places for child care. I invite my hon. Friend to inform the House how

those proposals link with the national child care strategy. Does my hon. Friend agree that every opportunity that is provided for the young people of Northern Ireland and their families is an opportunity denied to the paramilitaries?

Mr. Worthington: Well spoken. I agree that this is just the first phase of implementing our national child care strategy. We will be looking for contributions from the private sector for child care provision. We will be looking at the use of lottery funding for after-school provision and at using European provision for the extension of early excellence centres. We have to put more money into training for child care and, in all that, we have to bring together the health, education and voluntary sectors.

Mr. Beggs: I welcome the additional 2,000 places. However, does the Minister accept that there is less opportunity for access to nursery education in Northern Ireland than elsewhere in Great Britain, despite the fact that we have good quality nursery education? Can the Minister give us an assurance that he will seek to accelerate the rate at which nursery places are created in Northern Ireland so that there is parity of opportunity for our young children?

Mr. Worthington: I thank the hon. Gentleman for his expression of pleasure at the expansion of over 20 per cent. in nursery education this year. I doubt whether he could find anywhere else that is seeking to expand by over 20 per cent. in a single year. Over the coming months we will be seeking, as in the rest of the United Kingdom, to provide a full service for families and young children in Northern Ireland.

Mr. Moss: Any increase in funding for education is to be warmly welcomed on both sides of the House. Does the Minister agree that it is the duty of his Department to maximise the funding receipts to individual schools? If that is the case, why is he proposing to switch funding for the voluntary grammar schools from his Department to the education and library boards? Does he not realise that that will result in less money going to the classroom and the imposition of a totally unnecessary layer of bureaucratic control and interference.

Mr. Worthington: The hon. Gentleman should get in touch. He left us with an absurd system of funding. He left us with seven different ways of funding schools for a population of 1.6 million people. That is unacceptable, and we are moving to a basis of totally fair funding. If children are in schools that have equal qualities and equal characteristics, they will be funded equally throughout Northern Ireland.

Waste Disposal and Recycling

3. **Kate Hoey:** If she will make a statement on her policy on waste disposal and recycling. [26867]

The Minister of State, Northern Ireland Office (Mr. Paul Murphy): The Government are currently preparing a waste strategy for Northern Ireland which will set out their long-term policies for waste management.

Kate Hoey: Is the Minister aware that the small landfill site at Cottonmount, Mallusk, and the huge extension planned both break the current draft EU landfill directive? Does he agree that, at this stage, it would be ill advised to give permission for that extension, as it clearly breaks the directive? Would he ask the Minister responsible, Lord Dubs, to visit the area and its residents—not talk just to UK Waste Management Ltd.—and to smell the smells from the dumps which the people of that area have to put up with?

Mr. Murphy: I certainly take into account what my hon. Friend says, and give her my fullest assurances that I will relate her point to my noble Friend Lord Dubs. We will undoubtedly get back in touch with her.

Mr. Forsythe: Does the Minister agree that it is not good planning simply to pick a quarry in the middle of a village and fill it full of rubbish? Does he further agree that it would be advisable to take the problems of dumping in old or former quarries into consideration and to check the roads? Apparently, traffic volume has not been taken into account, even in relation to planning permissions.

Mr. Murphy: I understand the hon. Gentleman's concerns about the matter, which affects his constituency. I am sure that my noble Friend Lord Dubs will take into account the points that he has made.

Tourism

4. **Siobhain McDonagh:** What assessment she has made of the importance of the tourist sector to the Northern Ireland economy; and if she will make a statement. [26868]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): During 1996, tourism contributed £206 million to the Northern Ireland economy. Estimates suggest that the figure will decline to £202 million for 1997. That accounts for approximately 2 per cent. of Northern Ireland's gross domestic product and helps to sustain 12,500 full-time jobs in the industry.

Siobhain McDonagh: I thank my hon. Friend for his comments. I am sure that he agrees that Northern Ireland is a beautiful place to visit for a holiday and much under-used as a tourist destination because of the problems with peace in Northern Ireland. Does he agree that the message for the tourism industry, as for all sectors of the economy, is that they will receive a huge boost if the participants at the talks can agree among themselves and if that process is successfully concluded?

Mr. Ingram: I could not agree more with those comments, for which I thank my hon. Friend. She is right: Northern Ireland is a beautiful place to visit and more people should do so. It has been calculated that, in the tourism sector alone, 20,000 extra jobs could be generated on the back of a peaceful and lasting settlement. The same potential for growth exists in other sectors of the economy. There can be no question but that peace and prosperity are inextricably linked.

Mr. Donaldson: Does the Minister agree that, if we are to attract more tourists to Northern Ireland, we need to have adequate accommodation for those tourists?

I welcome the recent investment by several hotel chains in new hotels in Northern Ireland, but will he give a commitment that smaller hotels that are locally owned and that have supported the tourist industry for years in Northern Ireland will be given adequate funding to expand their facilities to provide adequate accommodation?

Mr. Ingram: The real support for tourism would come on the back of a peaceful settlement. I know that the hon. Gentleman is doing his best to try to achieve that. It is clear that the potential for growth in the small hotel sector is crucial. As I said in response to the previous question, 20,000 additional jobs could be generated. Clearly, the Government would sympathetically consider measures to support growth in the economy; it is something that I am actively examining.

Heads of Agreement

5. **Shona McIsaac:** What representations have been made to her by the Northern Ireland political parties concerning the Government's propositions for heads of agreement. [26869]

Marjorie Mowlam: Following the publication of "Propositions on Heads of Agreement", the two Governments have tabled numerous papers, raising questions and points as to the future of each of the three strands. The parties are giving detailed consideration to the issues that have been raised and are producing their own papers, in the hope that agreement can be reached between the different positions in time for 1 May.

Shona McIsaac: I thank my right hon. Friend for that reply. For the benefit of the House, will she elaborate on what she regards as the next step forward, bearing in mind the joint agreement?

Marjorie Mowlam: As we begin to make progress— *[Interruption.]*

Madam Speaker: Order. I won the battle on the Opposition Benches; I will win the war on the Government Benches.

Marjorie Mowlam: In Dublin, next week and in the weeks ahead, I hope that the detail of each of the three strands—a devolved body, north-south relations and east-west relations—is discussed, so that the parties make concrete progress towards 1 May.

Mr. William Ross: Although the parties involved may understand what is in the propositions for heads of agreement, the ordinary citizen finds the language used extremely ambiguous. When will we hear very clear statements from the Government on what action they intend to take to preserve the integrity of this kingdom?

Marjorie Mowlam: I thank the hon. Gentleman for his question. As we have said so often in the process, the future of the relationships between Great Britain and Northern Ireland and between the north and the south is in the form of the three strands that are there for discussion and debate between the parties. Nothing will be imposed. The process will move forward with the consent of the parties, the people and Parliament. That means that, ultimately, the people's decision will be the focus of the process.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [26893] **Mr. Casale:** If he will list his official engagements for Wednesday 11 February.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. I launched the new deal publicity campaign. Later today, I shall have further meetings with ministerial colleagues.

Mr. Casale: Does my right hon. Friend agree that the most unforgivable legacy of the previous Government was the huge number of young people who left school with no prospect of finding work? Will he ensure that as many employers as possible support our new deal programme, giving young people the chance that they deserve and showing the whole country the massive difference between the values of a Tory Government and a Labour Government?

The Prime Minister: Yes. Already under the new deal arrangements—although it is currently simply being piloted—thousands of young people are being interviewed and referred to employers, and already many of them are now in jobs. Many of those young people have never had any chances in life. We have already signed up 800 employers to the new deal, and we hope that—because of our just-launched campaign—many more will join us. It is a great tribute to all those who believe that the problem has to be tackled that employers, Government and local people are all working together to create a better Britain.

Mr. Hague: When the Lord Chancellor says that the Human Rights Bill will lead to a privacy law, does the Prime Minister accept his judgment?

The Prime Minister: No, it will not lead to a privacy law. The incorporation of the European convention on human rights allows us to claim in this country what we would otherwise have to claim in Europe.

Mr. Hague: The Lord Chancellor, when asked whether the Bill would lead the courts to develop a law of privacy, said yes. He said that in black and white. Now the Prime Minister contradicts him. *[Interruption.]* It is here; he can have a look at it. There are endless comments on the matter from the Lord Chancellor. There are enough comments on it from the Lord Chancellor for him to paper his apartment with them. Even the Home Secretary is laughing at that. Does the Prime Minister think that the Lord Chancellor was wrong? Is he contradicting the Lord Chancellor? Cardinal Wolsey could have warned the Lord Chancellor about that.

The Prime Minister: No; I have already made the position quite clear. I suspect that the Home Secretary was laughing at the right hon. Gentleman and not with him.

Mr. Hague: The Home Secretary laughs with me more than the Prime Minister would like to think. The Prime

Minister keeps saying that he is opposed to a privacy law, but he continues to introduce one. Although we are used to him supporting one thing at one time and another thing at another time, it is a novelty even for him to support and oppose the same thing at the same time. Will he now agree to amend the Human Rights Bill so that there is no risk of its introducing a back-door privacy law?

The Prime Minister: We do not believe that that is the case. We are already, as the right hon. Gentleman knows, consulting the newspaper industry and others on the issue. I re-emphasise that it is important to understand that the European convention on human rights already applies but that people have to go to Europe. Under our legislation, people will be able to litigate under it in our courts. The Bill therefore takes back rights from Europe and brings them to this country. That is why it should be supported by the right hon. Gentleman.

Mr. Hague: If the Prime Minister is so sure of that, why is he not able to convince his own Lord Chancellor? Why is he not able to convince his own tutor that that is the case? If the Government want a privacy law, let us have it fully considered and debated. If we are not to have a privacy law, and if the Government do not want one, let us make that clear. If it is not going to be brought in by the back door, why not put a lock on the door and amend the Bill as proposed?

The Prime Minister: As I have already told the right hon. Gentleman, we are considering the points that have been made by the newspaper industry and others, but it is not the case that the Lord Chancellor has said that he is against self-regulation. On the contrary, he has said that he is in favour of it. However, the Bill incorporating the convention does far more than simply address issues relating to the press, privacy or the rest of it; it allows people for the first time in this country to litigate in the courts and say that the Government must act in accordance with fundamental rights. I should have thought that that was something that the Conservative party would support.

Mr. Hague: A lot of that was very interesting, but it was nothing to do with the question that I was asking the Prime Minister. At one point in his answer, the right hon. Gentleman said that he would consider the representations that had been made. Will he confirm, therefore, that the Government will consider amending the Human Rights Bill to make sure that there is no risk of a back-door privacy law coming into force through it? Will he confirm that he is considering that?

The Prime Minister: We have already confirmed that we are listening to the representations being made to us. We confirmed that a long time ago. It is important to realise, as I say, that the Bill does far more than simply deal with these issues; it deals with a range of other questions, too. I am surprised that the right hon. Gentleman still cannot bring himself to say that he supports the incorporation of the convention into British law.

Mr. Hague: It is a bizarre situation when the Lord Chancellor says that we are to have a privacy law and the Prime Minister denies it. It is a shame that the Prime Minister does not take the Lord Chancellor seriously when the Lord Chancellor takes himself so seriously. Is it not wrong to say that he opposes something while actually introducing it, to introduce a form of censorship under cover of human rights, and to speak of the rule of law while introducing the rule of lawyers? Will the right hon. Gentleman at least consider amending the Bill to deal with that point?

The Prime Minister: Frankly, it was not that great a question the first time the right hon. Gentleman asked it, and it has now been asked six times. [HON. MEMBERS: "Answer."] I have answered it—I answered it the first time. We are in favour of self-regulation, the Lord Chancellor is in favour of self-regulation, and this is yet another example of the right hon. Gentleman beginning a campaign with no purpose and no conviction.

Q2. [26894] **Mr. Borrow:** Is my right hon. Friend aware of the anger felt by my constituents in the village of Tarleton? Under the local plan adopted when the council was Conservative controlled, and under the planning guidelines of the previous Tory Government, the village faces the prospect of the erection of several hundred executive homes in Coe lane. Does my right hon. Friend agree that planning guidelines should deal not only with the number of new homes required but with the mix of owner-occupied and rented properties and of low-cost and more expensive properties?

The Prime Minister: Yes, I do agree with that. My hon. Friend is absolutely right to point out that the previous Conservative Government carried on building on green-field sites, but now that the Conservatives are in opposition, they tell us that they would never dream of doing such a thing. In fact, there is now more green belt than there was before 1 May and more brown-field site building. My hon. Friend is also right to say that we need the right mix of housing. That is precisely why, on coming to power, this Government released £900 million-worth of capital receipts—that money will allow local authorities to build homes for people again.

Mr. Ashdown: Does the Prime Minister have any worries about the fact that around 40 per cent. of Britain's media is in the hands of a single dominant proprietor?

The Prime Minister: There are rules that deal with that. Those rules have been properly set out and should be applied objectively by the relevant bodies. I assume that the right hon. Gentleman is referring to the amendment in the Lords on Monday night. I do not believe that that is the right way to deal with the issue. I think that the right hon. Gentleman and the Conservative Opposition are wrong.

Mr. Ashdown: Will the Prime Minister tell us the right way to deal with the issue? Let me tell the Government what they are doing in their approach to it. They seem to say that, when it comes to competition, dealing with newspapers is the same as dealing with tins of beans. It manifestly is not. Vibrant media are vital to a healthy democracy. Opinion as diverse as the Confederation of British Industry, the ex-head of the Office of Fair Trading and many senior Labour Back Benchers believe that the Competition Bill is not strong enough to cope with

the abuse of market power through media ownership. Is the Prime Minister prepared to consider any action to strengthen that Bill to cope with those fears? Will he assure us that he will be prepared to take whatever action is necessary to make sure that they are never realised?

The Prime Minister: The question proceeds on the assumption that the Bill does not strengthen existing powers. It does.

Mr. Ashdown: It does not.

The Prime Minister: With respect, the right hon. Gentleman is wrong. Let me explain the position. The Bill brings our law into line with that in the rest of Europe. It specifically provides that there cannot be abuse of a dominant market position. The Office of Fair Trading can investigate all sorts of things under that provision, including predatory pricing.

The amendment in the House of Lords the other evening is wrong. It would result—this is why it is bizarre that it is supported by the Conservative party as well—in newspapers being prevented from competing against each other. They are perfectly entitled to compete against each other. If there is abuse of dominant market position, it can be investigated by the Office of Fair Trading. Under the Bill, there will be further powers to deal with that. I do not think that the amendment that was passed in the House of Lords is right in principle or the right way to deal with the problem.

Housing (London)

Q3. [26895] **Mr. Corbyn:** What meetings he has held with representatives of housing groups in London; and if he will make a statement.

The Prime Minister: I have not held meetings since the election specifically with representatives of housing groups in London. We are engaged in a programme that will help much of housing in London, particularly by the release of capital receipts.

Mr. Corbyn: Is my right hon. Friend aware that there are 28,000 London families living in temporary accommodation and that 30 per cent. of housing benefit expenditure in London goes on supporting expensive private rented accommodation? Particularly for inner-London boroughs, the release of capital receipts is eaten up entirely by the enormous backlog of important capital repairs. No new building or purchasing is taking place. If we are to conquer the scourge of homelessness in London, central Government must be prepared to release money to build and buy homes so that people—including children growing up in bed-and-breakfast accommodation—have a decent home or flat to live in.

The Prime Minister: Of course I share those objectives. It is true that, particularly in London, though not always elsewhere, the release of capital receipts is primarily being used to refurbish existing properties. That plays a part in allowing us to reduce homelessness in London, because the properties that are properly refurbished can then be used for homeless people. As we are able to release further sums, we will help councils in London and elsewhere to provide new homes for people. Under the first tranche of money, I think that I am right in saying that 4,000 new homes will be built across the country. That is an improvement on the previous position.

In relation to homelessness—particularly among young people—one reason why we want to put the new deal through is to ensure that some of those young people are given help in getting housing and the chance to gain a skill or an apprenticeship that allows them to earn money and provide for themselves. The Government are introducing a range of measures to tackle those problems.

Engagements

Q4. [26896] **Mr. Gibb:** Does the Prime Minister accept that his Human Rights Bill would give unelected judges the power to create a privacy law and leave this Parliament with just a 90-minute debate to rubber-stamp those judicial decisions? Is that not both undemocratic and unacceptable?

The Prime Minister: The answer to that is no. The British courts would be perfectly entitled, as, indeed, the Lord Chancellor has pointed out, to develop a law of privacy in relation to common law—never mind the European convention on human rights. I am informed by the Home Secretary of the fact that the shadow Lord Chancellor has supported incorporation of the European convention.

Mr. Barron: Will the Prime Minister tell us whether, if any changes have to be made to the national concessionary fuel agreements for retired miners and/or their widows owing to European legal requirements, the interests of those concessionaires will be looked after?

The Prime Minister: My hon. Friend is right to raise that as a specific problem. It comes about as a result of European directives, and will mean that, if the directives are carried through, as is being proposed at present, there could be a problem for people with concessionary fuel allowances. Obviously that is a problem for many of my hon. Friend's constituents, and for mine, too. That is precisely why my hon. Friend the Minister for Science, Energy and Industry has announced that he will look at all the problems associated with it. In the meantime, people will continue to get the full concessionary fuel allowance. We will announce what we can do about it at a later stage.

Q5. [26897] **Mr. Peter Atkinson:** Does the Prime Minister agree with his Lord Chancellor that the Press Complaints Commission should be given power of prior restraint over what newspapers can publish?

The Prime Minister: Again, the Lord Chancellor did not say that. What he actually said was that there should be self-regulation. Of course, the Press Complaints Commission is entitled to have the self-regulation that it wishes. This is another pretty pathetic campaign on behalf of the old Tory party. Like most of their other campaigns, it is based on a lot of trivia and mistaken premises.

Mr. Benn: Is the Prime Minister aware that all the opposition groups in Iraq, including representatives of the Kurds, are totally and completely opposed to the use of military action? Will he give an assurance that the Russian

peace proposal, about which Tariq Aziz wrote to me this morning, will be considered by the Security Council and not rejected by the Americans, and that no force will be used other than by the authority of the Security Council? Is he aware of the puzzlement and disappointment that Britain, as one of the permanent members of the Security Council and president of the European Union, and with its role at the heart of the Commonwealth, should appear to be following slavishly instructions from Washington?

The Prime Minister: We are simply not going to agree on this, but let me tell my right hon. Friend why we are doing what we are doing. It is nothing to do with following the line from Washington—slavishly or in any other way. It is to do with the fact that Saddam Hussein has been developing weapons of mass destruction. As a condition of the Gulf war ceasefire, he was obliged—and agreed—to destroy all such weapon-making capability. Inspectors went in and uncovered literally thousands of weapons, vast biological warfare plants. They have uncovered quite enough to make us deeply alarmed at the prospect of Saddam Hussein's ever getting that capability.

He has now decided to try to prevent the inspectors carrying out their duty. It is our duty, I believe, in order to enforce the long-term security and peace of the world, to bring him back into compliance with the UN resolutions, and ensure that he is not able to develop weapons of mass destruction. I believe that that is right. We will of course search for a diplomatic solution, but Saddam Hussein should not be in any doubt—nor should anybody else—that, if we are forced to take military action to bring him back into compliance, we will do so.

Q6. [26898] **Mrs. Virginia Bottomley:** Almost one in four children attend a school with a religious affiliation. Will the Prime Minister accept the amendment to the Human Rights Bill that safeguards the rights of those schools to select teachers who share the Christian, Jewish or Muslim faith of the school, and reject teachers whose way of life and faith are incompatible with the religious ethos of the school?

The Prime Minister: That is a perfectly fair point. I understand from the Home Secretary that, although this has not been a problem up to now, as a result of the concerns that have been raised, we are none the less considering it in the context of the Bill. I know that many families like to have their children educated in accordance with the religion in which they believe. That is something which we obviously wish to protect. We shall look at the concerns that have been raised and make our statement on it as soon as we can.

Q7. [26899] **Dr. Lynne Jones:** Will my right hon. Friend tell the House the reasons for the welcome decision to rethink the plans for increasing the waiting time for jobseeker's allowance—and would not the application of the same logic lead to the conclusion that it would be wise to defer cuts in lone parent benefits?

The Prime Minister: No, Madam Speaker, I am afraid that I cannot agree. The reason for the decision in relation to the jobseeker's allowance is that it forms part of the review of welfare provision that we are now making. In relation to lone parents, it is important for my hon. Friend to understand—I hope that she will take the point on board, as well as acknowledging the fact that she disagrees with the original decision—that some £200 million has been set aside for initiatives that help lone parents off benefit and into work, and that many of them up and down the country are already taking advantage of that. The situation does not fall into the same category as the jobseeker's allowance provisions, which we shall examine as part of the review of welfare.

Mr. Brooke: Why, in the Prime Minister's vocabulary, is so little use made of the word "freedom"?

The Prime Minister: Actually, I do use the word a lot. It is interesting that the right hon. Gentleman has raised it, because when I was asked to give a speech in Washington on the values of the centre left, I described them as freedom, justice and progress. Those are the values that those on the Government Benches believe in; it is a pity that the Conservative party today—I suspect that the right hon. Gentleman is rather out of tune with much of it—does not believe in those values.

Q8. [26900] **Mr. Savidge:** Does the Prime Minister accept the fact that, as the Government inherited from the Tories a division between rich and poor comparable with that in the time of Charles Dickens, a major test of the achievements of this Administration will be our success in tackling social exclusion, in restoring hope to those in real need and in building a society united in common purpose and shared values?

The Prime Minister: Since coming to power on 1 May, we have had the £3.5 billion programme of welfare to work, the extra £2 billion worth of spending in our hospitals and schools, the £1.2 billion programme of school repairs and the extra £200 million of help for pensioners with their fuel bills. There can be no clearer demonstration of the values of a Labour Government, designed to help the whole country, and the Tory party, designed to help a privileged few.

Q9. [26901] **Mr. Norman:** I am sure that the Prime Minister will agree that in this country the BBC plays an important role in the media and in press freedom. Will he therefore tell us whether he agrees with the remarks reported to have been made by his official spokesman, Alastair Campbell, to the effect that the BBC is a dumbed-down, bureaucratic and overstaffed institution, or with the early-day motion reportedly signed by 40 of his Back Benchers that describes those remarks as childish and offensive?

The Prime Minister: I yield to no one in my affection for the BBC, but whatever remarks were made by my press spokesman, they were a lot less than I remember people such as Norman Tebbit making in the 1980s.

Mr. McGrady: May I ask the Prime Minister to take a personal interest in the future of Downe hospital in my constituency, and to ensure that the Government's policy on equal opportunity and equality of provision and accessibility is applied to the people of Down and Mourne? Will he ensure that the Department of Health and Social Services in Northern Ireland is not unduly

influenced by the medical mafia of the so-called "platinum two" hospitals in Belfast, or by the desk doctors in the Department?

The Prime Minister: My hon. Friend will appreciate that I am not in a position to give him a statement about the particular hospital. However, I have heard what he has said and so has my right hon. Friend the Secretary of State for Northern Ireland, and I shall correspond with him and set out our position.

Q10. [26902] **Mrs. Ewing:** In the context of the benefits integrity project, is the Prime Minister aware of the fact that, of the more than 40,000 people who have been reassessed, 20 per cent. of those eligible for disability living allowance have had their allowance either stopped or reduced, and only 2.5 per cent. have had it increased? Is there any integrity in pretending that that is not Treasury-led?

The Prime Minister: This, obviously, was a project that we inherited, but it is important that we ensure that people are claiming the right benefit and it is entirely right to make proper checks to see that that is the case. The hon. Lady will have heard my right hon. Friend the Secretary of State for Social Security announce changes to the procedure to ensure that we do not put at risk any of those people who are genuinely in need of benefit and in receipt of that benefit. Of course we will keep the matter under clear review, but it is right that we ensure that only people fully entitled to benefit receive it.

Mr. Levitt: Does my right hon. Friend agree that, whatever problems unemployed people face—and there are many—their best chance of escaping their situation, be they young, long-term unemployed, disabled or lone parents, is by acquiring modern, appropriate and saleable skills?

The Prime Minister: Yes, of course, which is why we have provided additional money to help lone parents to acquire the skills they want. An additional £200 million has also been provided specifically to help those among the long-term sick and disabled who want to get off benefit and into work. Because the number of workless households doubled under the Conservatives in the past 20 years, this is the first chance that many of those people have had for years to get back into work, lead a better life, have a higher standard of living and make a contribution to society. I entirely agree with my hon. Friend, which is precisely why the welfare-to-work programme is important.

Q11. [26903] **Mr. William Ross:** Does the Prime Minister recall that his letter to the Prison Officers Association on 6 July 1994 received a very warm welcome from that body? Will he refresh his memory this afternoon on what he wrote, and reflect that, if full trade union rights had been restored to that body, prison officers could have taken industrial action over security on the roofs of the Maze prison, which would probably have prevented the assassination of William Wright and the consequences that flowed from that murder? Will he now fulfil the promise that he made in the letter to restore full trade union rights to the Prison Officers Association?

The Prime Minister: I really do not think that we can draw the conclusion that, if industrial action had been an available option, the murder of Billy Wright would not have taken place. That is not right or fair. The hon. Gentleman knows that my right hon. Friend the Home Secretary has made our position clear on industrial action by prison officers. He will also know that two reports on the Maze prison are to be published; as soon as they are, we will be able to discuss them.

Mr. Gareth Thomas: Will my right hon. Friend join me in congratulating the former employees of the National Coal Board, who have just secured victory—and the largest compensation award in British legal history—in their trade union-backed court case about the effects of emphysema and chronic bronchitis? Does he agree that the case illustrates the importance of trade unions in ensuring decent working conditions and social justice in the workplace?

The Prime Minister: Yes. I congratulate the many trade union officials who work throughout the country to secure justice for their people, which is why millions of people voluntarily choose to be members of trade unions in Britain today.

Q12. [26904] **Mr. Robathan:** Will the Prime Minister, particularly at this time of international tension, pay attention to the concerns of senior officers in the armed forces who fear that the Human Rights Bill may undermine the authority of commanding officers in the field? Will he ensure that the Bill is amended to safeguard military discipline?

The Prime Minister: I really do not believe that the Bill has any impact on commanding officers in the field. As I keep trying to explain to the Conservatives, people can already litigate under the European convention on human rights; the difference is that they have to take their cases to Strasbourg rather than to our own courts. The idea that by incorporating the European convention on human rights into law, as a vast number of European countries have, we will somehow inhibit our armed forces takes the Conservative campaign from absurdity to sublime absurdity.

Q13. [26905] **Mr. Gordon Prentice:** Has my right hon. Friend had an opportunity in his busy schedule to read the current issue of *Country Life*, in which the former Conservative Cabinet Minister, Mr. William Waldegrave, predicts that there will be violent action, civil disorder and civil disobedience if the Labour Government enact a statutory right to roam? Will he tell Mr. William Waldegrave and those who think like him that such threats cut no ice with him, and that, like me, he believes that the Government should legislate for a right to roam?

The Prime Minister: I cannot say that I have seen the edition of *Country Life*, but it is an indication of how ridiculous some of the campaigns of the Conservative party are today. The Conservatives say that people having the right to roam or walk on moorlands on which they wish to walk will somehow put the countryside at risk. It will do no such thing. We are in discussion now as to the best way to proceed, and I believe that we can reach proper agreements on this matter. If not, the legislation is there and we intend to carry through our manifesto

commitment. As for the Conservative party threatening civil disobedience, it only shows what has happened to the party of law and order.

Mrs. Roe: Is the Prime Minister aware that last May, patients from my constituency attending the Queen Elizabeth II hospital in Welwyn Garden City were waiting a maximum of 12 months for elective surgery? Today, nine months later, they are having to wait 18 months. Does the Prime Minister accept that my constituents feel that they were conned by the Labour party at the general election, as it said that waiting times and waiting lists would fall? Is this not an example of the Labour party saying one thing at a general election and doing another in office?

The Prime Minister: No, it certainly is not. The spending proposals we inherited were the spending proposals of the Government whom the hon. Lady supported. What is more, we put an extra £300 million in this year and an extra £1.2 billion for next year. We will see at the next election whether our waiting list pledge has been confirmed. We will do that. Nobody believes that the NHS would be better with a party which spent 20 years undermining it than with a party which believes in it and will now rebuild it after 20 years of Tory rule.

Speaker's Statement

3.30 pm

Madam Speaker: I have a statement to make about departmental Question Time which should be of interest to all hon. Members and Ministers alike.

In the last Parliament, I found it necessary on a number of occasions to seek the co-operation of the House in making better progress at Question Time. I was concerned that both questions and answers were becoming too long and that there was a growing tendency to regard Question Time as an opportunity for comment and for debate, rather than for question and answer. As a result, too few hon. Members with questions on the Order Paper could be called, and too few other hon. Members could be called to put supplementary questions.

Following my statement, there was some improvement at that time, but I now have to inform the House with regret that progress in this Parliament is significantly worse. The number of substantive and supplementary questions that I have been able to call has been further constrained. I must now renew my appeal to Ministers and hon. Members to co-operate in securing a faster-moving and more profound Question Time.

Members should bear it in mind that the primary purpose of questioning Ministers is to hold the Executive to account. Questions should relate to matters of public policy or administration for which Ministers are responsible. I have to tell Back Benchers that the purpose of a question is to obtain information or to press for action. It should not be a short speech.

As for Ministers, answers should be confined to points contained in the question, with a short explanation only when necessary to make the answer intelligible. I tell the House that there are good reasons for these and other long-established rules on questions. Members would do very well to educate themselves. They would find, if they looked at pages 295 to 305 of the 22nd edition of "Erskine May", the reasons for these rules. In essence, there is a marked distinction between Question Time and debate. What is required above all are short questions and brisk answers. In the interests of the House, I shall not hesitate to intervene if I think a question or an answer is too long, but it would be much better if the House were to discipline and regulate itself. I hope it will do so, and I look forward to the Whips from all parties seeing that all hon. Members and Ministers are informed of this statement.

North Afghanistan (Earthquakes)

3.34 pm

Sir Alastair Goodlad (Eddisbury) (*by private notice*): To ask the Secretary of State for International Development what actions her Department is taking to alleviate the suffering of the victims of the earthquakes in northern Afghanistan and if she will make a statement.

The Secretary of State for International Development (Clare Short): An earthquake measuring 6.1 on the Richter scale hit northern Afghanistan at 19.37 local time—14.37 GMT—on Wednesday 4 February. We first learned of the disaster on 6 February. The most affected area is the Rustaq district in Takhar province which is located about 50 km from the border with Tajikistan. The nearest airport is at the town of Taloqan, 50 km south-west of Rustaq. A number of strong aftershocks have been reported by the local authorities and another earthquake, measuring 5 on the Richter scale was felt in the region around 3 am yesterday.

According to the local authorities in Rustaq, 26 villages are affected, of which six have been completely destroyed. The local authorities indicate that 3,680 people have died; the aid agencies' preliminary estimates put the figure at between 2,000 to 3,000. About 1,000 families are affected. The number of injured is reportedly 417, but that is likely to be an underestimate. I have placed in the Library of the House a copy of the latest situation report from the United Nations Office of the Co-ordination of Humanitarian Affairs.

On 9 February, we contributed $300,000, or about £180,000, immediately on the launch of a United Nations appeal for assistance. We were among the first in the world to respond. Our funds are being used by the United Nations to conduct urgent assessments and provide immediate relief for the victims. MERLIN, a UK health emergency non-governmental organisation, has already reached the affected area and is providing medical supplies on behalf of the United Nations relief effort.

Since the start of the emergency, we have been in close contact with our Afghanistan field manager based at the British high commission in Islamabad. She has kept in close contact with the relief agencies attempting to gain access to the affected region.

The European Commission Humanitarian Office—ECHO—to which we contribute, is ready to make a contribution of around £1.33 million for shelter, medical items and water supply through the International Committee of the Red Cross and Médecins Sans Frontières—MSF. ECHO has currently one delegate in Kabul and one correspondent in Taloqan to assist in the operation. Oxfam has also offered relief items to the International Committee of the Red Cross and MSF, including tents, blankets, winter clothing and water equipment. The United Nations High Commissioner for Refugees has stockpiles of blankets, plastic sheeting and tents in Peshawar, Konduz and Termez ready for distribution. The World Food Programme has three trucks loaded with 20 tonnes of food, plastic sheeting and stoves which were due to reach Rustaq yesterday.

As the right hon. Gentleman will see, we are doing all we can, with the United Nations, to help to provide aid quickly and effectively. However, the remoteness, difficult terrain and poor weather conditions are making aid deliveries extremely difficult. We await further assessments, including those of the United Nations disaster assessment and co-ordination team, other agencies on the ground and the International Committee of the Red Cross before considering what further assistance we might usefully provide.

Sir Alastair Goodlad: I thank the Secretary of State for her full reply. As she knows, every effort made by the Government to bring help to the victims of that terrible disaster will have the support of the whole House. May we offer our gratitude to the aid workers who are struggling to deliver help in such terrible conditions, by delivering tents, blankets and medical supplies, by seeking to deal with the shortage of clean water and the consequent disease and dehydration, and by seeking to evacuate the survivors?

Can the Secretary of State tell the House what consultations she has had with the International Committee of the Red Cross, the largest aid body in Afghanistan, about its assessment of the situation and the delivery of aid? What requests has she received from the ICRC to provide logistical support and what steps has she in mind to respond to them? She knows the problems of providing aid to areas affected by the civil war. How will her Department ensure that the warring factions in Afghanistan do not succeed in manipulating our international aid effort to their benefit?

What steps does the right hon. Lady feel are necessary to safeguard the security of aid workers, particularly British ones? Can she confirm that the Taliban, which exercises control over most of the country, announced a three-day ceasefire at the weekend because of the emergency? Will she and the Foreign Secretary use their good offices to seek to extend the ceasefire—indefinitely, if possible? Finally, can she confirm that British aid, the private aid that will be offered by the public, will go to those it is intended to reach? Can she confirm that there will be not only disaster relief but long-term relief and rehabilitation for a considerable period to come?

Clare Short: I am grateful to the right hon. Member. He is right to say that the House is united in feeling that our country should contribute to the relief of such emergencies and in taking pride in the speed with which our agencies respond. That is shared across the House. Both parties have contributed to creating that commitment.

I have not personally been in contact with the International Committee of the Red Cross, but my officials have. We have efficient procedures to move quickly as soon as we get notice of disasters. I am not personally conscious of an ICRC request for logistical support, but we work very closely with it. Some of the contributions that have been made are being delivered through it. We will remain in constant contact.

On the effect of the civil war, the earthquake occurred in the northern part of Afghanistan controlled by the Northern Alliance, not in the large part of the country controlled by the Taliban. As yet, the civil war has had no effect on getting emergency relief to earthquake survivors.

As the right hon. Gentleman said, the Taliban have declared a ceasefire. I am not sure that that has had an immediate effect, as I understand that there was not any fighting in that very remote area of difficult terrain.

[Clare Short]

I agree that we must ensure that we get relief to the affected people and try to ensure that there is no fighting or attempt by either side to take advantage.

The right hon. Gentleman asked about the safety and security of aid workers, which is always a major concern. At the moment, the problem is getting them in. There is real difficulty with the weather, the terrain and getting the available resources to assist people in the way we should like. At present, aid workers are not in danger, but are frustrated that they cannot get there to do as much as they would like.

The right hon. Gentleman asked whether we would provide aid in a way that would not only deal with the disaster but assist reconstruction. He is right to focus on that. The whole international system is reviewing the way in which we provide emergency and humanitarian aid to ensure that it does not paralyse into dependency communities that have been through trauma. If people become refugees, children are not educated, agriculture is not restored, and reconstruction can be prevented. We are all reviewing our procedures to try to ensure that we deliver emergency relief efficiently, but also start to consider how reconstruction can proceed immediately so that the emergency relief does not cause harm in future.

Mr. Tam Dalyell (Linlithgow): Have we offered co-operation to the Government of Iran, who, with the Red Crescent, have considerable experience in the most difficult conditions?

Clare Short: We are not directly co-ordinating our efforts. We are making a contribution through the UN system, which is organised to achieve co-ordination. That is the body which is bringing together all the resources. I understand that Iran and Britain were the two countries that moved first and sent assistance most quickly in response to the UN appeal.

Dr. Jenny Tonge (Richmond Park): Has the Minister received any requests for helicopters or thermal-imaging equipment? Has her Department learned the lesson, highlighted by the Select Committee report on Montserrat, that if it wants to get on with the job that it does well, it should not allow any interference from another Department?

Clare Short: I am not aware of any request for helicopters and thermal-imaging equipment. An emergency organisation that provides such help got as far as Pakistan. We advised it to wait because it does not help in emergencies if everyone piles into aeroplanes and turns up. No matter how well-intentioned, such action creates chaos. That organisation has now withdrawn.

As for my Department's response to emergencies, it is true that the capacity of the British Government to respond rapidly sits within my Department. It works very smoothly and very fast. When there is a need to move, Ministers are not consulted. We have delegated powers and resources available to us, and we move immediately. We can move over a weekend. There is no need to consult lots of Departments and delay our response.

Mr. Harry Barnes (North-East Derbyshire): It seems from my right hon. Friend's statement that it took two days for us to discover that the earthquake had occurred. Can she explain what the difficulty was?

Clare Short: I cannot explain to my hon. Friend what the difficulty was. The international system has become more efficient at responding quickly to such disasters. The earthquake was in an extremely remote place. That is the major part of the difficulty, although, of course, there are others in Afghanistan in terms of communications, governance and so on. My hon. Friend's question would have to be addressed to the United Nations system. I do not know the answer at this moment, but I will find out and write to him.

Mr. Nicholas Soames (Mid-Sussex): During the Secretary of State's successful visit to Bosnia, she will have seen some of the extraordinary work done by the Royal Engineers. Has she consulted the Minister for the Armed Forces about whether it is possible to second one or two British sappers to help the aid programme? They are particularly skilled at getting the most basic emergency services organised.

Although the Secretary of State is running her programme through the United Nations, will she assure the House that, during the current British presidency of the European Union, she is co-ordinating fully with other European Governments in respect of our efforts to relieve the suffering in this appalling tragedy?

Clare Short: We discussed the contribution of the British forces this morning in the Defence Select Committee. The lesson that we and the Ministry of Defence have learnt is that, when forces are already in theatre, and if they are not engaged in preventing military conflict, they can do useful work to assist reconstruction and rehabilitation. Collaboration with the armed forces happens in certain circumstances when they are already in theatre and it is appropriate. General Pringle emphasised to me that the first priority of the armed forces was to prevent an outbreak of violence, and that, when they are successful in that, they have more time and are able to contribute to reconstruction.

We do collaborate, but it is a question of working together where it is most appropriate. I am not sure whether, in the emergency in Afghanistan, anyone has suggested bringing in the Royal Engineers. At the moment, it is thought that collaboration through the UN is the most helpful way of getting resources in quickly.

We take seriously our responsibilities in our presidency of the European Union. We have been in touch with ECHO for that reason. That is why I gave considerable details of the European Union's promised contribution to the relief effort in Afghanistan.

Mr. Hugh Bayley (City of York): How far is the disaster zone from the Taliban front line? What contingency plans are being developed with our armed forces, the United Nations and the International Committee of the Red Cross to ensure that aid will get through if fighting starts in places where it compromises the supply routes into the area?

Clare Short: I do not know how far it is in miles, but my understanding is that fighting is not the issue in that area. It

is so remote that the fighting was not near the area. The problems are weather, terrain and distance. We need to watch the issue. If there is any problem, we shall have to resolve it, but at present all the international energy is focused on trying to get resources into the area. We have weather and geography against us rather than civil war.

Mr. Andrew Rowe (Faversham and Mid-Kent): My right hon. Friend the Member for Eddisbury, (Sir A. Goodlad) said that it would be good if, out of this crisis, some longer-term sustained assistance to Afghanistan could be provided. Although I understand that the right hon. Lady's attention, and that of her Department, are concentrated on the immediate crisis, will she give us an assurance that she has got people to think about how they might use the lessons to be learned from this disaster, perhaps to encourage the Taliban and its opponents to proceed in a more rational way to create within Afghanistan the conditions for the beginning of sustained development?

Clare Short: The hon. Gentleman is absolutely right; the situation in Afghanistan is completely tragic. The fighting has gone on for such a long time that the country is full of land mines so that people cannot use their land to grow crops, and they and their children are in constant danger of injury.

I am afraid that there is no immediate prospect of a settlement. The international community has a terrible problem with the Taliban because of its resistance to the provision of equal assistance to women. The International Committee of the Red Cross had to threaten to withdraw all assistance—it is the leading agency helping people who survive injuries from land mines—until the Taliban backed down and said that assistance could be provided equally to women.

I understand that the UN High Commissioner for Refugees has not had much success in dealing with the two factions and is now talking to the surrounding countries that have tended to line up behind the respective factions, as so often happens, which has extended the conflict.

The attitude of the Taliban to the provision of basic rights to women is a major problem to the international community. We all stand on the principle that there must be equal rights of assistance in the provision of our humanitarian aid. When we stand together, we appear to succeed. The UN special representative is trying to encourage talks that might lead to peace, but I am afraid that progress is not imminent.

Points of Order

3.51 pm

Mr. Andrew Mackinlay (Thurrock): On a point of order, Madam Speaker. I am sorry to delay the House, but I have received three packages in the post, because the postal system apparently could not find any person to whom they could be appropriately delivered. On one package it says, "Not Clerks Department" and on another it says, "Try A. Mackinlay", although I do not know why it was decided that I should receive them.

Those packages are addressed to "The Treasurer, The European Research Group, House of Commons, London SW1." They are important for two reasons. First, and probably of least importance, that group is not a registered all-party group. I would not detain the House merely to make that point and I would just pass those packages to your office, Madam Speaker, but they contain 100 cheques and a Midland bank paying-in book for an account in the name of "The Danish Referendum Campaign Account."

The second, more serious point is that someone is running a fund-raising exercise from the House for that group, which could bring the House into disrepute. It means that those who cannot command a majority in the House to scupper the Amsterdam treaty are trying to use the Danish people as a surrogate to do so. That should not happen through the offices of the House.

I shall pass the packages to your office, Madam Speaker, because I genuinely do not know to whom they belong; nor does the postal system or the Clerks Department. It is wrong that such fund raising should be conducted from the House; the fact that it coincides with our presidency of the European Union is acutely embarrassing to the United Kingdom. I hope that the Danish people will note that there are people in the United Kingdom who want to use them to scupper the Amsterdam treaty.

Madam Speaker: So many things land up in my office most days, but this is extremely serious and I hope that the hon. Gentleman will hand those packages to my office so that I can look through them.

Mr. Gerald Bermingham (St. Helens, South): On a point of order, Madam Speaker. This afternoon you made a statement with which all of us concur. Can you perhaps advise me whether at future Prime Minister's Question Times the length of time taken up by the Leader of the Opposition will be specified, no matter how long-winded his questions, or will he be allowed to ask a set number of questions? Today, we heard seven minutes of rubbish.

Madam Speaker: Today, the Leader of the Opposition used his entitlement to ask six questions. I have calculated the number of questions answered at Prime Minister's Question Time today, and the answer is particularly good because the Prime Minister answered 28 questions in half an hour, which is much more than most Ministers achieve in that time.

Motor Accident Injury Compensation

3.54 pm

Dr. Desmond Turner (Brighton, Kemptown): I beg to move,

That leave be given to bring in a Bill to ensure compensation for persons injured as a result of road traffic accidents.

The Bill seeks to remedy a long-standing problem that has been addressed by the House several times since the second world war. The last time was when a ten-minute rule Bill was introduced by Lord Janner when he was a Member of the House. It was the subject of a consultation paper in 1991 by the Lord Chancellor's Department; a report with recommendations followed.

People who are injured in accidents face many problems. First, they can wait a long time for settlement. A wait of at least one year is common, as is a delay of two years, and the period can be much longer. Uncertainty surrounds the settlement; the injured person may not get a settlement or it may be minimal or, at the extreme end of the range, it could be a large and punitive settlement, incorporating heavy damages. Some people are excluded from the possibility of a settlement because of the limitations of their insurance or because they are the drivers of a car and they are not covered.

I believe that the inequality of entitlement to compensation is a problem which is recognised by the entire insurance industry. Many lawyers agree that it occupies a great deal of time in the courts, and much expense, which does not help the people who need compensation.

I should like to describe a case that has arisen in my constituency and has prompted me to bring in the Bill. I shall mention no names, both to protect the sensitivities of the family and because a criminal case is involved which is sub judice. A young woman, eight months pregnant, together with her husband, her sister and her sister's husband, were travelling in their car after doing their week's shopping—just driving along, perfectly innocently, on their side of a country road in East Sussex—when they were hit head on by a large van which had crossed to the wrong side of the road.

As a consequence of that accident, the woman lost her baby and was critically injured. She survived, but at the expense of the loss of her uterus, and is obviously no longer able to bear children. Her sister was also critically injured and has survived only with deformities to her leg, and all the family were unable to work for a long time. In addition to suffering considerable physical and emotional trauma, they suffered great financial hardship and ended up in heavy arrears with their mortgage; but for the understanding of the building society, they might even have lost their home.

That accident happened in June 1996, and the family are still awaiting any compensation. The case also illustrates a problem that arises because, despite the fact that the causality of the accident in terms of what happened is crystal clear—police accident investigation reports leave absolutely no doubt about the cause of the accident—there was a question over liability, because the driver of the van is entering the defence of inculpability, asserting that, because of insanity as a result of a brain lesion, he was not responsible for his actions.

Therefore, the insurers—the insurers of a public body—are denying liability, pending the outcome of the case. If the van driver sustains the defence of insanity, the insurance company is not liable to pay any compensation, and the only recourse that that family will have is to the good will of an insurance company for it to make an ex gratia settlement. I submit to the House that such situations are entirely unacceptable. That is what I seek to remedy.

Previous exercises in this area have been conducted along two lines. One is the no-fault compensation system, such as that in New Zealand. That system is flawed, as one must opt either for no-fault compensation and eschew any chance of proceeding through the courts, in the hope of winning a larger settlement, or forget about no-fault compensation and proceed through the courts. I think that it is wrong to force people to make that choice.

The alternative, on which the Bill is based, is to make personal injury cover a compulsory element and a statutory part of all motor insurance policies, in the way that third party liability is now. That would also provide for rapid interim settlements which would sustain people through difficult periods following accidents, such as that endured by the family that I have described. It would also place the emphasis on the principle of causality rather than liability in terms of settlements between insurance companies. When the issue of automatism arose—for example, if a driver suffered a heart attack and was not in control of his vehicle for that reason—an insurance company could not deny liability because causality would be the determining factor.

I make no apologies to the House for not drafting the Bill in its final form. Hon. Members will be aware that I do not have to do that until the Bill is presented for Second Reading. I am anxious that the measure should receive as much consensus support as possible. Therefore, I shall be grateful for any advice and consultation that hon. Members may offer during the next three or four weeks while I am drafting the Bill. I am working from a set of principles, which I shall be glad to discuss with any hon. Member who has experience in this area or advice to offer. I want the measure to succeed.

My Bill has the one simple aim of ensuring that every person who is injured as a result of a road traffic accident is compensated for the injuries received, irrespective of his or her role in causing the accident. The only exceptions that might be considered are persons driving without insurance or under the influence of alcohol or drugs. I commend the Bill to the House.

Question put and agreed to,

Bill ordered to be brought in by Dr. Desmond Turner, Mr. Michael Jabez Foster, Mr. David Lepper, Mr. Ivor Caplin, Mr. Paul Flynn, Mr. Robert Marshall-Andrews and Dr. Michael Clark.

MOTOR ACCIDENT INJURY COMPENSATION

Dr. Desmond Turner accordingly presented a Bill to ensure compensation for persons injured as a result of road traffic accidents: And the same was read the First time; and ordered to be read a Second time on Friday 27 March, and to be printed [Bill 121].

Local Government Finance (Wales)

4.4 pm

The Secretary of State for Wales (Mr. Ron Davies): I beg to move,

That the Local Government Finance Report (Wales) 1998–99 (Revised) (HC 541), which was laid before this House on 9th February, be approved.

It may also be convenient to discuss the other two motions on the subject:

That the Limitation of Council Tax (Relevant Notional Amounts) Report (Wales) 1998–99 (Revised) (HC 542), which was laid before this House on 9th February, be approved.

That the Special Grant Report (No. 2) (Wales) 1998 (HC 504), which was laid before this House on 2nd February, be approved.

The local government finance report contains my decisions on the local government revenue settlement for 1998–99. The report replaces the original report, which was laid before the House on 2 February. A small error in the standard spending assessment calculations came to light last week and had to be corrected. The relevant notional amounts report sets out the upward adjustments that I propose to make to local authorities' budgets for 1997–98 to reflect the return of the £37 million that was taken from the 1997-98 settlement to fund the nursery voucher scheme.

Mr. Michael Ancram (Devizes): It would be helpful if the Secretary of State could explain the correction. The documents are fairly complicated, and trying to compare one with the other is a lengthy process.

Mr. Davies: It is a small, technical correction. Even if I took the time to explain it, the right hon. Gentleman might find that my explanation was deficient. I assure him that the change is minor and technical. I shall certainly write to him in great detail drawing his attention to it, but I assure him that the technical change will have no impact on the substance of the debate. If the right hon. Gentleman wants further details, perhaps he could say so in his reply to my opening speech and I shall happily send him details of the change.

The relevant notional amounts, which I have set out in the reports, provide a fair and consistent basis for calculating capping limits for 1998–99. The report has also been revised because it refers to the finance report. None of the figures in it has been amended. The special grant report sets out the grant allocations that I propose to make to local authorities to help them improve food safety standards in line with Professor Hugh Pennington's recommendations following the fatal outbreak of E. coli food poisoning in central Scotland in 1996.

I have three main messages for the House. First, my settlement proposals this year give Welsh local government an increase in spending power of about double the increase that was provided by the previous Government for 1997–98. Secondly, the formula for distributing resources between local authorities has been agreed with the Welsh Local Government Association. I know that there has been concern over the distribution arrangements since reorganisation in 1996.

Mr. Barry Jones (Alyn and Deeside) *rose—*

Mr. Llew Smith (Blaenau Gwent) *rose—*

Mr. Davies: I shall happily give way to my hon. Friends, but perhaps they would allow me to finish the sentence. There has been concern over the distribution arrangements since reorganisation in 1996, and I am tackling that by commissioning jointly with the Welsh Local Government Association an in-depth review of the formula.

Mr. Jones: I thank my right hon. Friend for the best settlement for perhaps 19 years. Is he aware of the dismay in my constituency about the closure of the factory known as Optec DD in the township of Buckley, where more than 70 jobs are to go? I think it is the consequence of financial upsets in the Pacific rim. The company is Japanese. Can he help my constituents? Will he and the Welsh Development Agency make up an urgent action plan?

Mr. Davies: I can confirm that I am aware of that distressing news, principally because my hon. Friend lobbied me long and hard last night and put a forceful case on behalf of his constituents. I assure him that I shall be in urgent contact with the Welsh Development Agency to see what assistance can be given.

Mr. Smith: As my right hon. Friend is aware, the total settlement is 4.8 per cent. while the settlement for Blaenau Gwent, one of the poorest communities in Wales, is 3.8 per cent. When we disregard ring-fenced services, the other services get a percentage increase of 1.3 per cent. Can the Secretary of State tell my local authority which of those services are to be cut? Will he also comment on the fact that, some 30 years ago, he and I used to attend the same Labour party young socialist branch, both of us arguing that investment should go where the need is greatest? I still believe in that philosophy—does my right hon. Friend believe? It is relevant in relation to the distribution of this grant, particularly to Blaenau Gwent.

Mr. Davies: I well remember the time that my hon. Friend and I were members of the young socialists. We argued vigorously for the election of a Labour Government and for that Government to be true to their election promises. I still hold that view and I know that, by and large, my hon. Friend does too.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) *rose—*

Mr. Davies: My hon. Friend the Member for Blaenau Gwent (Mr. Smith) asked a couple of additional questions with which I should like to deal. I shall take other interventions because I know that some of my colleagues want to press constituency matters.

I am aware of the problems in Blaenau Gwent. There is no getting away from the fact that it is facing difficulties. However, it is not for me to second-guess the local authority. It is elected by the people of Blaenau Gwent and they must choose their own priorities. I can tell my hon. Friend that I have met representatives of the local authority—the leader came to see me last week. On Friday, I met representatives of the principle trade union and I have discussed and explained the position facing the local authority.

It is true that that local authority has had some difficulties, but I must tell my hon. Friend two things. First, the local authority was party to the overall settlement and to the agreement that was arrived at by the

[Mr. Davies]

Welsh Local Government Association. Secondly, it did not dissent from it, and we must accept that, in an overall package, there are winners and losers.

The standard spending assessment for Blaenau Gwent shows a reduction this year, but the damping grant, which is the mechanism I am using to ensure that resources are put into places of greatest need, has been increased by 20 per cent. Over £1 million extra has gone in to Blaenau Gwent to help with the problem of resource allocation.

I acknowledge my hon. Friend's point about the fact that some local authorities are facing difficulties. Blaenau Gwent is one, as is Merthyr Tydfil and Rhymney. I do not know whether my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) is present.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Very much so.

Mr. Davies: Well, I shall make a pre-emptive strike. I acknowledge the difficulties in Merthyr Tydfil, Neath and Port Talbot and Rhondda, Cynon, Taff. It is for that reason that I want to see a reworking of the formula. I have the agreement of the Welsh Local Government Association that officials of the Welsh Office will sit down with officials and members of the Welsh Local Government Association to rework the formula so that we can iron out the worst of the anomalies.

My hon. Friend the Member for Blaenau Gwent made a fair point, but the local authority has done as well as can be expected in the circumstances. It is party to the agreement, and we are trying to work to improve the formula in future years.

Mr. Llwyd: Will the right hon. Gentleman acknowledge the difficulties in Conwy, Gwynedd and other semi-rural unitary authorities? I want him to confirm that three major issues will be within the brief of the review: first, the rurality aspect; secondly, the sparsity aspect; and thirdly, the increase in day population in places popular with tourists—that is totally ignored at the moment. In my home village of Betws-y-Coed, the winter population is 500 and the summer is 12,000. That is just a snapshot of the problem and it should be included in any sensible formula.

Mr. Davies: I do not want to be too prescriptive about the terms of the review. I hope that the hon. Gentleman will accept that. I accept the value of the arguments that he is pressing. The central problem facing local government is the weight to give to deprivation as opposed to rurality. That issue consumed much of the time between May and September last year, when the formula was being reworked. In the autumn of last year, I asked for the formula to be reworked because I did not believe that the balance was right and that that was leading to problems in the more deprived areas. I take the points that the hon. Gentleman has made, but it is for local authorities themselves to decide, through the WLGA, the review's terms of reference. However, his points will be taken into account.

Conwy has had an increase of 4.7 per cent. this year, so it has not done badly. *[Interruption.]* It seems that the right hon. Member for Devizes (Mr. Ancram) is now assisting you, Madam Speaker, in saying who I should give way to.

Madam Speaker: No. I think that the Secretary of State's own Back Benchers were keen to ensure that he realised that the right hon. Member for Swansea, West (Mr. Williams) was trying to intervene.

Mr. Davies: There we are. If the right hon. Member for Devizes will forgive me, I shall take an intervention from my right hon. Friend the Member for Swansea, West (Mr. Williams). I shall give way to the right hon. Gentleman, but I have to take interventions one at a time.

Mr. Alan Williams (Swansea, West): My right hon. Friend will recognise that some authorities were more enthusiastic about the formula than others, but all of them, including mine, went along with it in a spirit of good will. Will he bear it in mind that we are losers because we have three of the most deprived wards in the whole of Wales; we suffer from the same problems as Blaenau Gwent and Merthyr? Will he confirm that the formula's revision cannot help us next year and will not help us even in the year after that: it is going to be put to the assembly in 1999, so we will have to wait until the year 2000–01 to achieve any redress of the current imbalance?

Mr. Davies: There are two points. First, the local authority that my right hon. Friend represents, Swansea, has done reasonably well out of the settlement. It has received an increase as a result to the damping grant, which, as I have said, is our mechanism for giving added assistance to areas of deprivation. He rightly makes a constituency point, but, in cash terms, Swansea has received an increase of £1.9 million in damping grant alone, as well as an overall increase as part of the settlement, so it has not done badly. Many other authorities would argue that they have done worse.

The review is likely to take a long time, because it is a complex exercise. We have to take many issues into account, including the views of local authorities. My right hon. Friend knows that Swansea is one of the leading local authorities in Wales. If Swansea and the WLGA come to me in the summer of this calendar year and say, "We have come up with a magic formula that addresses these problems; can we apply straight away?", I would be happy for them to do so.

It so happens that the exercise is complex. It will be long and it is therefore not likely to produce a result until the year that my right hon. Friend mentions.

Mr. Michael Ancram (Devizes): I was not trying to conduct the right hon. Gentleman's business. Out of courtesy, I was pointing out merely that sometimes it is difficult for Ministers to see an hon. Member trying to intervene behind them.

I am grateful to the right hon. Gentleman for telling us that the review will now take place. Will he ask the people who will conduct the review—this is an old chestnut of mine—to try to produce a formula that is at least comprehensible to people other than the most expert in this sector? As we do not, at present, have that review, will he explain why, on page 2 of the local government finance report, paragraph 3.2 on the distribution of revenue support grant sets out two qualifications to which his determination is subject? I have examined those qualifications closely and I cannot see any difference between them. Perhaps he will explain why we have those two different qualifications.

Mr. Davies: On the right hon. Gentleman's first point, it is my desire to ensure that the review's outcome is clear

and understandable. I assure him that the message that he conveys is a message that I have conveyed to local government and to officials who advise me professionally but tirelessly on the intricacies of local government finance. I shall ask the Under-Secretary, my hon. Friend the Member for Bridgend (Mr. Griffiths), who will reply to the debate, to respond to the right hon. Gentleman's second point, because my hon. Friend will have a chance to consider that paragraph. I do not have the opportunity to consider the precise point at this moment, but I know that he will give the right hon. Gentleman a full and comprehensive reply.

On the third main message, I am putting in place a scheme to limit council tax increases, which will be funded partly through an additional £6 million that I am making available at the request of the WLGA.

There are some important messages there. We have agreement, it is a good settlement—it is much better than last year's—and additional resources are available to local government this year.

Mr. Richard Livsey (Brecon and Radnorshire): The right hon. Gentleman has reached capping—a subject on which the Welsh Office has been quite prescriptive. Does he see any end to it, particularly as ring-fencing in education is being introduced? More funds for education are, of course, very welcome, but ring-fencing hamstrings local authorities in providing adequate resources.

Mr. Davies: I would not use the word "hamstring". The Government's intention is certainly to put extra resources into education, and, later in my speech, I shall specifically deal with that point. I have asked the Under-Secretary, my hon. Friend the Member for Neath (Mr. Hain)—who has direct responsibility for those matters—to ensure that the extra funds that are available this year for education are spent on education. I hope that the hon. Gentleman is not suggesting that those additional funds, which we have earmarked for classroom improvements, should be used on unnecessary bureaucracy or diverted into other services.

Mr. Livsey *indicated dissent.*

Mr. Davies: I am glad that we have agreement on that point.

Certainly I want to get away from the capping regime. I think that it is unhealthy, because, at heart, it undermines democratic local government. I shall deal with that point later in my speech. If the hon. Member for Brecon and Radnorshire raises it then, I shall happily deal with it.

Sir Raymond Powell (Ogmore): I have read the documents sent to hon. Members by the Under-Secretary, my hon. Friend the Member for Neath (Mr. Hain), dealing with the money provided to local authorities to fund education. How will Ministers control how local authorities in Wales spend that money? How will spending be monitored to ensure that the money is being spent for the purpose for which it was granted?

Mr. Davies: I am grateful for my hon. Friend's support in the matter. Certainly, my hon. Friend the Under-Secretary, the hon. Member for Bridgend, has written to every local authority with details of their precise allocation, making it clear that we expect that those additional resources will be used exclusively for education. He is also in discussions with those in local government on the best way of ensuring that that money goes directly to front-line education.

My hon. Friend the Under-Secretary will also keep his eye on each and every local authority. If he is disappointed, I know that he will be very robust. After the intervention of my hon. Friend the Member for Ogmore, I know that my hon. Friend the Under-Secretary will be especially robust with Bridgend if it were to step out of line. Having committed both of my Under-Secretaries of State for Wales to a course of action, perhaps I can move on to the next point.

In last year's debate, I said that I wanted local authorities to become dynamic and independent. I am now in a position to help achieve that. Nine months ago, when I came to office, I was struck by the sense of alienation within local government—which felt ignored and undervalued by the previous Administration and that its views and aspirations did not matter. Since arriving at the Welsh Office, I have made it a priority to change those perceptions and to show quite clearly that local government does matter, both to me and my colleagues and to the 3 million people in Wales who rely on local government for the services that it provides.

I am committed to working in genuine partnership with Welsh local government through the Welsh Local Government Association. In the autumn, I agreed a framework for partnership with the association that set out the basis for joint working and effective consultation. It provides the ground rules for a constructive relationship, but not a cosy or compliant one.

Partnership can help us achieve our common goal of providing the best possible service for the people of Wales. It will enable us to take a more inclusive approach to service provision and to breaking down the organisational barriers that hinder us from doing so. Services must not be treated in isolation and viewed from narrow organisational standpoints. There is a very strong link between, for example, good education and better housing, and between more effective social policy and better health. Future policy must therefore be shaped by developing a holistic approach to economic and social policy.

There will inevitably be disagreements and tensions along the way, but local government should be in no doubt that its opinions and ideas are of great value to the Welsh Office and will inform my decisions.

If the partnership is to work well, it is essential that the association is recognised as the authoritative voice of local government. I have made it clear that I should like to see the two authorities that are currently outside the association return and play their full part in the partnership process. The final decision, of course, is a matter for them, but I know of absolutely no advantage to them in remaining outside.

I shall deal now with my settlement proposals. *[Interruption.]* I thought that this was the most exciting part of my speech, and that is proving to be the case—total standard spending is enough to bring the roof down.

Total standard spending plans, or TSS, are my plans for local government spending. Given the overall level of resources available for public services in Wales, they are the best that can be made available. I propose to set

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TSS for 1998–99 at £3,090 million. This is an increase of 4 per cent. on 1997–98. TSS comprises £352.9 million for Welsh police authorities; £2,656.6 million in standard spending assessments for the 22 local authorities; £79.3 million in specific grants; and £1.7 million in allocations to specified bodies such as the Local Government Management Board. The increase in police provision represents a rise of 3.6 per cent. on 1997–98.

The amount of central Government support—aggregate external finance, or AEF—that I propose to provide towards TSS is £2,701.9 million. This is an increase of 3.2 per cent. on 1997–98. AEF is made up of £1,799.9 million in revenue support grant; £612 million in distributable non-domestic rates; £258.8 million in specific grants, which includes £179.5 million in police grant to be paid by my right hon. Friend the Home Secretary; and £31.2 million for council tax reduction measures, a matter on which I was pressed earlier.

The hon. Member for Brecon and Radnorshire (Mr. Livsey) mentioned capping. I remind him that one of the Government's key election pledges was to keep a firm grip on public expenditure, a commitment which we did not enter into lightly and which we are determined to honour. In last year's debate, I referred from the Opposition Front Bench to the high level of national debt and the public sector borrowing requirement. Instead of investing in the future, it was then accepted that public expenditure was being used to meet the social cost of the previous Government's failed economic policy. We are determined to redress that situation.

However, as a Government we are opposed to the crude and universal system of capping, introduced by the last Government, which we have inherited. We are working with the Welsh Local Government Association on the future of local government finance. That will deal with the issue of capping, and I hope to be able to produce the promised White Paper on this matter in the summer.

The provisional capping principles that I announced in December enable Welsh local authorities to increase their current year budgets by, on average, 4.8 per cent. As I said, that is double the provision made last year. Last year, the settlement for 1997–98 was a very difficult one. The current year's settlement is much better and offers a higher level of spending per head than that available to English authorities. I understand that it is perhaps not as much as some right hon. and hon. Members would wish, but, given the fact that there is a spending limit, that those allocations have to be made within the Welsh block, and that the increase is double that available for last year, I believe that it is a reasonable settlement. Most Welsh local authorities have accepted it as such.

All local authorities in Wales will be able to increase their spending by a minimum of 3.9 per cent. My capping principles for police authorities enable them to increase spending by 3.8 per cent.

I share with local government its ambitions for prosperous and secure communities, and I realise that the settlement falls short of what, in an ideal world, they would want. It means that some local authorities will have to face tough decisions. However, the 4 per cent. increase in TSS compares with a year-on-year increase in the control total for my block of 2.7 per cent.

I take this opportunity to reinforce one very important message. It is vital that all local authorities pass on their full share of the extra £50 million to schools. I very much welcome the early signs that almost all Welsh local authorities are planning to do just this. I am grateful to my hon. Friend the Member for Bridgend for his intervention. I said in reply to him that the Under-Secretary, my hon. Friend the Member for Neath has made it clear that we shall monitor the position carefully.

Sir Raymond Powell: Ogmore, not Bridgend.

Mr. Davies: I was referring to the Bridgend local authority, not the parliamentary constituency. I apologise principally to my hon. Friend the Member for Bridgend and to my hon. Friend the Member for Ogmore (Sir R. Powell).

Mr. Nigel Evans (Ribble Valley): I am following the Secretary of State's argument. He says that he wants all the extra resources that have been made available for education to be passed across to schools to ensure that Labour's manifesto commitment to reduce class sizes is met. The *Western Mail* of 5 February says that half that money will be diverted away from the targets that the Government have set to meeting the teachers' pay settlement. Would the Secretary of State care to say something about that?

Mr. Davies: The hon. Gentleman should not get too excited by what he reads in the *Western Mail*, which invariably gets such matters wrong. A provision was made in last year's Welsh local government estimates for the teachers' pay award. That should have come from the existing local government budget. The £50 million that is being made available should go directly to schools. I hope that local authorities will work with the Government to ensure that we get those improvements.

Mr. Lembit Öpik (Montgomeryshire): Is the Minister aware that many local authorities feel that they are having to find that so-called ring-fenced money at the cost of other services for which they are responsible? They do not feel that the money is there to be passed on. They are having to make cuts in other areas to achieve the education targets that the Secretary of State has described.

Mr. Davies: I do not accept that. I want local authorities to regard education as their priority. The hon. Member for Ribble Valley (Mr. Evans) was talking about the additional £50 million that the Government made available last year. I want to make sure that that money goes directly to schools. It is important that it should, because it was made available for that purpose. My hon. Friend the Member for Neath will keep a close eye on local authorities to ensure that it goes where we intend. We shall review the options open to us if any authority refuses to honour the terms on which those hard-won resources have been made available.

Several of my hon. Friends have raised the situation of their local authority in relation to council tax damping. The council tax reduction scheme that I propose will protect council tax payers from the continuing mismatch between spending and grant allocations, to which I have already referred, and the impact of the grant formula

changes for 1998–99. I propose to make £31.2 million available to fund the scheme. That includes £6 million of additional money, to which I have already referred.

The scheme, along with the efficiency savings that local authorities can achieve, should ensure that increases for around two thirds of council tax payers in Wales are limited to about £1 a week. Unlike the previous Government, we do not want to drive up council tax charges in Wales compared with those in England. Perhaps the right hon. Member for Devizes will tell me whether he wishes me to continue that Conservative policy, or whether he wants me to minimise the increase in charges to council tax payers in Wales, which is my policy.

Mr. Desmond Swayne (New Forest, West): It might not be the Secretary of State's intention to drive council tax up, but is it not an inevitable consequence of aspects of Government policy, such as the rise in interest rates, which has a knock-on effect on local government debt, and the abolition of advance corporation tax?

Mr. Davies: The hon. Gentleman misunderstands my point. He was not in the House last year when we debated the issue. I remind him that my predecessor, in his short period as Secretary of State for Wales—he is now the leader of the Conservative party—had a deliberate policy of driving up local authority charges in Wales to bring them more into line with those in England. There are historic reasons for the differences. I am explaining that my policy is not to remove that relative advantage that we in Wales enjoy. I am just testing him to find out whether it is his desire that I revert to my predecessor's policy.

Most of the decisions on the 1998–99 settlement have been taken in the framework of an inherited system, which we are subjecting to a root and branch review. The comprehensive spending review should be completed this year, and will give us a clear picture of the priorities on which public spending will be focused. It will give us a sound basis for putting in place a new system of democratic and financial checks and balances, which will enable local government to provide and be more locally accountable for the range and quality of services which people have a right to expect.

Mrs. Betty Williams (Conwy): Is the Secretary of State aware that, in this financial year, due to the situation that we inherited and as a result of the rate-capping procedure, my constituents in Conwy and Gwynedd are suffering? Indeed, the local authority has had to make cuts in education and social services. Although I welcome the increases that Conwy particularly will receive in 1998–99, is my right hon. Friend aware of its problems this year, given that my predecessor was a Minister in the Welsh Office?

Mr. Davies: I certainly would not suggest for one moment that Ministers favour their own local authorities or constituencies. If I were to do so, I know that many of my colleagues would very rapidly draw my attention to it. It would be unfair of me to suggest that my hon. Friend's predecessor, who now sits in the other place, should have been more vigorous in defending his local authority interest.

My hon. Friend's local authority has had an increase in the SSA of 4.6 per cent. for the coming financial year, which is certainly not bad in Welsh terms. It has also had an increase of 4.7 per cent. in spending power, which is marginally higher than the Welsh average. I have been trying to make it absolutely clear that these are difficult times for local government. We have to rework the formula. There are anomalies; there is no point in me trying to deny that. I want to work out a constructive relationship.

Conwy would be well placed if it played a constructive and forceful role in reviewing the formula. I understand its difficulties given the mixed pattern of economic and social activity. It is for that authority to play a full role in the review so that the formula is better suited to meet its problems. My hon. Friend obviously makes a strong case on the part of her local authority.

A key public expectation will be that local government—along with all other public sector organisations—spends taxpayers' money in the most efficient way possible to achieve its objectives. The Government's best value initiative, with which we are making excellent progress in Wales, is fundamental to achieving better quality and more cost-effective services.

My settlement proposals give Welsh local government a fair deal in a tight public expenditure climate. They balance my responsibilities to local government with those that I have to other public services in Wales. They begin to address the problems that local authorities face, which we will be able only to address fully over the longer term. In the meantime, I commend the proposals to the House.

4.37 pm

Mr. Michael Ancram (Devizes): Revenue support grant debates always attract many hon. Members. Such debates are a chance to represent local concerns, raise local points and ensure that local causes are well publicised—and they are very valuable for that. They are a central part of our parliamentary life. Today's debate is obviously no exception, given the interventions so far. It is therefore a little strange to think that this is probably the last but one such debate, and the last but one chance for Members who represent Welsh constituencies to participate on behalf of their constituents—unless, of course, they stand for the Welsh assembly.

Once the Welsh assembly is in place, obviously the allocation of RSG will be a matter for that body. Although hon. Members here will still represent their constituents and legislate for them, they will no longer be able to fly the local flag as they can now.

As a revenue support grant debate junkie, after all these years I must confess that I find that rather sad. However, there is an inexorable logic behind a parliamentary majority of 179, before which I must bow. I am sure that hon. Members will make up for the impending end of such occasions with enthusiasm today, and ensure that the fine old tradition will go out not with a whimper but with a bang.

I have always seen such debates as something of a refined sort of blood sport, with the Minister as the target. I remember taking them as a Scottish Office Minister—especially, if I may say so to the junior Minister, as the Minister who had to wind up. I remember my Secretary of State adopting the same practice adopted today by the Secretary of State, of batting any difficult question on to the junior Minister to respond to at the end of the debate.

[Mr. Michael Ancram]

If I may offer the Under-Secretary of State some advice, I remember saying at the end of the debate that a question was so clever and so difficult that I would rather "write to the hon. Gentleman" about it. So if the junior Minister does that to me, I shall certainly understand.

The Minister has to know not only the formula by which the allocation of grant has been decided and how it works in each case, but the answers to the individual local problems that are invariably—and rightly—raised, and over which offence is always taken, in a sense, if the Minister does not seem to know the answers.

One of the consolations of opposition—they are fairly rare—is that I can ask the questions in such a debate rather than having to answer them. I have no intention of exploring the byzantine complexities of local government funding formulae. I am told that, if one does, one tends to go mad. I thought that instead I would try to ask questions that need answering, but which do not go into the depths of the formula.

Mr. Dafydd Wigley (Caernarfon): I do not want tempt the right hon. Gentleman along the lines of his suggestion that he may go mad in trying to reply to questions, but if he does not intend to get involved in the question of the formula, may I assume that he agrees that the way in which it is working out for the coming year is extremely unfair for several authorities, including some of the poorest in Wales—in some of the industrial areas in the south, and especially in my county of Gwynedd? Even if he does not intend to go into the detail, does he accept the principle that there should be a stringent examination of the problem to achieve a more equitable distribution?

Mr. Ancram: I certainly agree that it is necessary not only to hold the review, which I welcome, and which the Secretary of State confirmed again today will take place, but to keep any resulting formula under constant review. In my experience of operating such formulae, criteria that may be relevant for one year, or even for one Parliament, may not be so relevant a little later.

It is such criteria that, by becoming outdated, create the unfairness that the right hon. Gentleman mentioned. I would not dispute with him the fact that the formula works unfairly at the moment, and I hope that the review will go some way towards correcting that. However, I reiterate that it would be helpful if that were done in a way that we could all understand.

As I have said, local government finance is never the easiest subject to understand. In the thicket of figures and formulae, important aspects are often overlooked, and it is necessary to try to get behind the figures and find out what is really happening. I hope that the Minister will be able to give me some idea of the background to some of the questions I pose.

In relation to paragraph 2 of the main report, what was the basis of the Secretary of State's determination of the core revenue support grant figure of £1,799,880,452? There must be a complex formula to produce such an exact figure—down to the last £52—but in reading the report I have not been able to find it. I have found out how the standard spending assessments are arrived at, but not the strict relationship between them and that very accurate figure for the RSG.

It would be helpful if we were told how the figure is arrived at. Whether the distribution is fair must essentially depend on the basis upon which the figure has been produced.

What representations were considered about last year's revenue support grant, and what were their results in terms of the year-on-year comparison between last year's and this year's grant? What changes were made, and what were the reasons for those changes, in practical terms rather than in terms of the formula?

I realise that, in the eyes of local authorities, the revenue support grant will never be enough, whether or not there is a review—it is in the nature of local government always to look for more than central Government is likely to provide. Nevertheless, I assume that, just as need is taken into account in the formulation of assessments—as set out in annex D to the report—some recognition is given to local need aggregated over Wales as a whole in determining the core revenue support grant figure.

What consideration was given this year to such need factors, and how were they reflected in the overall outturn in comparison with the last two years to which the Secretary of State referred? I have already asked the right hon. Gentleman that question, but I want to put it on the record. I am interested to know the difference between the two qualifications in paragraph 3, but would be very happy for the Secretary of State to write to me on that.

Mr. Ron Davies: I am grateful to the right hon. Gentleman for giving way, and for the way in which he is presenting his case. The Under-Secretary of State—my hon. Friend the Member for Bridgend (Mr. Griffiths)—officials and I had many meetings with Welsh local government representatives to arrive at the re-worked formula for this year. Need was one of the considerations that I wanted to be brought more heavily into the calculations to deal with the smaller urban local authorities.

As a result, Rhondda Cynon Taff, for example, has received an additional damping grant of £6.7 million; Swansea has received an increase in the damping grant of £1.9 million; Neath Port Talbot has received £2.5 million; Merthyr Tydfil more than £3 million; and Blaenau Gwent more than £1 million. There have been increases in this settlement as a result of our discussions during the past year.

Mr. Ancram: I am grateful to the right hon. Gentleman for that, and I am pleased to have given him the opportunity to put on the record the answers to my questions. However, if those adjustments are being made within a given total figure, money is being taken from other areas. Some of the remarks that hon. Members have made today may reflect the fact that they have not been on the receiving end, but have lost out because of the adjustments. That underlines the need for a clear indication of how the determinations are made.

Mr. Ron Davies: I shall not intervene again on the right hon. Gentleman, but I agree that there have been winners and losers. The important point, which I have stressed throughout the debate, is that we have reached agreement with the Welsh Local Government Association. Even those local authorities that have not done as well

this year—because of the tilting towards deprived local authorities—agreed to the total package. The settlement represents the collective view—certainly of 20 of the 22 Welsh local authorities.

Mr. Ancram: I hear what the right hon. Gentleman says. I did not know that local government associations had to have a unanimous view; I tended to find that the view that was given was that of the majority, and that there were members who, for the sake of their own authorities, did not necessarily agree.

Paragraph 3.3 of the report states that, in drawing up the standard spending assessments,

"the Secretary of State has assumed that there is no use of . . . financial reserves".

Does that mean that, in distributing revenue support grant to the principal councils, no account is taken of alterations to any outstanding debts? It appears that, in calculating SSA need, loan charges are a capital charge. Is a similar calculation made in terms of grant, or are councils left to make up the shortfall, not least that created by the expectation of a higher SSA? Is there any element that rewards thrift and penalises debt? If so, can the Secretary of State give examples?

That brings me to an important question. What is happening to the outstanding loan debt? The figures are broken down in the report, but the ones on page 18 are startling. If my calculations are correct, there is an overall outstanding loan debt of more than £2.75 billion for the principal councils alone. That is £275 million more than this year's total grant. On any view, that is a staggering figure, which requires a little more exploration.

What is the net position? The figure is described as the outstanding loan debt. Have we any indication of reserves, held on deposit or otherwise, that may be put in the balance against it? That would obviously make some difference to the weight of the figure. How does the debt figure compare with previous years? Am I right in thinking that, in 1994, the figure was £1.661 billion or thereabouts and, in 1995, £1.875 billion? Are those figures correct?

Is the figure now going up, or is it beginning to come down? How many of those councils are Labour-controlled? Do principal councils make the repayments assumed on page 18 of the report, where various assumptions are made? How does this enormous debt figure affect the public expenditure profile? It can have macro-economic effects down the road. Is the debt owed to the national loans fund, or elsewhere? Again, that would have some bearing on its macro-economic effect. Will any liability for the level of debt transfer from the Secretary of State to the Assembly? In that case, will the assembly be informed of what the liability is?

How much are councils spending in their promotional efforts to persuade the Secretary of State to site the assembly in their patch? I was interested in this because the decision rests with the Secretary of State—it is his alone. Given the constant cries by local government that it is underfunded, does the Secretary of State think that that is a proper use of council tax payers' money? Will he really be persuaded by glossy promotions? Would it not be rather cheaper for him to be persuaded by cogent arguments? It certainly throws into relief the demands made of council tax payers by the councils which have incurred such expenditure.

In the interests of open government—which, I understand, is now the flavour of the day—local council tax payers should be told now what those amounts are and where they have occurred. My information is that Cardiff, Swansea and Wrexham have put huge amounts into putting together bids for the assembly. Given that Cardiff is indebted to the tune of over £219 million and Swansea to the tune of £196 million, and given that Wrexham has a poor reputation in terms of directing resources to where they are most needed—such as education—questions need to be asked on behalf of council tax payers.

I ask—in a spirit of friendship—whether those three councils are Labour-controlled. New Labour—old financial habits. Under Labour, you still pay more and you still get less. These are important questions, and I would be happy for the Minister to write to me if he does not have all the information to hand.

Mr. Gareth Thomas (Clwyd, West): Does the right hon. Gentleman accept that the introduction of the assembly is an exciting innovation in Wales, which will bring in its train considerable economic prosperity for the community which houses it? Would it not be a dereliction of duty for councils within Wales not to try their hardest to attract the assembly to their territory?

Mr. Ancram: If it were an assembly wandering around waiting to be attracted, that might make sense. However, the Secretary of State is the arbiter of where it will go. I was merely questioning whether the Secretary of State would be so easily persuaded by the spending of money on glossy advertisements, rather than by cogent argument which might cost nothing.

Mr. David Hanson (Delyn): On the subject of waste, would the shadow spokesman take this opportunity to welcome the return of £37 million from the nursery vouchers scheme to local authorities next year by the Secretary of State? That scheme was a great waste of money by the previous Administration. Any allegation of waste in local government pales into insignificance when we consider the taxpayers' money—both local and national—wasted on that scheme.

Mr. Ancram: You would probably call me to order, Mr. Deputy Speaker, if we were to enter a long debate on education. However, we will wait and see whether the provision of pre-school learning is achieved under the dispensation that has now been made as well as it would have been under the voucher scheme. I doubt it.

Curiosity prompts me to ask one question—what is a "centroid"? We are treated to that gem in paragraph 17 on population dispersion on page 14. We are told where to find it and what can lie between two of them, but we are not told what it is. I should be glad to know what it means before I add it to the vocabulary on my word processor.

I have outlined the basic questions that need answers, and between them they make up the broader picture, to which I now turn. The Secretary of State took the opportunity to look forward, and to say that he set great store by local government. I agree, but it is strange for him to set out his plans for the future with such vision, when all those issues will be handed to an assembly in two years' time.

Unless the Secretary of State comes clean and divulges whether he intends to stand for the assembly, I fear that his vision will be short-lived. He has a problem, as was

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demonstrated again today, because he has to try to ride two horses. He said that the settlement was generous and should be welcomed. He also acknowledged the difficulties and hardships it would cause, and the serious decisions that have to be taken. His attempts to drive a path between those conflicting demands reduced the value of what he had to say.

The overall effect of the reports will be substantial council tax increases throughout Wales. It will not do for the Government to shelter behind the provisional planned public spending figures of the previous Government. A new financial year will start in April, over which this Government will have control and which will be influenced by the decisions that this Government have taken. The increases that we will see in Wales will be down to them alone.

Mr. Ron Davies: That is why there have been increases.

Mr. Ancram: Yes, but the increases are in council tax, when we look at the bottom line.

My hon. Friend the Member for New Forest, West (Mr. Swayne) was right to point out that, since the Government took office in May, they have loaded new costs on to councils and relaxed the capping restrictions by extending the ability of local councils to translate increases in standing spending assessments into increased spending power, without a commensurate increase in the revenue support grant. Those factors will mean higher council taxes for people in Wales.

The Secretary of State said that he was not pushing up council tax. Tell that to the council tax payers of Wales. Government figures show that, if councils spend at cap, the average bill for band D will go up by £60 this year. The average increase for the whole of Wales across all bands will be £55, or a staggering 12 per cent. The Secretary of State mentioned increases of 3, 4 and 5 per cent., but the average increase will be 12 per cent. I do not remember hearing promises to that effect during the general election, but perhaps that was an oversight while the Secretary of State was telling the people of Wales to trust him.

Within the national figures are concealed some even starker local figures. Cardiff's council tax will increase by 12 per cent., or £59 more a year; Blaenau Gwent's will increase by 14 per cent., or £52 more a year; and Swansea's will increase by 15 per cent., or £65 more a year. New Labour certainly means new council tax increases.

Let us look at the new costs that the Secretary of State and his colleagues have placed on the councils. The Budget in July abolished advance corporation tax credit for pension funds, meaning that those funds will be able to claim less tax back, will have less money to invest, and will need to meet the shortfall. That amounts to an effective tax on pensions, which is now having an impact on councils. Many Welsh councils' pension funds are in deficit, and are having to take action. In any event, the change involves higher levels of employer contributions, and thus higher council taxes to meet that cost. Once again, new Labour means higher council tax.

Inflation is up from 2.5 per cent. to 2.7 per cent. under Labour. Until today, this Government have missed their target every month. That alone will have a severe effect on many Welsh authorities, as will interest rates—also up under this Government from 6 per cent. to 7.25 per cent. All that impacts on councils with outstanding debts. That includes most of the principal councils in Wales.

New Labour, higher local government costs, higher council tax. Further tax hikes lie ahead. The current restraint on council tax increases brought about by capping is to go. The Minister responsible for local government in England told BBC's "On the Record" on 3 November last year:

> "It's a manifesto commitment that we will get rid of crude universal capping, and it's my job to make sure that we deliver manifesto commitments."

The Secretary of State said today that that was also his intention. Within what timetable? Is he going to increase substantially the revenue support grant to allow higher spending, or will all the effect of taking off the cap fall on the Welsh council tax payer again? There are no prizes for guessing which it will be. The interesting bit will be learning why the prospect of higher council tax was not in the famous manifesto that asked the people of Wales to trust new Labour.

Will we see other changes, only rumoured as yet, but about which I hope the Government, in pursuit of their professed belief in open government and freedom of information, will come clean this afternoon? People are asking about them.

Are the Government planning an additional tax to be levied on local businesses on top of the uniform business rate? If so, will there be any protection for already hard-pressed small businesses in Wales? Do the Government still intend to increase the number of council tax bands? That proposition drifts in and out of the picture, causing enormous concern to thousands of Welsh households that would be adversely affected by it. The Government must make their position on that clear, and they must do so now.

There have been rumours, or purported leaks, floating the idea of extra council tax benefit to meet the extra burden on that benefit of removing or changing the capping rules. Is it true that council tax payers, rather than the Department of Social Security, would have to foot the bill for such higher council tax benefits? We need the answers to those questions now. It is unsettling and alarming for councillors, residents and businesses in Wales alike to be left in the dark. It is not good enough for the Government to delay announcements on such important issues.

There are concerns about what will happen to local government, revenue support grant and council tax with the coming of the assembly. There will be a period of uncertainty and change. For example, we know that the assembly will take on the Secretary of State's responsibility for funding local government. The amount of revenue support grant is not specified by law, and will therefore ultimately be entirely at the discretion of the assembly. The Government of Wales Bill provides no protection for councils in the north, east or west from domination by the southern part of Wales. That is of concern in Wales.

Moreover, the assembly would be able to reduce the total amount of money that it gives to local authorities in Wales. It could give the funds to any other body, such as the Welsh Development Agency, or retain them for itself. More importantly, it could introduce tax by the back door,

although it has no tax-raising powers, by holding back revenue support grant and thereby forcing councils to put up council tax to meet the difference. Those matters are of major concern to people paying council tax in Wales. We need the answers.

All those matters are crucial for the people of Wales, both immediately and in the near future. New Labour is failing Welsh council tax payers. The only certainty is that they will pay more this year, and even more in years to come. The Government will have to do a lot more explaining and give many more answers than has the Secretary of State today. I hope that they will start to do it at the end of this debate. They owe those explanations to the House, to councils in Wales and, above all, to the Welsh people.

5.3 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I hope that the right hon. Member for Devizes (Mr. Ancram) will not mind if I do not follow him, tempted as I am by the host of interesting points that he made. I have a specific task this afternoon: to bring to the attention of the House the desperate plight that faces Merthyr Tydfil county borough council in the next financial year. I shall confine my remarks to that, except to say that I was interested by the right hon. Gentleman's remarks about the byzantine character of local government finance settlements. I have always found them incomprehensible and tried to avoid them. It is a maze into which one should not wander, but I have had to because of the nightmare that faces our council.

Complicated as the problem facing Merthyr county borough and its citizens seems, in some ways it is simple. It emerges starkly from the figures in all the documents available. I shall lay the figures before the House.

In 1997–98, the county borough's budget was £60.953 million. In 1998–99, the cap-limited budget will be able to rise to £63.341 million, an increase of £2.388 million. My right hon. and hon. Friends in the Government are rightly giving new money to finance and develop education. The money for Merthyr is £1.128 million for schools, another £27,000 for the national grid link and £97,000 of additional money to provide for four-year-olds. With the earmarked £435,000 for care in the community, the total is £1.7 million. Merthyr county borough rightly wishes to follow the Government's guidance that money should be earmarked for those purposes.

The House will already have noticed the dilemma confronting the county borough. Of the £2.388 million increase in budget allowed under the capping arrangement, almost £1.7 million is earmarked. That leaves some £700,000 to finance all the other increased costs that will emerge in the next financial year. That is the nature of the dilemma that confronts Merthyr Tydfil county borough.

I shall take the House through the additional costs that the council faces. The assumption of 3 per cent. inflation in wages, increments and costs is not excessive. That will cost another £2.5 million. The council believes that it has to make a contribution of 2 per cent. to employee superannuation. That is essential. It will cost another £500,000. The district auditor has recommended that the county borough increase its balances by a further £500,000. Most astonishing—this is a matter that I have explored with my right hon. and hon. Friends on the Front Bench—there will be an increase in capital financing charges of £1.5 million in 1998–99. There will be additional levies of £200,000 for services such as the fire service. I shall return to the capital service charges later.

In total, the county borough council faces a £5 million difference between its budget proposals and the capped budget. That is in spite of a 12.4 per cent. increase in the council tax. The right hon. Member for Devizes mentioned council tax increases this year. We have suffered them in previous years—25 per cent. the year before last and 15 per cent. last year. So the county borough council faces the prospect of trying to find £5 million worth of cuts in services and a 12.4 per cent. increase in its council tax. That is the dilemma it faces. A conjunction of unfortunate circumstances has led the county borough into this situation.

In the disaggregation of the Mid Glamorgan expenditure, Merthyr county borough inherited a series of heavy spending patterns related mainly to the high level of need in the area. That has led to the highest spending per head, which my hon. Friends will no doubt mention, although the figures reveal that the council has the smallest budget of any local authority in Wales.

As a result of the difficulties in disaggregating Mid Glamorgan expenditure, debts and loan charges in the past year or two, the county borough finance officers now have to assume that an extraordinary debt burden will fall on the council in 1998–99. We are talking about £1.5 million of charges of one kind and another, some of which have been inherited from Mid Glamorgan.

The right hon. Member for Devizes seemed to suggest that the authorities are spendthrift. I do not know whether he has ever visited Merthyr, but if he did so he would appreciate that it is trying to regenerate itself. Its regeneration programme based on capital expenditure has received tremendous backing from successive Secretaries of State, the Welsh Office and the Welsh Development Agency. Sadly, as a consequence of certain factors, exceptional accumulated costs will be incurred by the authority in 1998–99, which mean that it faces the prospect of making cuts of £5 million.

No decision has yet been made about which projects should suffer, but I should like to draw hon. Members' attention to the serious candidates. One of the saddest and unkindest cuts is the proposal to end the provision of hot school meals and instead opt for sandwiches. Inspection reports of our primary schools reveal that up to 50 per cent. of children receive free hot school meals. It would be terrible if they were denied that meal in 1998.

Another proposal is to lease the county borough's part III elderly accommodation. The closure of leisure facilities and branch libraries has also been suggested. A huge cut in the budget for the maintenance and repair of roads has also been proposed, with the result that not only would existing potholes and cracked pavements go unrepaired, but their number would be bound to increase.

Support for our youth orchestra is also in danger, and the free transport arrangements, which bring the over-16s up from the valleys to Merthyr college, are clearly also threatened. Another possibility is to increase charges to support the elderly in the community. It has even been suggested that the concessionary fares for old-age pensioners should be reduced from one half of the full fare to one third. Those are the dilemmas and problems

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confronting Merthyr Tydfil because of the peculiar conjunction of circumstances and costs bearing down on it during the financial year 1998–99.

I have studied the way in which the Welsh Local Government Association drew up the formula according to which the settlement has been made. When I cast my eye down the list of figures, I was astonished to discover that some of the poorest authorities have been hit hardest according to this year's financial settlement. I know that the review that my right hon. Friend the Secretary of State and his colleagues are currently conducting is an acknowledgement of that odd outcome. This year, Merthyr county borough is the only county borough with a minus standard spending assessment. Our neighbouring authorities of Blaenau Gwent and Rhondda Cynon Taff are just on or above the SSA figure.

I do not want to be confrontational, but when the figures appeared on the provisional list, did no official at the WLGA say that there had to be something wrong with a formula that produced such results? I know that there were healthy, vigorous discussions between my right hon. Friend and his colleagues and the WLGA. Surely someone should have stopped and said, "For goodness sake, this cannot be right."

I have studied the official documents, which contain statements such as:

"The distribution formula was decided by the WLGA. The Welsh Office merely applied this formula".

I suggest to my right hon. Friend that it is time to claim back policy making on the local government financial settlement for the Welsh Office. He should by all means seek advice and consult, but such fundamental policy decisions should not be put in hock to other organisations.

I do not want to be malicious, but I wonder whether Merthyr county borough can afford the £62,000 cost for its membership of the WLGA next year. Will that association share the burden of costs and cuts that many of its members now face? If that £62,000 was not paid this financial year, the authority would avoid the need to cut the concessionary fares to old-age pensioners. I appreciate the value and importance of collective decision making through the WLGA, as described by my right hon. Friend, but given its performance and, to say the least, the doubtful way in which it reached its formula, I wonder whether we should give it such extensive responsibilities and powers.

I know that I am engaging in special pleading on behalf of one county borough, but I have never concealed the fact that I believe that Merthyr Tydfil is a special place, with a special role. It is right that I should make its case. Consider the turbulent civic history of the county borough. It started the century by obtaining county borough status and it has had that status restored to it as we approach the end of that century. There have been some amazing moments and crises in that near-century of civic experience—the current crisis will take its place among them.

As a result of the 1935 royal commission into local government expenditure, the men from the Ministry pressed the then Merthyr county borough council to sack many teachers and push up the teacher-pupil ratio. I am so glad that those now occupying the Government Front Bench have a different set of values from those prevalent in the mid-1930s. Indeed, they are encouraging us to expand and protect our educational expenditure. According to the reports of the 1930s, there was even the barbaric suggestion that the wonderful flower beds of Cyfarthfa park should be grassed over. I fear that that might still happen as a result of the cuts that will be necessary in 1998.

I accept that some of our problems are shared by local government in general. I hope that I have made it plain to my right hon. Friend, however, that, this year, Merthyr, one of the smallest authorities in Wales, is faced with an exceptional set of circumstances and an accumulation of costs. Because of that it will face a crisis in 1998–99. Apparently, it is possible to reschedule the debts of sub-continents, so surely it is not beyond the wit of local officials and those at the Welsh Office to devise some means to spread the burden that faces Merthyr. Surely they should be able to reach a solution to alleviate the worst impact of those accumulated costs and expenditure requirements that are bearing down on the county borough of Merthyr Tydfil.

My right hon. Friend and my hon. Friend the Under-Secretary of State, the Member for Bridgend (Mr. Griffiths), have been nothing but kindness and patience in all our discussions prior to the debate. Although it appears that the settlement was set in stone by the WLGA, are there not means by which the Welsh Office and the county borough council could get together and devise a more ameliorative package than that which currently confronts the county borough?

Mr. Ron Davies: I must tell my hon. Friend that there is no prospect of doing so. I do not say this lightly, but we must face reality. My hon. Friend must understand that, had there been an alternative, it would have been explored. He has queried whether anyone asked how it was that such deprived communities apparently received the rough end of the deal. That is precisely what I asked in September and why I asked the WLGA to rework the package. That was done and, according to the settlement that my hon. Friend's local authority agreed, the SSA has been reduced by about £1 million but the damping grant—the additional resources that have been made available to local government—will benefit his local authority by more than £3 million.

I acknowledge that there are structural problems with Merthyr, but a few years ago my hon. Friend fought a valiant campaign to retain Merthyr's status as a county borough, and it is largely as a result of the disaggregation of the old county council budgets that Merthyr is now confronted with this problem.

I assure my hon. Friend that we are doing all that we conceivably can to tackle the problem, but that will be done only by reworking the formula, and I can assure him that Merthyr's best interests lie within the Welsh Local Government Association, arguing for the reworking of that formula to meet the needs of communities like his.

Mr. Rowlands: I am sorry that my right hon. Friend has been adamant about that, because the disaggregation costs are a grey area. Doubt about which disaggregation costs should be borne by Merthyr county borough has led the county borough to include in the 1998–99 budget about £1.5 million in capital charges and debts.

I ask my right hon. Friend, in that grey area, which is partly historic and partly a consequence of the disaggregation process and uncertainties created by it,

might we not be able to devise something that does not lead the finance officers of the Merthyr county borough council to conclude that they must pile all those debts into one year—1998–99? I hope that my right hon. Friend will reconsider the matter in that context.

I simply say to my right hon. Friend that I believe that we all have a powerful common interest in maintaining and sustaining a sense of civic effort, pride and commitment. There has been that historic pride and commitment in Merthyr Tydfil county borough, but it will be sorely tested and severely soured as a result of the financial settlement.

5.21 pm

Mr. Richard Livsey (Brecon and Radnorshire): I have great sympathy with the case that the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) made on behalf of the county borough of Merthyr Tydfil. I know some of the figures involved, and the county borough has been hit especially hard. In the 19th century, half my family lived in Merthyr Tydfil, and I know a great deal about its history. I pay tribute to the hon. Gentleman in fighting his cause for a community that knows what a fight is all about. I hope that, in the long term, the Secretary of State will help such deprived communities, where there is great unemployment.

Given the complexity of the formula for local government finance, it is difficult to take an overview of what is happening. It is much easier to talk about one's own patch because it is so much nearer to the grass roots. I am sure that neither Ministers nor the Secretary of State would wish it to happen, but it appears to some of us that the Labour Government are introducing Tory pain by sticking to the Tories' budget. I do not think that the Secretary of State especially likes doing this sort of thing, and I believe that Treasury rules force him to impose a settlement, albeit following pretty painful negotiations with the Welsh Local Government Association; that results in a formula that produces anomalies.

However, I would be less then generous if I did not congratulate the Government on providing more resources for education, which is very important. I especially congratulate them on their abolition of nursery vouchers—one of the first acts of the Welsh Office under the new Government. Liberal Democrat Members feel that that was absolutely right. It would be extremely churlish not to give credit where it is due, as we would have acted similarly if we had been in that position.

The problems arising from the latest local government settlement are connected with the capping mechanisms—an issue which I raised with the Secretary of State earlier. It imposed a ceiling on council tax—a policy that the previous Government practised to the detriment of local democracy in Wales. I was pleased to hear the Secretary of State say that he would not necessarily continue along that path for ever. I hope that he will change direction before long, because his current course is causing great damage.

The formula agreed by the WLGA has a measure of unfairness in it. That is inevitable, but let us hope that the final formula will be fair to different parts of Wales, with their differing problems. In an intervention, the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) rightly mentioned the importance of population sparsity. In the final formula, sparsity in rural areas must be given the due regard that is given to deprivation in urban areas. We must pay attention to both parts of the equation because, in areas of sparse population, those people who are working have far lower wages than those in the urban areas.

Urban areas suffer from so much unemployment that, by comparison, the poverty that exists in sparsely populated rural areas is often overlooked. We may not take account of the fact that people cannot get around and the lack of public transport. The cost of providing school transport impinges greatly on the budget of many a rural authority in Wales. In order to get the formula right—which is very important—all those aspects must be taken into consideration.

The county of Powys has been in close contact with the Welsh Office, negotiating directly and within the WLGA, and we recognise the hard work that has been done in that regard. However, one impact of capping on Powys—as on many local authorities—deserves attention.

We have a net relevant expenditure in Powys, including new education money, of about £131 million. The total net relevant expenditure that would have occurred if no new education money had come in would have been £128.56 million, but the capping limit is set at £126.59 million, so we must achieve savings of £4.4 million to remain within the cap with new money in the budget. Therefore, the additional education money has come within the cap.

We have an extraordinary problem. We must make savings—which would have been required because not enough new money was coming in—of £1.973 million, so we are suffering because the capping limit has not been raised to take account of the new education money. More money would have been available in Powys if the new education money had not been given to us. Every council in Wales is confronted with that problem, and I know that it impinges on places like Merthyr Tydfil.

Because the capping limit has not been raised to take account of the new education money, the cuts in other council services are much greater than they would otherwise have been. I am sure that that was not intended when the exercise was embarked on. I do not think that the Secretary of State or his Ministers would have deliberately gone along that path, but that has been the impact of the settlement.

Extraordinarily, in Powys, only a 1.16 per cent. increase is available for other services. The impact has fallen on the other services. Housing is to be cut by 7 per cent., highways by 7 per cent. and the highways budget by more than £1 million. The configuration of parameters in the settlement has cut social services by another 7 per cent., and social service funding in Powys has been reduced by £1.3 million. As a result, the council has been forced to increase charges for domiciliary services by twice—and, in some cases, three times—their present level in order to save the social services budget. There is now talk of closing local social services homes. That is a very hard decision to take in a rural area where many people are the poorest in society. Given their track record and their philosophy, I am sure that the Government do not wish to go down that path. However, that is the impact of this settlement.

We must also consider the legacy of the previous Government, who—I am sure for good environmental reasons—imposed a landfill tax. There has been much

[Mr. Richard Livsey]

discussion about that. The landfill tax in Powys costs £2 million, which is no longer available to invest in services.

The settlement has caused many problems. Local democracy is vital: we believe in it and think that it should be developed further. We believe also that local government should assume some of the functions of the quangos. I am certain that local authorities would spend the money wisely. I hope that the drive to abolish quangos and transfer their functions to either local authorities or the new Welsh assembly will continue, and become even stronger.

The right hon. Member for Devizes (Mr. Ancram) lamented the fact that the House will not be involved in many future discussions about the details of Welsh local government settlements. I believe that it is right that such settlements should be considered in the National Assembly for Wales, where well-informed assembly representatives will have the opportunity to go into great detail and represent their areas in a very forthright manner. The assembly is the right place to do that. I hope that the assembly will show great vision when deciding spending priorities in Wales. I am pleased that education has received a high priority, and I am sure that health and many other issues that are close to our hearts in the rural areas will receive similar treatment in the future.

I believe that there is hope for the future. However, the settlement contains many unfair aspects, which have resulted in a £70—or 15 per cent.—increase in band D council tax in my county. That situation must change.

Mr. Öpik: Does my hon. Friend agree that that is completely contrary to the expectations of the people of Powys, who must pay a 15 per cent. increase in council tax when many services are being cut by about 7 per cent? They are not efficiency savings: we are losing real services. That is not what people expected from the Labour Government.

Mr. Livsey: I agree entirely with my hon. Friend. People are paying more in council tax and not only receiving fewer services but losing some services altogether. I am sure that the Government will examine that problem in greater detail in the future—particularly as regards the formula. We do not wish to see the Government follow the same path as the previous Administration—although that is what they have done this year by adopting the Conservatives' budget. The previous Government's politics should be designated to the dustbin of the past. We want to look forward; we must show that we have a social conscience and believe in local democracy. We are certain that the new era of democracy signalled by the Welsh assembly will herald a brighter future.

Mr. John Hayes (South Holland and The Deepings): On a point of order, Mr. Deputy Speaker. Before you call the next speaker, could you inquire as to whether the annunciators are working? There are very few Welsh Members in the Chamber given the importance of the debate. I wonder whether hon. Members are aware that the debate is taking place.

Mr. Deputy Speaker (Sir Alan Haselhurst): That is an extremely frivolous point of order, which has nothing to do with the proceedings.

5.35 pm

Ms Julie Morgan (Cardiff, North): I served as a councillor from 1985 until 1997, when I came to the House, so I am pleased to speak in a debate about local government finance as a member of a Labour Government who are committed to local democracy and to restoring powers to local government. That is a refreshing change after 18 years under Conservative Governments who consistently took powers from local government and centralised them. At times, their relationship with Welsh local authorities was positively hostile.

It will take years to recover from the Tory legacy in Wales. Several years of appalling settlements in the Cardiff area have forced deep cuts in important services, including the community education service and the youth service. Those high-quality services are tremendously important to the young, the unemployed, pensioners and to women.

Mr. Swayne: In what respect does the hon. Lady believe that this settlement will begin to redress the damage to which she refers?

Ms Morgan: I shall come to that issue in a moment.

When my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) referred to the possibility of concreting over the flower beds in Cyfarthfa castle, I was reminded of when we were unable to tend the flower beds in Queen street. My hon. Friend mentioned people's civic pride: people certainly felt despondent when we were not able to tend the flower beds. Those are the sort of problems that we faced during the long years of Tory government.

Those years are now over, and Labour has delivered a reasonable financial settlement to Cardiff—it is certainly much more favourable than recent settlements. The new Government have earmarked nursery voucher money for the general schools budget and have revised the standard spending assessment slightly to the local authority's benefit. I accept that the process of disaggregation has been easier for Cardiff than for Merthyr Tydfil. Cardiff is a much larger organisation and, as such, is able to cope better with changes and spread resources more easily. Therefore, Cardiff has advantages that Merthyr Tydfil does not. However, I remind the House that Cardiff also includes four wards with the highest unemployment in Wales. There is great need in Cardiff that is concentrated in particular areas.

The authority's capping limit has been increased by 5.1 per cent. above the current year's figure, and our SSA has increased by 5.2 per cent. Some £5.5 million has been earmarked for the general schools budget, an extra £2 million is allocated for care in the community, and there is almost £3 million from the revised distribution formula.

The general increase for inflation is just 1.2 per cent., which must be used to meet many demands. That will cause some problems. The extra money for schools will be directed to schools and used to try to improve standards. Efforts are being made by the local authority to protect the social services budget. However, the money that is provided for community care is unlikely to meet the demands of all the elderly or disabled people who want to remain in the community.

In my constituency, a great deal of anxiety has been generated by the threat to close the Alzheimer's Disease Society day centre in Whitchurch, which provides day care for elderly people who suffer from dementia. I am hopeful that negotiations with the local authority will result in a viable package that will enable the society to continue its operations. In view of the rise in the elderly population and the increase in the number of elderly people suffering from dementia, it is essential for respite care to be provided for them and their families.

Mr. Öpik: The hon. Lady says that the Government are righting previous wrongs. What words of comfort does she have for pensioners who expect the cost of their domiciliary care to triple? What words of comfort can she offer to those who will lose many of their rural bus services as a direct result of her Government's financial decisions?

Ms Morgan: Cardiff feared that the community care settlement would be much worse. We said that there would have to be a limit of £107 for each community care package. Fortunately, we have been able to adjust that to a limit of £127, and we hope to provide most of the services for most of the people. I accept that there will still be problems for some people. I hope that the Alzheimer's Disease Society day centre will be saved. I and the people who are affected are negotiating with the local authority about that. That offers some hope, and the Government are helping on the issue. Obviously, in my constituency I cannot have an intimate knowledge of rural bus services, so I cannot comment on that.

The first groups to suffer cuts in an austerity programme are the voluntary sector and outside organisations that are funded by local authorities. That is short-sighted, because, although the staff of such groups are not local authority employees, they provide services on the authority's behalf and bring the added value of voluntary bodies.

One of the outstandingly successful examples of an independent organisation being funded by the local authority in Cardiff and by Europe is the South Glamorgan women's workshop, which is now called Cardiff and the Vale women's workshop. It was set up in 1984 to train women over the age of 25 who had no qualifications, and it provides training by women for women. It has a day nursery, arranges its hours to suit women with children at school, and provides training in computer technology, confidence building and preparation for employment.

The activities of the women's workshop fit in totally with the Government's welfare-to-work programme, because it helps women to get off benefits and into work. It has won numerous awards such as the Fawcett Society award for positive action in training, national education and training awards, and equality exchange certificates. It is recognised as a centre of excellence. In a time of cuts, it seems to be the sort of organisation that is one of the first targets of local government. Every pound of local authority funding it loses reduces its European funding. I hope that the settlement will enable the proposed funding cuts in that workshop to be adjusted so that it can survive, because, as I have said, it fits in well with what the Government are trying to do and is a flagship project for Cardiff.

The nursery voucher money that will come to Cardiff is helping the local authority to extend its programme of nursery education throughout Cardiff and especially in my constituency. When I was campaigning in the general election, I found that one of the big issues was the almost complete absence of local authority nurseries. Since being elected, I have had the pleasure of opening two nurseries, and two more are planned in my area. I hope that we shall be able to develop a comprehensive pattern of nursery education in my constituency and to link it with pre-school play provision so that parents have a choice.

Like the Secretary of State, I hope that Cardiff council will rejoin the Welsh Local Government Association. I am extremely concerned that my constituents do not have a voice, through the council, in that association. An overall body with which the Welsh Office can negotiate is essential. The association is the best we have, and we must try to support it. Wales is to have an assembly, and a partnership council is to be set up. The Secretary of State has said that he will negotiate on capping, and it is essential for my constituents to have a voice in that.

This is an exciting time for local government. I was pleased to hear the Secretary of State talk about an holistic approach to services because that is the key to creating a vibrant, exciting, local government service in Wales and a meaningful assembly. I was a member of the local authority for 12 years; some of our contributions to tackling grass-roots issues and drawing together the different threads of education, health, social services and economic development provided me with some of my most exciting times in politics. I hope that initiatives on those matters will develop in the National Assembly for Wales and in local government.

This is my first debate on the revenue support grant. Unlike the shadow Secretary of State for Wales, the right hon. Member for Devizes (Mr. Ancram), who is not in his place, I am pleased, as was the hon. Member for Brecon and Radnorshire (Mr. Livsey), that this is the last time that I shall take part in such a debate in the House. I welcome the fact that, in future, the settlement will be debated in the National Assembly for Wales by all the representatives from whatever parties they come. It will be good if all parties are represented in the assembly because that will lead to good debates and sound solutions. All the representatives will be from Wales, and that is bound to lead to better debates.

5.47 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I should like to refer to some of the matters that were raised by the hon. Member for Cardiff, North (Ms Morgan). I cannot call the hon. Lady my hon. Friend, not least because her husband is sitting next to her. She said that this is probably the most exciting time for local government. I take it that she was borrowing from the Chinese proverb. We are living in exciting and interesting times in local government.

Although I agreed with much that the hon. Lady said, I empathise more with the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). He represents an area of some deprivation, while my area is sparsely populated, and both of us have emerged rather badly from the review.

The settlement is totally insufficient to meet the needs of Welsh local government. No doubt that is because the Government have had to make the hard choices we hear

[Mr. Elfyn Llwyd]

about almost daily. If the Government have, as they always confirm, inherited a difficult scheme and spending plans from the previous Government, it is clear what they should do. Anyone with a burdensome legacy can relinquish it at law. Simply hiding behind spending limits all the time is wearing a bit thin, and the word "inheritance" seems to be the most important one in this Parliament.

In any event, the Government voluntarily signed up to the spending plans. The idea was to attract the well-heeled of middle England and the south-east. Why on earth should the impoverished communities of the valleys in Wales and the people in rural areas, where there is less obvious but real poverty, be sacrificed on the altar of Labour's burning ambition? I believe that, although the commitment not to increase income tax may have been a vote winner for the Government, it will surely come back to haunt them in the next two or three years. The Government will then realise that no one can possibly empathise with an Administration who are so morally bereft as to target single mothers, students, the disabled and the ordinary council tax payers simply to prop up their regime.

Last year, the anthem was "Things can only get better". Now, all we hear from the Government is that things can only get worse because of the difficult decisions they have to make. That is what we hear day in, day out. I believe that it is indefensible for any Government not to use all the instruments at their disposal to assist in governing. The backdrop to consideration of this settlement is the fact that they have ruled out any question of tax increases.

The Government's spending plans for Wales are as bad as those of their predecessors. Had these plans been offered last year, Labour Members would have been howling and in uproar. For example, because of the severe cuts and the likely loss of more than £500,000 in the current financial year in Denbighshire, about 50 social workers may be made compulsorily redundant.

One of my local authorities, Gwynedd, welcomed the £50 million extra for education—it would be churlish not to—but it does not believe that it will be able to use all of it for education. I am sure that other authorities in Wales will feel the same. It is a question not of failing in their priorities, but of having to make savings almost equal to the amount they receive. We are probably talking about the status quo.

The problem is that the Secretary of State has not increased the external support. It has not been increased sufficiently to match the committed increase in spending power. Council tax payers will have to shoulder the burden of the difference, which will entail council tax increases averaging 12.5 per cent. The figures range from an estimated 10.5 per cent. in Flintshire to a huge 17 per cent. in Powys. Clearly there are some hard times ahead.

As I have said, the extra resources for schools under the capital receipts initiative are to be welcomed. However, one long-standing problem for local government has been the operation of the SSA. I am aware of the recent SSA formula review, which we are discussing, and I am also aware that the Welsh Local Government Association agreed to it. However, I echo the remarks of the hon. Member for Merthyr Tydfil and Rhymney. There must be an input from individual councils in the bargaining process. If there is not, we will see special cases fall through the net—I believe that we are seeing that now.

Like many others, I believe that the formula needs to be revisited yet again. Some of the key issues that need to be addressed are those of rurality, sparsity of population and the seasonal increase in population, all of which greatly influence spending power and the way in which councils are able to conduct their business.

I also represent the area covered by Conwy county borough council. That council is pleased to have received the so-called new deal for schools. However, it says that it will not achieve the purpose for which it was intended. I am told that the reason is that the council has to expect the education committee to save about £745,000 towards the overall requirement of council spending in 1998–99. I stress that that is not being used to fund teachers' pay awards. Because the new deal money does not match the demographic changes in the schools, there will be a shortfall and, consequently, the money will not achieve the purpose for which it was honestly paid.

In social services, £834,000 is being excluded from the budget plan, although just over £1 million has been added in from the care in the community transfer. The social services committee is greatly concerned about the impact on children's services because of the funding restriction. Elsewhere in the council, there will be concerns about the impact on regulatory services, environmental health, food inspection, dog warden services, housing fitness, and so on, all of which are important. There will be concerns about other equally important matters such as local Agenda 21, access officers, and so on.

If the funding of pay awards were contained within the settlement, the position in Conwy would be very different. The council fully understands the economic policy adopted by the Government when they were conducting reviews into local government as a whole. In terms of distributing SSA, it cannot be argued that the council has been treated unfairly, but it feels that there is some unfairness in the position with regard to capping and expenditure levels per head of population. Conwy's spending power per head of population is about £885—the second lowest in Wales. The expenditure per head of population in neighbouring areas is about £120 higher. That is a considerable difference. A relaxation of capping may be part of the review, and I urge the Minister to consider these points when the relaxation comes about.

Gwynedd council, which is a well-run and efficient council, is unhappy about the settlement. The council leader, Alun Ffred Jones, was quoted recently as saying:

"This new formula does not give sufficient consideration to the high costs of delivering services in rural areas. It is an unjust formula which is costing some of Wales's poorer areas millions of pounds."

He said that the council's current spending level was £6 million lower than that of its predecessors. He added:

"Most of these savings were made by reducing administration costs, but it will be very difficult to do this again this year as these costs have been cut to such an extent over the last two years. Despite this difficult situation, we will do everything within our powers to protect direct services to the public."

In order to make as many savings as possible, Gwynedd council members have taken substantial cuts in their allowances for the coming year. Food allowances have gone completely, and reductions have been imposed voluntarily on all allowances.

There will be cuts in the maintenance and renewal of roads. That is inevitable. There is already a poor infrastructure. In fact, it is so bad that it may soon hamper economic development.

Extending car parking charges is also being considered, as is the removal of car parking concessions for some pensioners. The council does not want to contemplate that, but it is on the table.

Spending on library books in the county, which is already well below Welsh average, is likely to be cut further. The grants to the local theatre, Theatr Gwynedd, are likely to be cut by a considerable percentage. The grants for the national eisteddfod are likely to be affected as well.

It has been estimated that 50 jobs could be jeopardised because the authority is having to cut its budget for economic development by nearly £140,000. Officials are recommending cutting more than £25,000 from a grant to fund small businesses in the county. That is likely to leave the council unable to gain an equivalent amount of European funding. All in all, it is a sad position for Gwynedd.

I cannot accept the view that this is the best settlement there is. Bus services in rural areas will be affected, and there will be cuts in every area of local government. That follows year-on-year cuts. Gwynedd will have to cut £3 million from its budget. Since the council came into being 20 months ago, it has been forced to cut and cut again. To date, it has cut £9 million of spending. That is equal to the annual revenue spending of the old Meirionnydd district council and the old Dwyfor district council which it replaced.

Therefore, it is a dire position, which is made worse by the fact that there was no start-up assistance when the unitary authority came into being. Increasing the spending that is available to Gwynedd by 1.2 per cent. is totally inadequate to meet inflationary costs and necessary spending on the servicing of the annual debt. It is crippling.

The obvious question one has to ask is: when will all this stop? The Government pretend that they seek to bolster local government, but those are empty words when, year after year, councils are cash strapped, services are cut and council tax payers are hammered to maintain just a shoestring budget. I venture to suggest that the enmity between central and local government will be made worse by this Government, not better, as we had all expected.

One of the changes in the manner in which the settlement is arrived this year is extremely detrimental to Gwynedd, Conwy, Denbighshire, Ynys Môn and virtually all other unitary authorities in Wales.

Mr. Rowlands: I do not wish to make bids and counter-bids, but, looking down all the tables, no way is Denbighshire a loser. It seems to be a substantial gainer in the system.

Mr. Llwyd: If hon. Members will bear with me, I will make the point and then I will give way, if they wish to ask me about it.

There has been a change in the way in which moneys have been allocated this year and it has not been based on any reasonable or objective criterion. I think of the huge increase in summer population that those areas experience. If anyone wants to question me about that, I will give way.

Mr. Rowlands: I thought that I heard the hon. Gentleman say that Denbighshire had suffered from the settlement. Looking at the report, I find that it is receiving a 7.3 per cent. increase. Merthyr Tydfil would be happy to receive half that.

Mr. Llwyd: My point is that those areas have a large summer population, which differs from their winter population. That criterion has not been included in the settlement. That causes difficulty. I shall speak for Gwynedd and Conwy with complete confidence because I have been instructed to put this point to the Minister, and I hope that he will respond.

May I cite one small example from personal knowledge? The winter population of Betws-y-Coed, the village in which I was born and brought up, which is in my constituency, is roughly 500; in summer, it is between 11,000 and 12,000. My point is well made by those statistics. We may argue about whether Denbighshire, a semi-rural and tourist area, is affected, but I reiterate the point on behalf of Conwy and Gwynedd. I am sure that other areas are affected.

Mr. Rowlands: I would correct the hon. Gentleman's point, because, in considering the increases, we find that Denbighshire has a 7.3 per cent. increase and Merthyr Tydfil a 3.9 per cent. increase. I do not wish to make bids and counter-bids, but it is unfair to say that, in this settlement, Denbighshire has been badly served.

Mr. Llwyd: I will not argue the toss, because I know that other hon. Members want to speak, but I make the point on behalf of those other authorities, and it is a proper point.

The hugely increased cost of delivering services to sparsely populated areas is another element that is not receiving due prominence. For example, emptying a litter bin in my constituency can cost four or five times more than in Cardiff, Swansea or Wrexham. Insufficient regard is paid to that and its impact.

Last week, in responding to a Home Office debate, the Minister of State, Home Office, the hon. Member for Cardiff, South and Penarth (Mr. Michael), said that there would be a review of police spending and, in particular, a review of police spending in rural areas. I welcome that, and urge the Government to reconsider the current criteria to ensure that the extra cost of serving a sparse population in all unitary areas, including rural areas, is considered and that they all get a fair deal.

The other aspect that needs a more considered approach is deprivation. We see it in the urban areas. The hon. Member for Merthyr Tydfil and Rhymney has made his case well, despite trying to destroy mine. His area has come off worse. I respect the way in which he puts his case, and I support it, but, at the other end of the scale, more rural areas have also suffered in this review. Both ends of the scale, as it were, need to be considered. It is vital that any further SSA review commands support throughout Wales—that means every part of it. I am sure that, in due course, those points will be borne in mind.

[Mr. Llwyd]

I trust that the damping grant will remain for at least two years, or for as long as it takes to bed down any new formula. I am sure that that obvious point will be taken into account.

I finish where I started. The settlement is not good for Gwynedd or Conwy. It will inevitably lead to service cuts and council tax increases. Let the people of Wales be under no illusions about the cause of that: it is the Government's adherence to the previous Government's spending plans, which they criticised severely 12 to 18 months ago.

The ordinary citizens of Wales will now have to suffer because of Labour's seeming pact with the devil. It is unfortunate. I expected better, but, unfortunately, the settlement is insufficient, and Ministers well know it. I am sure that other hon. Members would have spoken up in the Chamber, were it not for their loyalty to the Government.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. About eight hon. Members are still seeking to catch my eye and limited time remains. May I encourage very brief speeches so that I can fit in as many hon. Members as possible?

6.6 pm

Mr. Martin Caton (Gower): Thank you, Mr. Deputy Speaker, for calling another ex-councillor.

From the revenue support grant settlement, it seems that my right hon. Friend the Secretary of State for Wales has started to apply the brakes on the decline in local government services which we have witnessed and painfully experienced in Wales over recent years. For most of us, the settlement does not yet start to reverse that decline or, in the main, provide the means to commence rebuilding and renewing those vital services, but it is welcome because it begins to stop the rot.

In the circumstances—we are living with the commitment to the previous Government's spending plans—what we have is probably rather better than we might have expected. The decision to increase the total Welsh Office block by 2.7 per cent. is a recognition of real need and a statement of Ministers' priority: to put local authorities in a position whereby they can increase their budgets in the new financial year by, on average, 4.8 per cent.—in effect, double last year's increase.

We accept that that is as good as it could get this year, but we have to face up to the scale of the task ahead in reconstructing local public services. Local government has endured 18 years of sustained onslaught from the previous Government, including more than 60 pieces of legislation that were intended to emasculate our councils, shift power from democratic representatives to a quangocracy, and starve locally provided services of vital resources. It is testament to the resilience of local democracy in Wales that, in the face of wave after wave of dogma-driven attack over that long period, our councils managed to defend their communities as well as they did.

When he was leader of the Labour party, Neil Kinnock memorably described local government as

"a battered shield that defended local communities from the worst of Conservative Central Government's policies."

It was, and thank goodness for that, but, by 1 May last year, that battered shield was badly damaged. A huge repair operation needs to get under way. Our local councils must be empowered to provide the range and quality of services that our communities are entitled to expect as we near the new millennium. That will be one of our Government's major challenges in the years ahead.

For this year, I warmly welcome the extra resources that were earmarked for schools in last year's Budget. In my own local authority of Swansea, that extra funding will mean £3.6 million for schools that would not otherwise have been available. It will also stop the haemorrhaging of teachers from Swansea's education service, which reached such alarming proportions last year. Keeping teachers in the classroom and class sizes down is the best contribution that we can make now to raising education standards. However, really meeting the challenge of raising education standards will require considerably more resources than we are yet able to provide.

I look forward also to the money allocated to improving school buildings reaching our local schools. On Monday, I visited a rural primary school in my constituency. The fabric of its buildings and the condition of its toilets and other facilities were not anywhere near the standard that we want for our children. However, it is good news that we now have a Government who are prepared to take action, to remedy more than one and a half decades of Government neglect of the buildings in which our children are educated.

Especially welcome in my part of the world is restoration of the money taken from local government to fund the nonsensical nursery voucher scheme. In Swansea—thanks to our inheritance from the old West Glamorgan county council—every four-year-old and 80 per cent. of three-year-olds were already receiving reception class or nursery education when nursery vouchers were introduced. The voucher scheme threatened to damage that service provision, but, thankfully, we got rid of it before that could happen. Thanks to the money for the nursery voucher scheme being restored to local authorities, that local service will be sustained and improved. Moreover, the emphasis that we want to place on early learning will be ensured.

Beyond education, it is only fair to acknowledge that local democracy faces a hard year ahead. In Swansea, all services other than schools will have to absorb inflation, spending pressures created by new legislation and increased demands. The year will be tough, and, in Swansea, it will mean a 15 per cent. council tax increase for the community. I support the call from the hon. Member for Brecon and Radnorshire (Mr. Livsey) and my hon. Friend the Member for Conwy (Mrs. Williams) to end capping as soon as possible, but I do not think that ending it would have made any difference this year in Swansea, as the council would not have seriously considered a council tax increase of more than 15 per cent.

I am confident that Swansea will manage to protect front-line services, and I suspect that most other local authorities in Wales will be able to do the same. However, I do not believe that they will be able to continue managing so well for much longer if there is not a real change in direction and if greater resources are not made available. Specifically, we are moving ever nearer to a crisis in community care, with demand far outstripping

what can be supplied with current and proposed funding. Our elderly and our young people with learning disabilities are in particular danger of being the victims of a resource shortfall.

Although I accept that the formula on which the settlement was based was devised and agreed by the Welsh Local Government Association, I do not think—as hon. Members on both sides of the House have said—that the association got it right. Specifically, I am concerned that inadequate weight has been given to measuring deprivation. I know that need assessment is a difficult matter—which we started to explore in our debate on the Barnett formula during the Committee stage of the Government of Wales Bill—but we must tackle it. We have the assessment formula wrong, and some of the worst-off communities in Wales are the losers. We will have to re-examine the very basis of assessing need and resource allocations to Welsh local government.

I welcome the fundamental review that the Secretary of State mentioned in his speech and accept that, inevitably, that will take considerable time. However, I hope that, even before next year, some improvements can be agreed between the Welsh Local Government Association and the Welsh Office.

6.13 pm

Mr. John Hayes (South Holland and The Deepings): The hon. Member for Gower (Mr. Caton) made some points about the expectations raised and commitments made by the Government, when they were in opposition, to local councils in Wales and across the kingdom that have not been met. By any reckoning, this settlement is a bad one for local government, especially for local government in Wales.

I should like to raise four issues. First, Ministers should put aside the nonsense about inherited spending plans and patterns. As the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) said, the Government's decision to stick with the previous Government's spending plans was a conscious political decision and a matter of policy. The requirement to stick to those plans was not set in stone—like the commandments sent to Moses—but a political decision that Ministers must learn to live with. As the hon. Gentleman said, it is beginning to wear a little thin to hear Ministers still whingeing about their decision.

Secondly, local government in Wales faces extra costs because of the Government's policies. I think that all hon. Members will acknowledge that local government faces enormous extra costs because of the tax on pension funds. As other policies are implemented, they, too, will put extra pressure on local authorities and absorb more of their scarce resources. Inflation must also be considered by local governments when they are developing their budgets, as they are doing, because it will create additional pressures. Therefore, the Government's own actions have created additional costs that local government must absorb.

Thirdly, the Government have failed to deal with some of the matters that they complained about when in opposition, especially the issue of sparsity in rural areas. Sparsity particularly affects Wales, and it is sad and surprising that, as I said earlier, hon. Members representing constituencies that are so adversely affected by sparsity are not in the Chamber. The Government's lack of will in addressing the sparsity issue and in adjusting the funding formula to deal with it is a great disappointment, not only to the House and to local authorities and councillors but to the public. The settlement is therefore a lost opportunity.

Fourthly, education must be taken seriously, and bogus claims and assertions about extra money will have to be countered. The technique is simple: spend unallocated reserves, which are then brought forward by about nine months. No extra Government money is going to education—money which could have been spent anywhere has simply been adjusted within current budgets and applied to education. Although unallocated Budget reserves are being brought forward, we are told by Ministers, and by people across the kingdom, including Wales, that extra money is available.

What is the net effect on local government of that reallocation? It is to squeeze other vital services. Therefore, even if one accepts that the Government have fulfilled some of their pledges on education, there is very bad news for highways, social services, public protection and libraries. Across Wales and across the kingdom, local authorities are facing cuts and closures. People should understand that that is a direct result of this settlement and of the Government's policies. Across Wales, old people in old people's homes and small communities that lose their libraries and must squeeze their fire brigade budgets should know that that is the price of a Labour Administration in Westminster. Let them know it with no uncertainty.

Mr. Öpik: Presumably the hon. Gentleman will also agree that those cuts are a direct result of the Labour Government's continuation of the Conservative party's policies?

Mr. Hayes: The Deputy Prime Minister said:

"The last Government's spending plans implied a council tax increase of 7 per cent. By keeping within spending limits, that is the legacy we inherit."

However, given that local authorities in Wales will not wish to draw on reserves or to make cuts, the settlement will lead to an average council tax increase of between 10.5 and 17 per cent. The figures are as follows: Conwy 14 per cent., Denbighshire 13 per cent., Swansea 15 per cent., Newport 13 per cent. and Cardiff 12 per cent. Therefore, even on the Deputy Prime Minister's own admission, this is a very bad settlement for Wales.

Mr. Swayne: Does my hon. Friend agree that for a band D property those figures translate into £60 a year? That might be only £5 a month, but add the additional mortgage payments of £30 a month, which are also the consequence of Government policies, and the total represents serious money for precisely the sort of families that Labour used to represent.

Mr. Hayes: I am sure that you will not allow me, Mr. Deputy Speaker, to stray into consideration of the Government's policies on mortgage rates, but I cannot help but agree with my hon. Friend.

The truth is that the settlement will mean cuts in all sorts of vital services. The paradox is that, simultaneously, it will mean significant council tax increases. In other words, there will be reduced services and higher charges.

[Mr. Hayes]

We do not yet know the figures, because local government budgets are being considered, but the projected increases could be up to 17 per cent. That is Labour's responsibility.

Mr. Chris Ruane (Vale of Clwyd): The hon. Gentleman mentioned cuts. I was a schoolteacher for 15 years before becoming a Member of Parliament, and there were cuts in education spending for five consecutive years out of the last six. Last year, there was a 6 per cent. cut in Denbighshire, but this year there is an 8 per cent. increase in funding. I have a letter from the director of education outlining where that money is going—to the chalkface to help all pupils, including those with special needs. These are not bogus claims, but real ones.

Mr. Hayes: Clearly, the hon. Gentleman was not listening or he did not understand what I was saying. I made a grudging acknowledgement on education. I did not say that the Government were not funding education; I said that they were funding it out of unallocated reserves. I said that the net effect of concentrating on education was a reduction in funding for other critical services.

When Labour Members speak to their constituents on these subjects, they must face the reality that by prioritising one service, they are disadvantaging other services—spending on the elderly, children, libraries and highways. These are all service areas that mean a great deal to small communities, and may perhaps mean more to some electors than increases in education spending. That is a matter of judgment, but the Government have not helped in any of the other service areas.

I will take no lessons from Labour Members on local democracy and local government. We have a Prime Minister who has served no apprenticeship in local government, which is unfortunate and, I think, sad. I have been a county councillor for 13 years. Indeed, I still am a county councillor, and am proud of that. Local government is a vital part of this country's democratic infrastructure because it enables ordinary folk to have some contact with and understanding of the exercise of political power. I believe in local democracy as strongly as any Labour Member.

No one can tell me that this is a good settlement for local government. Things have been made worse by the high expectations created by what the Secretary of State and others said before the election. People in local government and in villages, towns and cities throughout Wales feel not only a sense of anger at this settlement, but a sense of betrayal.

6.23 pm

Mr. Rhodri Morgan (Cardiff, West): It is a pleasure to follow the hon. Member for South Holland and The Deepings (Mr. Hayes) whose speech was very spirited, although of a "put a penny in the slot, Tory Opposition attack anything and everything that Labour has done in its first nine months" character. Nevertheless, I welcome the hon. Gentleman's speech for its spirit, and I shall follow it in one sense.

This is a good settlement in that it is far better than anything that the previous Government ever gave in the 10 years that I have been a Member of Parliament, but it is not good enough. As my hon. Friend the Member for Gower (Mr. Caton) said, we cannot undo in one year what it took the Tories 18 years to do. That is the legacy we have inherited, and things cannot be put right overnight. In the short time available, I shall concentrate on one matter which shows clearly why we cannot put right in one year the problems created by the Tories during their four consecutive terms in office. I shall refer to social services.

As the hon. Member for South Holland and The Deepings said, there are problems in the provision of social services. Some of them can be self-inflicted by mismanagement—that can undoubtedly happen—but there are particular difficulties with the care of the elderly in the community.

A couple of months ago, we thought that we were facing Armageddon in Cardiff when we examined the budget for 1998-99. The local authority was proposing to put a limit of £107 a week on domiciliary care services. My hon. Friend the Member for Cardiff, North (Ms Morgan) has already mentioned that figure, but I shall go into a little more detail. The situation does not look quite so bad now that the authority has reassessed the limit at £127 a week. That is the maximum allowable cost that the local authority will pay for domiciliary services—subject to the means test, of course. It still means that many people whom it has been decided would benefit from domiciliary care, not residential care, will not be able to get the care that would suit them best.

People face going into a nursing home or an old people's home instead of getting the care that they and their families would have preferred, which it has been assessed would be right for them but which is simply not affordable, given Cardiff county council's budgetary conditions. As I said, the limit was raised by £20 to £127, but it still means that many people will be put into nursing and residential care homes although they should not be there.

It is also interesting to note that the local authority has reversed another decision. It had decided that home helps, or home carers as they are now called in Cardiff, should not be allowed to do any housework. There are times when they should specialise in the new duties that they now undertake—for example, help people get up, get dressed and have breakfast or encourage people to eat if they would otherwise not do so—rather than buying the occasional lamb chop and doing a bit of light housework, but sometimes people need to have their housework done. I am pleased that the decision has been reversed.

A case involving a constituent of mine was highlighted in the local evening newspaper, the *South Wales Echo*, only a couple of days ago. It centred on a 93-year-old blind woman who lived in a sheltered, warden-assisted housing complex. Because she lived in sheltered housing, she did not have her own washing machine. She lived at the far end of the complex and had to carry her washing across a courtyard to the communal washing area. The home carer used to do that for her, and that service was going to be stopped.

The lady was blind and could not get down the 14 steps or walk across the courtyard with washing in her hand. As she was 93, her children were pensioners themselves and none lived in Cardiff. They were all in their late 60s or early 70s, as one would expect with a mother of 93. What was she to do? Luckily, the decision has been

reversed and, when required, the housework element of the home carer's duty for that elderly woman and people like her has been restored. I am glad that the easing of Cardiff's budgetary constraints means that some of the more horrific cuts in social services are to be made good. We are no longer facing Armageddon, but there are still problems.

I hope that many of the problems will be solved by what the Government do over the next few years. We have talked about fundamental reviews, and I hope that the Government will try to create a level playing field for domiciliary care and nursing home care for elderly or other dependent people who require continual care.

If a person goes into a nursing home or an old people's home, the local authority may take into account the capital value of his home, take it off him and use the proceeds to fund his care. It cannot do that with domiciliary care because the person is living in his home. The option of taking the home off the person and leasing it back until he dies should be available to the local authority. That would provide a level playing field for domiciliary care and residential care, removing the current biased financial basis.

The local authority can help, but the rest has to be done by reviewing the rules on community care so that decisions on whether old people should go to a nursing home, go to an old people's home or stay in their home with domiciliary care support are made on the basis of what is best for each old person, rather than some of the peculiar rules between central Government and local government from which we still suffer.

6.29 pm

Mr. Laurence Robertson (Tewkesbury): I am surprised that I have heard talk about 18 years of Tory misrule. Wales has received a disproportionate amount of inward investment given its population. The Labour party should take note of a former Chancellor, who described the state of the economy as the best in a generation. Labour has inherited that. My hon. Friend the Member for South Holland and The Deepings (Mr. Hayes) correctly pointed out that the Labour Government decided to stick to the Conservative spending limits; they were not forced to do so.

In the brief time available to me, I should like to draw attention to one or two points. People in Wales face massive council tax increases. My hon. Friend the Member for South Holland and The Deepings pointed out several areas that will have high increases. Rather than going over the many factors behind that, I should like to point out some future costs. The Welsh assembly may have added costs. It will be able to reduce the amount of money that it gives to local authorities in Wales and could give that money to other bodies, such as the Welsh Development Agency. It could also introduce a tax-raising power through the back door by deliberately holding funds back from local authorities, forcing council taxes up.

Businesses in Wales will also face a threat. Responsibility for the calculation of the national non-domestic rate will pass to the assembly after devolution. It will also be able to decide how much money local authorities can borrow. There is no guarantee that the assembly will not cut funding for councils, forcing them to incur even more debt.

Hon. Members on both sides have said that the settlement is inadequate. As my hon. Friends have pointed out, it leads to massive increases in council tax for many people. If that is not bad enough, there could be worse to come.

6.32 pm

Mr. Nigel Evans (Ribble Valley): I declare an interest, because I have a family business in Swansea. The majority of my family still live there. I am disappointed to have seen so few Labour Members from Welsh constituencies. Either they are with the Minister of Agriculture, Fisheries and Food in the Smoking Room or they are embarrassed by the settlement.

Mr. Öpik: The hon. Gentleman will acknowledge that the entire Welsh parliamentary party has been here for the majority of the debate.

Mr. Evans: If the hon. Gentleman is talking about the Conservatives, that is a cheap shot.

Mr. Öpik: No; Liberal Democrats.

Mr. Evans: The Liberal Democrats have only two Members of Parliament for Welsh constituencies, who seem to have had a rota during the debate.

Council taxes in Wales will go up by between 10 and 17 per cent.—between £49 and £70—after a general election campaign when we heard that there would be no income tax rises. What is the council tax rise but an attack on people's income? It will have to come out of already taxed income.

This is not a good settlement for the people of Wales, who will have to stump up the extra money. It is the first time in 18 years that people have had to experience Labour local authorities and a Labour Government. We were told:

"Things can only get better."

Things can only get dearer, things can only get more expensive, things can only get more miserable for many Welsh people living on limited incomes and having to find extra money from a dry well.

The settlement adds insult to injury for many pensioners living in Wales. They were told in an enormous advertising campaign—at great cost—that they would get an extra £20 to help with their heating bills. The increase in their council tax will more than eat up that extra £20. I suspect that there will be no Government advertising campaign to tell them that. The situation is a great shame.

I was a county councillor in west Glamorgan for six years. I know that local government has some soul searching to do at this time of year. It is not the best of jobs at the best of times, and this is not the best of times, as we have heard. The hon. Members for Blaenau Gwent (Mr. Smith) and for Merthyr Tydfil and Rhymney (Mr. Rowlands) have told us the problems that their local authorities will face. My hon. Friend the Member for South Holland and The Deepings (Mr. Hayes) spoke about the priorities that local authorities will have to consider. With money being targeted at education, they will have to look at other departments to find somewhere to make cuts. Will it be in highways? Most certainly yes

[Mr. Evans]

for most local authorities. Social services? Yes, there will be deep cuts in social services in many areas. Libraries? Yes, there will be cuts there as well.

I have spoken to representatives of several local authorities in north Wales, west Wales and south Wales in the past two days. They are concerned about the cuts in social services that they face. We have heard about the extra demands that Powys faces, with an aging population and deprivation in some areas.

In the past 12 months, the incomes of farmers in Wales have dropped by 50 per cent. They already feel badly let down by central Government. They now face hefty increases in their council tax. The Secretary of State will know that tenant farmers living in farmhouses that they do not own will face higher than usual band charges. What attention will be given to those farming areas that are facing ruin because of cheap imports, higher interest rates, the extra costs of traceability and renderers charges and the limitation on weight limits on the over-30-months scheme? What extra attention will the Government give to help those families to cope with the deprivation that they are facing?

We have also heard discussion about reform of the formula, particularly from the hon. Member for Merthyr Tydfil and Rhymney. We cannot say hand on heart that this is a good settlement, given some of the choices that he was talking about. It is a disgrace that cutting out hot meals for school children is being considered. For some children, the school meal may be the only hot meal that they get during the day. I thought that that was one reason why we ensured that our schoolchildren in the most deprived circumstances had assistance with school meals.

Mr. Llew Smith: I was somewhat critical of the present formula. How would the situation be different if the hon. Gentleman's regime had continued? Members of my local authority and I met previous Secretaries of State for Wales, who refused to introduce an element in the formula to take account of deprivation to the extent that we wanted.

Mr. Evans: All we have heard for the past 18 years is how much better things would be if the Labour party came to office. In the first debate on this subject since Labour came to power, we are talking about cutting hot meals for school children. That is a disgrace. I hope that the formula revaluation will ensure that councillors and officers will not confront such decisions again. The review is urgent. Councillors and officers will certainly get assistance from the Conservative party to ensure a fair review which will take account of all areas—north, south, east and west—of Wales.

Mr. Rowlands: Whatever criticism I might have made of the settlement, I dissociate myself completely from the 18 years of the hon. Gentleman's Tory Government, who did so much damage to all our communities. We are trying to pick up the pieces.

Mr. Evans: I expect no less from the hon. Gentleman. When some of the schoolchildren in his area are eating cold sandwiches, perhaps some of them will reflect that this settlement has not been particularly good for Wales.

In the review, will the Minister look into the enormous disparities between neighbouring areas in authorities such as Denbighshire and Conwy? The formula has worked better for Denbighshire, but not as well as it should have.

Another problem is the aging population. That is a particularly bad problem given that we are talking about cutting the funds and resources of social services departments throughout Wales. As we have heard, Conwy will have to get rid of 28 home care workers and is making cuts of £250,000 in its social services budget. In Powys, there will be cuts of £1.3 million in social services, 49 care workers are going and social services charges are to be tripled. That is quite appalling. I could mention several other areas, but we want to give the Minister as much time as possible to answer some of the points made by my right hon. Friend the Member for Devizes (Mr. Ancram).

We want to know something far more certain about the future of capping. We know what Ministers have said. The *Local Government Chronicle* cites one Environment Minister, from whose comments it seems that the Government are not so keen on relaxing of capping. At the same time, the Local Government Association is keen that the Government remove capping. We want to know exactly what will happen. If capping goes, what sort of protection will there be for people, especially those on limited incomes just above income-support levels, against hefty rises in council tax bills?

We hear the suggestion that referendums will be held. I know that the Minister is conducting a review on how to make local government more democratic and more accountable to the people. Is he considering referendums in Wales? If so, who will pay for them? They will be extremely expensive. Will the cost come out of local authority budgets? How would a referendum be triggered by ordinary people if they thought that they were to be confronted with higher than reasonable council tax bills?

What will happen to the unified business rate? As a county councillor in west Glamorgan, I experienced business men and women trooping in so that councillors and officers could listen to them and be told that businesses could not meet hefty increases in what was then the business rate. As soon as the consultation process was over, up went the business rate enormously. We do not want such clobbering of businesses in Wales. We want small businesses in particular to thrive. What future protection will there be for such small businesses?

What action is the Minister taking to ensure that local authorities will be able to meet budget demands as a result of changes to advanced corporation tax? When the actuarial changes come about next year, some authorities will face very hefty increases. Will he please take some account of that? What assistance will he give them?

What assurance will he give local authorities that, when the assembly is up and running, it does not top-slice for its pet projects some authorities' revenue support grants? Will he assure local authorities that the money will find its way through to them, especially given the new formula that we are talking about?

I mentioned education in an intervention. We need assurances that the money that has been provided will find

its way into the classroom. Despite what the Secretary of State said about the *Western Mail*, I shall quote a letter written by the Under-Secretary of State for Wales, the hon. Member for Neath (Mr. Hain), which it reported. The letter says:

"I do not accept that funding for schools will fall or that resources will be swallowed up in meeting teachers' pay increases. The overhang of the 1997 pay settlement will cost around £7m in 1998–1999 and the pay offer announced last week will cost around £17m. In a number of cases, these costs or a proportion of them will be covered by local authorities' planned increases in underlying provision for education. Even if this was not so, around half of the new revenue money would still be available to schools to rectify existing problems or invest in new teaching posts or other provision."

Will the extra money find its way into schools or is it possible that some of it will go towards the teachers' pay settlement, and therefore not fulfil the promise on class sizes made during the general election campaign?

My right hon. Friend the Member for Devizes mentioned local authority debt, which is enormous. It is more than £2 billion in Wales. We need to know the net figure. Interest will be paid on it. How much does each authority pay in interest on debt? Local authorities which are taking out new loans at higher interest rates will be paying much more.

The settlement for Wales is predictable and had been predicted. Wales is living on the never-never. It is up to its neck in debt. The settlement means cuts in social services, and it hits the aging population and children's school dinners. Local authorities are facing enormous uncertainty. In certain circumstances, council tax bills have been hiked by 17 per cent. We have always said that, if the people vote Labour, they will pay more and get less. With this settlement, we have been proved right.

6.46 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): This debate has turned out to be very interesting. Opposition Members have filled it with internal contradictions and crocodile tears. Before I turn to the major concerns that have been aired, about some of the practical applications of the money available, I should take up some of the technical questions asked by the right hon. Member for Devizes (Mr. Ancram).

The right hon. Gentleman asked about the effect of paragraph 3.2 of the report. Two assumptions are made in calculating revenue support grant. First, we assume that the council tax base used in calculating the revenue support grant is the full tax base of the authority. No allowance is made for assumptions of different rates of collection between authorities. Every authority is treated the same. Secondly, we do not take account of what might be termed very local charges which a local authority may visit on a small part of its area. The revenue support grant is based on the assumption that all local authorities will collect all their council tax. I shall write in more detail to the right hon. Gentleman on that issue if he so desires.

The right hon. Member for Devizes asked about an error in the report. Its origin lay in a mistake in the credit approval figure for Carmarthenshire county council. As a result, Carmarthenshire's SSA has been increased in the revised report by about £137,000. That has meant that the SSA of other authorities has had to be recalculated. The largest reduction was £15,000, and the majority of reductions were about £5,000.

On the outstanding loan debt, as the right hon. Member for Devizes will know, local authority capital expenditure is funded through a mixture of grants and credit approvals—their borrowing. The costs of serving outstanding debt are met through the revenue support grant settlement. In 1998–99, authorities in Wales will be able to invest about £500 million in capital projects funded by a mixture of grant and borrowing.

The debt figures on which the RSG calculations are based show an increase of about 10 per cent. over the equivalent figures last year. Most local authority debt is held with the Public Works Loan Board, although the overall proportion is falling.

The assumptions on repayment rates in the report are based on an average of three years' repayments made or budgeted to be made by local authorities—that is, their actual repayments.

Mr. Hayes: Can the Minister give me some assessment of the likely effects of any supplementary credit approvals on local authorities? As he will know, authorities can apply on the basis of particular schemes or projects for supplementary approval to borrow. Secondly, what are his estimates for Welsh local authorities in terms of capital receipts and the reinvestment of capital receipts in projects as a result of the disposal of assets?

Mr. Griffiths: In relation to capital receipts, it is planned that next year about £34 million, if my memory serves me correctly, will be made available for local authorities to obtain credit approvals. On the more general question, we always aim to ensure that such credit approvals are affordable and local government can make the repayments.

I know that the issue that the right hon. Member for Devizes is keen to have settled is the definition of a centroid. The word is explained in one way in paragraph 17 on page 14 of the report, but to put it in terms that both of us can understand, a centroid is each authority's centre of gravity in terms of population. Once determined, it is used to reflect the effect that the pattern of population has on the cost of delivering services. It is such a straightforward concept that I am surprised that the right hon. Gentleman did not understand it from the beginning.

As several hon. Members on both sides of the House have pointed out, we inherited a situation in which British local government had been subjected to under-investment for almost two decades. The position had become especially acute over the past five years, when the previous Government's revenue spending plans did not even keep pace with inflation, let alone make adequate provision for increased demographic and service pressures on local government.

In that context, it is especially galling to hear the hypocritical way in which Opposition Members such as the hon. Members for South Holland and The Deepings (Mr. Hayes) and for Ribble Valley (Mr. Evans) speak about the present settlement, which is so much better than the settlements made by the Conservative Government.

As my right hon. Friend the Secretary of State said at the start of the debate, we are determined to tackle and rectify that inheritance. The hon. Member for Brecon and Radnorshire (Mr. Livsey) spoke of hope for the future. Yes, with a Labour Government there is hope for the future. My hon. Friends the Members for Cardiff,

[Mr. Griffiths]

North (Ms Morgan), for Cardiff, West (Mr. Morgan), and for Gower (Mr. Caton) were right to express the view that things are beginning to move in the right direction, but that there is more to be done.

We accept the fact that there is more to be done. We cannot rectify in one year 18 years of neglect of local government in Wales, but we are determined to rectify some of the major problems. We see that as a task for this Parliament, and perhaps even beyond. There is no magic formula by which we can conjure up the money needed, and yes, we made a commitment to the electorate at large about our overall spending plans. It is true that it has taken us some time to work out what resources to make available for local government and public services in Wales.

None the less, let us look at the settlement before the House. We are certainly making more money available than was provided for in the Conservative spending plans. The 2.7 per cent. increase in the Welsh block has not simply meant a 2.7 per cent. increase in the money made available to local government. Local government has more than that.

We must bear in mind the mixture of the commitments that we have made about public expenditure and the need to support other public services in Wales, such as the health service. We cannot neglect the health service, either, and we have given it, too, an increase above the level of inflation.

There are difficult decisions to be made. In preparation for the decision that we have now made, we announced the global picture in December. The Welsh Local Government Association acknowledged that, although the settlement was hard, it was a fair one in all the circumstances.

That settlement represents a turning point in the attitude of central Government, including the Welsh Office, to local government—an attitude that we did not see from the previous government, which was all too often dismissive and confrontational.

Mr. Evans: If the settlement is so good, will the Minister tell the people of Wales why they will face an average 12 per cent. increase in their council tax, although many councils—I have mentioned Conwy and Powys—are cutting their social services? In Powys, cuts of more than £1 million are being made. If the Government have delivered such a good settlement, why do those cuts have to be made?

Mr. Griffiths: The answer is simple. The settlement is good but it is not perfect. When, after 18 years of Tory government, we find ourselves 500 m down a mine shaft, we cannot leap out in one local government announcement; we must begin to crawl back out, and that is what we are doing. We are not going down, because we have made a 4 per cent. increase in total standard spending and a 3.2 per cent. increase in support for the spending that we propose. Both those increases are above the projected levels of inflation, which the previous Government's last settlement did not even meet.

The minimum increase that any local authority will have if it goes to the top of its capping limit is 3.9 per cent., which is above the rate of inflation. All in all, total standard spending in Wales for the coming year represents £1,060 for every person in Wales. In England, that figure is £980. External aggregate finance represents £925 per head, which is £160 more than the English figure.

Total maximum local authority budgets under capping represent a figure of £950 in Wales, compared with £880 in England. Those substantial differences reflect the increased needs of the people of Wales. Unlike the previous Secretary of State for Wales, who had a deliberate policy of increasing the council tax without looking at the global picture—

Mr. Hayes: I accept some of what the Minister says, but surely he would acknowledge that the position on the SSAs is patchy. With social services, changes in the way in which the SSA is calculated have hit residential care and other personal social services. That point is not about the settlement alone, but about the Government's decision to change the calculation—

Mr. Griffiths: I let the hon. Gentleman intervene, but I did not expect him to make a speech.

We all accept, as does the Welsh Local Government Association, that the settlement is not perfect. We do not have bundles of money to throw around, but we have provided additional money. At the request of the Welsh Local Government Association, we have provided a further £6 million to help people through a difficult period.

Council tax levels in Wales are about 25 per cent. below those in England. We also have a council tax reduction scheme whereby most council tax payers in Wales will pay only about £1 a week extra. The House should remember all the difficulties that we faced and the commitment for an extra £50 million for schools—money that would not have been forthcoming if the country had been so unfortunate or foolish as to re-elect the Conservatives.

The hon. Member for Brecon and Radnorshire mentioned the problems in Powys, but there is a 4 per cent. increase for that authority. Gwynedd, Conwy, Denbigh and Swansea authorities have all received above-inflation increases. Merthyr has a difficult problem, but it will receive an above-inflation increase and the settlement allows it high per capita spending. We believe that the settlement as a whole is sufficient to enable all authorities to spend at above the level of inflation.

It being Seven o'clock, MR. DEPUTY SPEAKER *put the Question, pursuant to Order [6 February].*

Question agreed to.

Resolved,

That the Local Government Finance Report (Wales) 1998–99 (Revised) (HC 541), which was laid before this House on 9th February, be approved.

MR. DEPUTY SPEAKER *then put the remaining Questions required to be put at that hour.*

Resolved,

That the Limitation of Council Tax (Relevant Notional Amounts) Report (Wales) 1998–99 (Revised) (HC 542), which was laid before this House on 9th February, be approved.

Resolved,

That the Special Grant Report (No. 2) (Wales) 1998 (HC 504), which was laid before this House on 2nd February, be approved.—*[Mr. Ron Davies.]*

Orders of the Day

Greater London Authority (Referendum) Bill

Lords amendments considered.

Clause 1

REFERENDUM

Lords amendment: No. 1, in page 1, line 8, after ("prescribe,") insert

("but not less than eight weeks after publication of a Bill providing for the establishment of a Greater London Authority and the election of a mayor for Greater London,")

7.1 pm

The Minister for London and Construction (Mr. Nick Raynsford): I beg to move, That this House doth disagree with the Lords in the said amendment.

I am disappointed that the Bill has had to return to the House. Let me make one point crystal clear: the amendments carried in another place are wrecking amendments. The Conservatives and the Liberal Democrats have revealed their true colours. They are embarrassed to admit their open opposition to the Government's plans for a new Greater London authority comprising a directly elected mayor and a separately elected assembly, because they know that this measure is hugely popular with the people of London.

Instead, they have done their utmost to wreck the Bill and delay the referendum. Most disreputably, they have depended on the votes of hereditary peers—who have never had to face an election—to carry amendments that threaten to delay or disrupt the Government's plans to restore democratic citywide government to the people of London.

Mr. Peter Brooke (Cities of London and Westminster): Does the Minister acknowledge that any hereditary peer can stand, and be elected, in a local government election?

Mr. Raynsford: I entirely accept that any hereditary peer can stand and vote in local government elections. However, they cannot stand in an election for national Government, and have not done so. They owe their positions in the other place not to any electoral process, but to heredity.

Mr. John Wilkinson (Ruislip-Northwood): Does the Minister acknowledge that peers are allowed to stand for election to the European Parliament, as many have done? That must be stated.

Mr. Raynsford: The hon. Gentleman reinforces my point. The fact that hereditary peers sit in the other place is solely because of an accident of birth—in some cases, a rather disreputable accident of birth. They may be able to stand in other elections, but their place in Parliament—and their entitlement to pass amendments that wreck the Government's manifesto pledges—owes nothing to the process of election.

Mr. Ian Bruce (South Dorset): I am sure that the Minister does not want to mislead the House, so he will have looked at the voting lists from the upper House. The majority of people voting are not hereditary peers, but life peers, including many Labour Front Benchers who were put there by the Prime Minister. Is the hon. Gentleman authorised to attack those people so disgracefully?

Mr. Raynsford: I am glad that the hon. Gentleman raised that question, as I can now give him the precise voting figures in the two relevant Divisions. That will make my point, and he may regret making that intervention.

On 13 January, in the Division on the first amendment, 128 peers were content with the amendment, of whom 63 were life peers and 65 were hereditary peers. Of those not content—in other words, those who supported the Government—there were 122, of whom 101 were life peers and 21 were hereditary peers. Therefore, excluding the hereditary peers, the Government would have had a majority of 38, and the Bill would not have been amended.

The hon. Member for South Dorset (Mr. Bruce) makes the point for me, and, if he wants, I shall give him the voting figures from the second Division. On 29 January, when a second wrecking amendment was made on Report, 111 peers voted content, of whom 52 were life peers and 59 were hereditary peers. The not contents—those who supported the Government line—totalled 104, of whom 90 were life peers and only 14 were hereditary peers.

Again, if the vote had been decided by those people who were there as a result of something other than the right of heredity, there would have been no question of the outcome—the Government's position would have been supported. The Opposition triumphed only through the votes of the hereditary peers, and the Liberal Democrats in particular should be ashamed of relying on hereditary, unelected peers.

Sir Norman Fowler (Sutton Coldfield): Will the Minister tell us the full voting strength of the Labour peers in the House of Lords, and why they were unable to vote at full strength in supporting the Government?

Mr. Raynsford: I am delighted to answer the right hon. Gentleman's point; it will enable me to remind him of the strange antics that occurred in the other place after the first vote.

The Conservative Chief Whip looked embarrassed that the Opposition had won, and expressed concern that they had won a Division that they did not intend to win. The Conservative party had to camouflage that, and pretended, most extraordinarily, that the victory was entirely owing to the Government's failure to muster all their supporters. Has anyone ever heard a more fatuous story? The Conservative party won the vote that it did not intend to win and then blamed the other side. What ridiculous nonsense—it says much about the Opposition.

Sir Norman Fowler: The Minister skirts around the issue wonderfully, but will he now answer the question? Is it not the case that his side did not turn up? He should get on with the debate rather than make all these rather pathetic excuses for the fact that the Government lost.

Mr. Raynsford: As the right hon. Gentleman knows only too well, 101 life peers voted for the Government

[Mr. Raynsford]

and only 63 voted for the Opposition, which shows that the Government had a true majority among those people who were there other than through heredity. He says that I linger on this issue, but he should be talking to the hon. Member for South Dorset, who raised the issue—I was simply answering his question. The fact that the Opposition find it embarrassing to hear us answering their questions shows how confused they are.

Mr. Simon Hughes (Southwark, North and Bermondsey): I am amazed tonight, as I have been over the past few weeks, that the Government think that that is a strong point. If they were a radical Government, they would have done something about hereditary peers in their first Queen's Speech, and not have dilly-dallied for so long.

Moreover, some of us resent the idea that Prime Ministers send people to legislate as much as we resent the idea that people should legislate because of their birth. The Bill is about whether decisions should be made by elected representatives or by 10 Downing street. Liberal Democrats would rather the decisions were made in the House of Commons than in 10 Downing street. The life peers were put in the other place by 10 Downing street, not by the elected representatives of the people.

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before the Minister responds to that, let me say that it is now time that we returned to the amendment.

Mr. Raynsford: I will be happy, Mr. Lord, to return to the amendments, but I cannot fail to note the way in which the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) enjoys so much the result of the votes in the other place in which his party depended on the hereditary peers to carry amendments it supported—particularly when he himself told this House that he did not agree with one of those propositions. His own party in the other place took a different view—that is typical of the Liberal Democrats. They do not know what they are saying.

Mr. Simon Hughes: That is untrue.

Mr. Raynsford: I remind the hon. Gentleman what he said on 19 November:

"The Liberal Democrats take a different view from that of the Conservative party. We are not arguing that it is possible to produce the Bill before we have the referendum".—[*Official Report*, 19 November 1997; Vol. 301, c. 383.]

His counterpart in the other place had an entirely different point of view in the debate in the other House.

I have dealt with that sufficiently, and I shall continue with the matters that you, Mr. Lord, would like me to focus on. Inevitably, the first amendment passed in the other place would delay the referendum. It would simply not be possible to draft a Bill—a massive undertaking—for publication at least eight weeks in advance of the referendum, scheduled for 7 May. The hon. Member for Southwark, North and Bermondsey agreed with that two months ago. He has probably forgotten that, such is the strange way in which the Liberal Democrats operate.

We are committed to setting out the Government's proposals in clear terms. We will do that in the White Paper, as we have always said. We will make this available to the people of London, but we could not prepare a full Bill covering every aspect in advance of 7 May. Delaying the referendum would add £2 million to £3 million to the cost, as we would no longer be able to make savings by combining the referendum with the local elections on 7 May. That would be a needless waste of public money. If Opposition Members vote in support of the amendment, they must recognise that they are revealing that they are spendthrift with public money, and are prepared to contemplate wasting £2 million to £3 million.

Sir Paul Beresford (Mole Valley): The other side of the coin is that the Government are proposing to create a Greater London authority and a mayor; a system that they will wish to last for some considerable time—decades, perhaps 100 years. Surely a little more time to produce a draft Bill so that the people of London know what they are voting for is far more rational and a better use of public money than the Government's rushed proposals.

Mr. Raynsford: The hon. Gentleman obviously does not know the timetable and the consultation that the Government have been through. We published our proposals in our manifesto less than a year ago. We then published a Green Paper in July which was circulated widely, and we published a summary version to ensure the widest possible availability of information about our proposals. I have spoken at a huge number of meetings involving organisations all around London. We have canvassed the views of Londoners and listened carefully to their responses. We are now framing proposals which will be made available to the people of London in a White Paper. That White Paper—

Sir Paul Beresford: Will the Minister give way?

Mr. Raynsford: No: I am answering the hon. Gentleman's question. If he bears with me, he will hear the answer.

The White Paper will set out in clear language the Government's proposals—all the details. A summary version will be made available and circulated to every household in London. By that means, we will provide in clear English an explanation of the Government's proposals to help the people of London to reach an informed judgment. If the hon. Gentleman really believes that presenting a Bill—written, of necessity, in legal language—will help the process, I have to tell him that he is living on another planet.

Sir Paul Beresford: Under the previous Government, the Labour party was delighted when, on occasion, draft Bills were published. The thinking behind that was to provide not the broad outline, but the details. Having lived under the GLC—whatever its political complexion—as a member of a borough council, I can say that it was important to be able to examine the details. The details will be the key to the relationship between the GLA, the mayor and the boroughs.

7.15 pm

Mr. Raynsford: I have given a clear undertaking to the hon. Gentleman and to the House on many occasions that we will publish the full details in a White Paper written in clear English.

Let me remind the hon. Gentleman of the kind of language which is, of necessity, used in legislation of this type. I quote from the London Government Act 1963, which brought into being the GLC and the structure of the London boroughs. Clause 4 states:

"Subject to any provision to the contrary effect made by, or by any instrument made under, this Act or any other Act passed during the same session as this Act (and in particular any provision conferring functions on the Greater London Council), and without prejudice to any express provision so made, the provisions of this section (being provisions designed to confer on the councils of London boroughs as respects their boroughs and on the Common Council as respects the City the functions exercisable by the councils of county boroughs as respects their boroughs or by the existing London county council as respects the metropolitan boroughs or, as the case may be, the City) shall have effect as from 1st April 1965 as respects any enactment (hereafter in this section referred to as an 'existing enactment') contained in any public general Act passed before this Act or in any other such Act passed during the same session as this Act."

That was simply one clause. I honestly challenge the hon. Gentleman to tell me how publication of such material is likely to improve the debate about points of principle which will be clearly set out in the White Paper.

Sir Paul Beresford: I recognise the complexity, and I did so when I was a borough councillor—although, in my profession, I can count to 32 and not much further, because I run out of teeth to count on. The local authorities are deadly concerned about this, and will be employing lawyers to look at and translate the measure to give them the ifs, ands and buts. They will have an influence on the voting public. Their opinion will be listened to, so the Bill would be of use to them.

Mr. Raynsford: The hon. Gentleman, as always, is wrong. He entirely fails to understand that the Government have consulted in detail about this issue. We have prepared a consultation paper, and we have consulted widely among the people of London. We are committed to publishing a White Paper and to circulating to every household in London a summary version outlining all the details in the Government's proposals. It is truly ludicrous of the hon. Gentleman to cast any doubt on the Government's commitment to consult and to provide information to the people of London. We have made it clear that we are committed to informing people—that is part of our programme.

A requirement to publish a Bill before the referendum would mean unnecessary complications, and would delay the referendum. It would add to the costs of the referendum, and would do little to assist Londoners in assessing the substance of our proposals. In pressing the amendment, the Opposition are seeking to deny the people of London the opportunity to vote on their future.

Perhaps the most surprising thing about the amendment is that it is not even consistent with the other amendment carried in the other place. The other amendment proposes to establish a two-question referendum, and would transform the referendum from being a test of assent to a given proposition into a very different consultative exercise on different options. If a Bill had to be published setting out the separate options—as implied by the second amendment—that would add to the complexity of the Bill and the time required to draft it.

The amendments pull in completely opposite directions. One supposedly seeks greater certainty about what is on offer; the other deliberately introduces uncertainty by seeking to test opinion on different options. Together, they are designed to destroy a clearly set out commitment by the Government in our manifesto to implement proposals for a directly elected authority for London, which should comprise two separately elected elements—a mayor and an assembly—and to test that proposition with the people of London.

Mr. Andrew Lansley (South Cambridgeshire): The Minister will recall Labour's manifesto better than I do, but I do not recall that it specified a particular manner of consultation or form in which the electorate of London were to be consulted about the proposals.

Mr. Raynsford: The hon. Gentleman questions our commitment to testing the opinion of Londoners. We have said clearly that we will test the opinion of Londoners, and we will do so in the most sensible and cost-effective way, at a time when the people of London are already going to the polls. In that way, there will be no need to organise a separate referendum on another occasion at the extra cost of £2 million to £3 million. The hon. Gentleman obviously cannot recognise the need for economy and the common sense of holding a referendum on the same date as the borough council elections.

Mr. Ian Bruce: Will the hon. Gentleman give way?

Mr. Raynsford: No. I have given way already to the hon. Gentleman, and I am about to conclude. The amendments seek to undermine and destroy a clear Government manifesto commitment. They are wrecking amendments, and I have no hesitation in urging the House to reverse them.

Sir Norman Fowler: The Minister has spoken for some time on the amendment. I do not object to that, because it is an important subject. He made much of the position of the House of Lords, the unelected hereditary peers and their impertinence in intervening in the debate. I notice that Labour Members were not quite so free with their condemnation when the House of Lords defeated Mr. Murdoch on the issue of his press empire and competition. According to others in the press, some Labour Members may take advantage of that amendment at a later stage.

Mr. Clive Efford (Eltham): Name them.

Sir Norman Fowler: I would be delighted to name them, but the Labour Whip is probably better placed to do so.

The Minister must accept that a second chamber will, from time to time, say no, and will allow the Government the opportunity to think again. That is not a constitutional challenge, but the entirely legitimate role of a second chamber. The trouble with the Government is that they are not prepared to consider any arguments used against them, even when they are clearly in the wrong. That was clear from the passage of the Bill through the House, let alone its progress in the other place.

Mr. Ian Bruce: My right hon. Friend has been a Member of the House longer than I have, and experienced the 18 years of the previous Conservative Government.

[Mr. Ian Bruce]

Does he remember any condemnation from the Labour party of the House of Lords defeating or amending any clause when we were in government?

Sir Norman Fowler: My hon. Friend makes a good point. When Labour was in opposition, it took every opportunity afforded by any dissent in the House of Lords.

In the case of the amendment, there is no reason why anyone should talk of constitutional threats. The Government lost by 118 votes to 122 votes at 3.45 in the afternoon. They could have won, but they failed to get their vote out. They did not get the support of their side. For example, where was Lord Hattersley, who had only recently been made a working peer? I could hazard a guess.

I am told by those who know in the other place that 52 Labour peers failed to vote, including three Ministers. If that is so, the Minister should ask the forgiveness of the House. The real problem, which the Minister touched on, was that the Government expected the Liberal Democrats to support them. *[Interruption.]* Well, expectations are free, but—to give the Minister his due—there was some substance in that expectation.

When the issue at the heart of the amendment—the need to publish the Bill before the referendum—was debated in Committee in the House, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said that he was opposed to it. He said:

"The Liberal Democrats take a different view from that of the Conservative party. We are not arguing that it is possible to produce the Bill before we have the referendum".—[*Official Report*, 19 November 1997; Vol. 301, c. 383.]

However, when the issue was discussed by the Lords, the Liberal Democrat spokesman, Baroness Hamwee, said that, ideally, the referendum would take place after a Bill had passed through both Houses of Parliament. She said that she did not intend to argue for that to happen, but she proposed an amendment that would have meant that the Bill would have at least been published before the referendum. It was in that state of total indecision that the Liberal Democrats bravely decided to abstain. The result was that the Government lost the vote. That is the true history of the proceedings.

The significance of the Government's defeat goes wider. Although it has not been announced, representatives of the Liberal Democrats and Ministers of the Department of Environment, Transport and the Regions form a small committee on local government. The plot gets thicker.

Thus, on Thursday 15 January, the second meeting of that committee took place. I understand that it was attended, from the Liberal Democrats, by the hon. Member for Southwark, North and Bermondsey and by the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), who had chosen that dark room in which to lie down and take the tablets—as he was once famously directed to do by my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke).

On the other side of the table was the Minister for London and Construction, supported by three civil servants. Unsurprisingly, the Minister was miffed. He pointed out that, in the Commons, the Liberal Democrats had not supported an amendment seeking the publication of a Bill before the referendum, but that in the Lords they had abstained on the issue, leading to the Government's defeat. The defence offered to that charge by the hon. Member for Southwark, North and Bermondsey was that the Liberal Democrats had not expected the amendment to be passed, and that was why they had abstained. They got it wrong.

Far from the success of the amendment being a constitutional issue of real importance, it was nothing of the sort. It was a Government cock-up. They were let down by their Liberal Democrat allies, and nothing could be less surprising. The Liberal Democrats are in danger of giving indecision a bad name.

Even more curious is their role in opposition. Periodically, they burst from cover proclaiming that they are the real Opposition, normally on the basis of the number of written questions that they have tabled. Most hon. Members would not regard that as the acid test. We now find that the Liberal Democrats are in cosy discussions with the Government all the time. In his relationship with the Government, the hon. Member for Southwark, North and Bermondsey, far from being the Lloyd George of the first world war, is more like the Marshal Pétain of the second world war.

Lady Hamwee had more sense than the hon. Member for Southwark, North and Bermondsey. That may not be difficult, but it is worthy of some attention, because she was right when she said that, ideally, a referendum should take place after a Bill covering the substantive proposals had been thoroughly scrutinised by both Houses of Parliament. I am sure that the Minister himself will confirm that that is precisely the case that we have made throughout.

The Government have chosen to hold a referendum. That is their choice. It follows that the referendum should be held only when the electorate are in the best position to judge. It should be held when the people know exactly what they will get. Therefore, it should be held after the legislation has been debated and decided on by Parliament. If we are to have referendums, that is how the Conservatives believe they should be approached.

The Government cannot even claim that the referendum is a permanent part of their approach to local government. They have decided on a referendum for London, but they have not done so for the so-called executive mayors of whom the Government have made so much in the past few days. There will be no referendum for executive mayors if they are proposed in Birmingham, Leeds, Liverpool or any other town or borough, because the legislation does not allow for it.

Where do the provisions that the Government have been making so much of, such as executive mayors and cabinets, come from? Ironically, they do not come from the Government. It is not Government legislation, but a private Member's Bill, introduced by one of his Lordships in the House of Lords. That is the Bill that the Government are relying on, and they trumpet that it is going to be a revolutionary change to local government. They say that provisions for a referendum would unacceptably increase the size of the Bill.

Mr. Raynsford *rose—*

Sir Norman Fowler: I have with me the Deputy Prime Minister's response to that, and that, as I understand it, is the Government's case.

7.30 pm

Mr. Raynsford: The hon. Gentleman was rather churlish about the Bill being proposed in the other place by Lord Hunt. Does he accept that it was reasonable for a Government interested in encouraging democratic innovation in local government to build on the recommendations of the all-party group chaired by Lord Hunt, which received the support of all parties in the upper House, and to accept the Bill that he drafted based on the recommendations as a sensible basis for continuing? Is that not a good and sensible way for any Government interested in reform to proceed?

Sir Norman Fowler: No, I would not accept that. Something as profound—that is not my view but that of the Minister—as the proposals to reform local government should be in a Government Bill. The Government should take it through. It should go through Committee and have proper scrutiny.

Perhaps the Minister for Transport in London will tell us what that proper scrutiny will be. With a private Member's Bill coming from the Lords, it is anything but clear what scrutiny there will be. We are dealing with profound changes. There will be executive mayors in boroughs, cabinets and inner cabinets. There is no provision for a referendum. I want the hon. Lady to give some idea what scrutiny the House of Commons will be able to give that legislation. We are not prepared to nod it through on a Friday afternoon, if that is what the Minister for London and Construction thinks.

Ideally, a referendum should follow the passing of legislation. It is only then that Parliament will have decided on the position. A White Paper is no more than a statement of intent. Much of the devil will be in the Bill's detail. I stress that the amendment that the Lords passed did not ask for the legislation to be passed before a referendum took place. All it asked for was for the Bill to be published. It is a very modest proposition, but one that would have value for the public.

The Government have promised a White Paper, but we do not know how much detail it will include. The Green Paper is little more than a series of generalisations, together with no fewer than 62 questions to the public. We do not know whether all those questions will be answered in the White Paper.

Will we have enough information on the proposed electoral system? What will be the position on constituencies? What will be the exact functions of the new assembly and mayor? Will the police authority for the Metropolitan police have a majority of elected members from the new Greater London Authority? What will be the exact pay of the mayor and assembly members? Should assembly members be paid at all?

Those issues will doubtless be dealt with generally, and in some cases particularly, in the White Paper but anyone with experience of dealing with legislation in this House knows that there is a vast difference between a White Paper and a published Bill in which one can see all the details.

Mr. Raynsford: I want to help the hon. Gentleman. Rather than having him continue to ask such questions at considerable length, I remind him of our earlier debates, in which I gave clear undertakings that we will publish a full White Paper setting out in detail the Government's conclusions on the issues that he raised.

Mr. Gerald Howarth (Aldershot): On a point of order, Mr. Deputy Speaker. Is it not a great discourtesy to the House for the Minister to keep referring to my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) as "the hon. Member"? The Minister has been here long enough. Surely he could learn the distinction between honourable and right honourable.

Mr. Deputy Speaker: It is normal to obey the courtesies. I am sure that it was only an oversight on the Minister's part.

Mr. Raynsford: I regret that, in the course of my intervention, I failed to observe the normal courtesy. It was in no way disrespectful to the right hon. Member for Sutton Coldfield (Sir N. Fowler), but a result of my wish to concentrate on the key point that I was making.

The Government have already given clear undertakings that the White Paper will set out in detail and in plain English all the key issues about structures, powers, the method of election and the operation of the Greater London authority that the people of London will need to know about to reach a judgment. Is that not a sensible way to proceed?

Sir Norman Fowler: No. It is better than the Green Paper, but the devil is in the detail. One must see the Bill. Everyone understands that. [HON. MEMBERS: "Ah."] It is a pity. I know that it is terribly unfashionable for Ministers to want to be held to account, but that is the only way that we can hold people to account. It is the only way for proper scrutiny to take place so that the public can make a judgment.

Mr. Raynsford *rose—*

Sir Norman Fowler: I will give way again, but, as he realises, the Minister is extending the debate.

Mr. Raynsford: I am grateful to the right hon. Gentleman for giving way for the third time, which will be the last time that I seek to intervene. If he believes that the path he outlines is the essential way forward, why did his Government, when it abolished the Greater London council, not publish any Bill in advance of abolition or allow any opportunity for the people of London to express their view through a referendum?

Sir Norman Fowler: We have had this debate, and answered that point, before. We told the Minister about our manifesto commitment, the White Paper and the paving Bill. We also told him how it was evident to everyone apart from him and the Minister for Transport in London that, not only was there public resentment about the fact that the GLC was not working, but that the other metropolitan authorities were also not working.

The Minister must remember that the other authorities, such as mine in the west midlands, were abolished at the same time. As a constituency Member, I had precisely

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two letters of complaint about the abolition of the West Midlands county council, both from people who worked for it

Sir Paul Beresford: Does my right hon. Friend remember the appreciation of the Labour party in opposition when the previous Government managed to publish draft bills? Labour now denies that it was able to clarify problems because of that.

Sir Norman Fowler: The point is made. The Minister understands it, although he cannot give any answers on it.

Mr. Ian Bruce: I am trying desperately to find where the Bill says that the Minister will produce a White Paper. He has given assurances, but if they mean anything, they should be in this Bill. A draft Bill on the authority would be even better.

Sir Norman Fowler: Absolutely, but I accept the Minister's assurances that he will provide a White Paper.

We will doubtless be given generalised answers to some of our questions in the White Paper, but anyone with any interest in the matter wants to see the detail, the exact provisions, of what the Government propose. At present, the House and the public do not know what the provisions will be. Even would-be contenders for the job of mayor, such as the hon. Member for Hampstead and Highgate (Ms Jackson), do not know.

I do not want to be critical of the hon. Lady. We are very anxious that she should be Labour's candidate for mayor. We will give her all the help we can in that respect. If she can take with her the hon. Member for Brent, East (Mr. Livingstone), we would have the dream ticket. The point I put is that the White Paper will not provide the answers.

Mr. Andrew Lansley (South Cambridgeshire): Does my right hon. Friend agree that it is especially important to see the text of a Bill that has constitutional implications? Constitution-making is a legal process. To see intentions in the White Paper is one thing, but to see the structure within which conflicts are to be resolved in legal terms is doubly important in constitution-making.

Sir Norman Fowler: Absolutely. My hon. Friend, with his experience, is correct.

The amendment was a thoroughly sensible change for the House of Lords to make. If the Government had wanted to defeat it, they should have mobilised their voting strength. It cuts no ice now to complain about constitutional challenges. That is absurd, and it is recognised as absurd. The second chamber should not simply rubber-stamp without alteration every piece of legislation that comes from this House.

There is a case of real substance in the amendment. If there is to be a referendum, the public are entitled to the maximum amount of detailed information on which to make up their minds. So far, all that we have been offered is a Green Paper that asks 61 questions. We have now been given the promise of a White Paper that will give some generalised replies; but the acid test must be the published Bill itself.

The Government have decreed that the referendum will take place before the legislation comes to the House. We disagree with that as a matter of principle, but the very least that the Government can do is to publish the Bill in good time for the referendum, so that the public know what the position is and can decide.

Mr. Wilkinson: We have heard a wide-ranging speech from my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), who has demolished the Government's case. I believe that Labour peers stayed away deliberately. I can understand Lord Hattersley not getting to the Division Lobby by 3.45 of an afternoon, but the other 51 ought to have been there. Of course, it suited the Government very well that they should not be, and it suited their Liberal collaborators as well, inasmuch as those parties wish to discredit the other place and find some rationale for their programme to abolish hereditary peerages.

The peers have done their job well. I shall seek to explain why. First, unlike the Minister for London and Construction, I believe that the additional cost of holding the referendum at a more appropriate time, after publication of the Bill, would be money extremely well spent because the electors of London would have time to judge the legislative proposals. If the recommendation of my right hon. Friend the Member for Sutton Coldfield were heeded, the Bill would have been passed by Parliament before the referendum, and the voters would know exactly what they would have to pay for. They would not be required to endorse a blank cheque, as they are under the Government's proposals. We are all well aware that a White Paper is binding on no one. The chances are that, when the Bill emerges from both Houses of Parliament, it will be very different in content and prescription from what the White Paper originally suggested.

The Government claim that they will save the people of London £2 million in May, but the people of London could be saved hundreds of millions of pounds if they were allowed to make a proper, informed judgment on the legislative proposals enacted by Parliament.

7.45 pm

Mr. Ian Bruce: On a point of order, Mr. Deputy Speaker. I apologise to my hon. Friend for interrupting his speech. I have just been to the Vote Office to get a copy of the consultation document on local democracy and community leadership in England, which I understand was published a few days ago. Copies were probably sent to our colleagues in London. Unfortunately, there are no copies of the document in the Vote Office now. The Vote Office has asked the Department responsible to rush copies over, but they have not arrived. Is it in order for the House to debate a matter to which a document is highly relevant when the document is not available and the Department has failed to produce it?

Mr. Deputy Speaker: I think that the debate can continue without the document to which the hon. Gentleman refers.

Sir Norman Fowler: Further to that point of order, Mr. Deputy Speaker. We accept your ruling, but can it be stated explicitly so that Ministers understand that the

document has not been made available to hon. Members. I had to get in touch with the Deputy Prime Minister's office to get a copy. That is no way to treat the House of Commons. *[Interruption.]* If Ministers wish to display the arrogance that the Minister for Transport in London is displaying now, that is fine, but documents relevant to a debate on local government should be available.

Mr. Deputy Speaker: As I understand it, the document does not relate directly to the matter before the House.

Mr. Wilkinson: The Government's proposals to ignore the Lords amendment put the people of London in double jeopardy. The campaign over the referendum will draw people's attention away from the key issue in London—how boroughs are governed. In the *Evening Standard* tonight there is an article about a social services inspectorate report. The headline is "New storm over abuse of children in care". It relates to Hillingdon borough council, a Labour-controlled council. It is clearly in dereliction of its duty to the children in care in that borough. The referendum campaign will be conducted during the borough election campaign. The electors of my borough will wish to focus on such local issues without distractions. The same will be the case in Hackney, where similar problems pertain, and in other boroughs where Labour has been in control.

The people of London will not have any time between 23 March, when the White Paper is to be published, and 7 May. As the Minister is well aware, that is the May holiday period. Many people will be away. It is just not right that proposals of such significance for London's future and potentially so costly to people should be so cursorily examined. If Parliament could go into the real details, as my right hon. Friend suggests, through the legislative procedures of both Houses, we could find out what the people of London would have to pay for. The White Paper may, for example, say in general terms how the Government hope that the Greater London authority will be financed, but the sums to be raised and the financial prescriptions will have to be laid out in the financial schedules of the legislation.

The Minister for Transport in London has an intense personal interest in these matters. One would have thought that the hon. Lady, who is such a keen potential candidate for mayor, would seek to have those matters brought before Londoners—but no. As with so many of the Government's proposals, the proposals are long on generality and short on detail, long on rhetoric and very short on practicalities. The people of London deserve better.

The voting system is of intense importance. My constituents live in Hillingdon, an outer London borough with particular problems associated with the green belt and London airport, and it is essential that there should be an electoral system that represents their local interests. Should the assembly be formed, there should be a borough representative on it. That may not be what transpires. I am sure that my constituents would vote for an assembly only if they knew and could be guaranteed that a form of representation would exist which secured their local interests in that authority.

All we know from the leaks from Peter Kellner in the *Evening Standard* and so on is that it is likely that there will be 14 elected members for all of London, and another 11 on a list. We can be no more certain of that, even if it is confirmed in the White Paper, unless it is also confirmed in a Bill passed by Parliament.

Mr. Ian Bruce: I am sure that the Minister for London and Construction would have kept the commitment to the House if the Government had simply published one copy of the White Paper, even if they then did not bother to send it to anyone else. Tonight's behaviour is typical of the Government. They have said that they have produced a Green Paper, but it is not available to all hon. Members, and is probably not even available to Labour Members, who have not sought to intervene in the debate. Surely we should get a commitment from the Government to make sure that the information is available.

Mr. Wilkinson: My hon. Friend is technically right.

Mr. Raynsford: It is only right that the House should be reminded that I gave a clear undertaking earlier in the debate—and I am sorry if the hon. Member for South Dorset, (Mr. Bruce) did not hear—that we would not just be publishing a White Paper, but circulating a summary version of it to every household in London.

Mr. Wilkinson: I am glad of that important clarification, although it does not resolve the issue at the heart of the debate. I welcome the Minister's confirmation of his previous announcement, however.

Mr. Lansley: My hon. Friend has referred to the electoral arrangements. I wonder whether he has noticed that the White Paper will almost certainly be published before the point at which, under the Bill, the Local Government Commission provides advice on those arrangements, whereas, necessarily, the Bill, when published, will have to implement that advice from the Local Government Commission. There is a difference of substance between the White Paper and the Bill on the question of the electoral arrangements.

Mr. Wilkinson: I am grateful to my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) for raising that extremely important point. It may seem a detail to the Minister, who is chatting away to the prospective mayoral candidate from Hampstead and Highgate, but my hon. Friend has raised a matter of crucial importance. It demonstrates the way in which democracy is being defrauded in London.

The Minister said that the Government's proposal to overturn their lordships amendment was good for democracy and for common sense. My hon. Friend the Member for South Cambridgeshire has demolished the democracy argument, and I cannot see how it makes sense to press ahead with a referendum to confirm the proposals for a Greater London authority without the genuine endorsement of the electorate of London for those proposals.

Surely the Government want their proposals to endure and do not want them to be subsequently changed by successor Governments. Surely the Minister does not want a Greater London council abolition mark II to be inflicted on the Greater London authority. I imagine not. He would be much more likely to get the proposals right if the people of London were able to make a fully informed judgment of their validity.

[Mr. Wilkinson]

My hon. Friend the Member for South Cambridgeshire has mentioned the electoral system, which is germane to the argument. All we know about it—and again our source is Mr. Kellner, who has a good entrée into Labour circles—is that there will be different systems for the mayoralty and for the assembly. We need this to be confirmed in legislation because, if the people of London are only to be offered one question, they will need to understand whether the assembly will have authority based upon an electoral system with which they agree for the election of both political personalities. They do not just want to be offered some conjectural or hypothetical proposition in a White Paper, which is subject to subsequent change. They want to know about the electoral system that the Government intend to propose. It is a matter of intense significance to the people of London, as is the question of the constituencies.

Without being too parochial, it is important to know in legislation the actual pattern of the constituencies. Will Hillingdon be one constituency with Harrow, Ealing or Hounslow, all of which are different, distinct communities, with different interests? The answer is of immense importance. It is no good for a White Paper just to say that there will be large constituencies combining five parliamentary constituencies or something of that kind, and for the boundary commissioners to be given the job of creating those constituencies. The people of London need to know much more precisely what geographical area their assemblymen will represent. Those are matters of intense interest.

The Government may say that the timing is inappropriate, but that is manifest nonsense, as are all their other arguments. The Government could still introduce the necessary Bill in the Queen's Speech for the next Session and allow it to be published, as the amendment suggests, eight weeks before a referendum. It could be perfectly possible to publish the White Paper on 23 March, giving the spring and the summer for a full consultation process and a debate on the White Paper in the House, followed by the publication of the Bill. It would be perfectly possible to do that in good time for a referendum in the autumn or thereabouts.

I do not accept any of the arguments that the Government have put to us and to the people of London. The people of London are being defrauded of their democratic entitlement to know exactly what are the legislative proposals that they will be called on to endorse in a referendum. It is all very well for the Government to use this issue as another means of mocking the democratic validity and judgment of the other place. In this particular case, their lordships House has done the people of London a signal service and it is thoroughly improper for the Government to pretend otherwise.

Mr. John Horam (Orpington): The Minister for London and Construction was remarkably partisan when he attempted to persuade the House to reject the amendment from another place. That was a pity, especially as it contrasted strikingly with the even-handed approach of my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler). The Minister was partisan and somewhat petulant in his rejection of, and his constant interventions on, the reasonable and strongly democratic arguments made from the Conservative Benches.

We are debating something that is fundamental to London, to democracy and to the constitution. I should have thought that, given the history of London democracy and control, the Minister, of all people, with his concerns, would have wanted to foster at least some areas of consensus. There are areas of consensus—for example, regarding the mayor. Nevertheless, in my view, the hon. Gentleman went out of his way to present his objections to the Lords amendment in a particularly partisan and petulant way. I regret that. He would have had the House more on his side if he had been much more even-handed and fair in his approach to our arguments.

8 pm

Mr. Ian Bruce: Has my hon. Friend noticed that Conservative Members keep being called to speak and that you, Mr. Deputy Speaker, are having difficulty in finding any Labour Member to support the Government's arguments? Is it not strange to see a Government Whip, the hon. Member for Nottingham, North (Mr. Allen), sitting among those silent Labour Members, ensuring that they do not intervene? Perhaps that tells us what Back Benchers really think of democracy and what their Ministers are trying to get up to.

Mr. Horam: Perhaps the Government Whip is having difficulty in persuading his hon. Friends to speak in the debate.

Mr. Tony McNulty (Harrow, East): It is too early.

Mr. Horam: Perhaps they have very little to say. Perhaps they should say something. Perhaps the hon. Gentleman can persuade them—

Mr. Stephen Pound (Ealing, North): Thinking of rejoining us, are you?

Mr. Horam: Oh, no.

The Minister's argument was twofold. First, he said that the Lords amendment was a "wrecking" amendment. Secondly, he said that we should be "ashamed" of supporting the Lords amendment. That is complete nonsense. [*Interruption.*]

Mr. Deputy Speaker: Order. Far too many remarks are being bandied about the Chamber from both sides. I plead with Members now to listen in silence to the hon. Gentleman who is on his feet.

Mr. Horam: Both the charges that have been levelled against us are bogus. The Minister has been in the House long enough to know that "wrecking amendment" is a specific term, normally used of an amendment that is intended to get a Bill abandoned or sidetracked. It is not a question of inserting into a Bill a provision about the timetabling another Bill. Lords amendment No. 1 is in no sense a wrecking amendment. It would not even wreck the timetable of the Government's proposals or the critical path along which they must pass.

As the Minister knows, we could hold a referendum later in the year. It need not be held on 7 May; it could be held in June, July or August.

Mr. Raynsford: It costs money.

Mr. Horam: From a sedentary position, the Minister says that it costs money. But let us establish that the

amendment is in no sense a wrecking amendment, and that the Minister's remarks were extravagant and went over the top. It is not meant in any sense to be a wrecking amendment. We do not mean to wreck the Bill; we merely mean, in a more democratic and more sensible way, to give the people of London the opportunity to express their views about a very important matter which could determine the government of London for years, indeed decades, to come.

Sir Sydney Chapman (Chipping Barnet): If the Minister is going to use the argument that it would save money to hold a referendum on the day of the London borough elections on 7 May, may I point out that he could equally save money by not holding a referendum? The Government have chosen to hold a referendum, and it is better to get the details into the public domain, so that the people of London can make an informed choice in the referendum.

Mr. Horam: My hon. Friend is quite right.

The second argument that the Minister used was that the amendment would cost money. It is amazing for the Labour party to level at the Conservatives the charge that we are spendthrift—that was the word used. It is suggested that we are needlessly wasting Government money. In fact, about £2 million to £3 million is involved.

Why are the Government holding the referendum on 7 May? They are doing so because they wish to conceal the spending record of Labour councils in London. *[Laughter.]* Absolutely. In the current financial year, the average Labour council is spending at a rate 61 per cent. higher than the average Conservative council. I am citing figures for the whole country. The position in London, where we have these vastly expensive, practically bankrupt councils, must be even worse.

By accusing others of wanting to spend an extra £2 million to £3 million, the Government are trying to conceal the fact that Labour councils are recklessly spending millions and millions of pounds of council tax payer's and taxpayer's money. This is a subject for debate. My hon. Friend who spoke last, my hon. Friend the Member for—

Mr. Gerald Howarth: Ruislip-Northwood.

Mr. Horam: My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) made the point that the people of London, in their boroughs, need to focus on the real issues; and the real issues are the comparative spending levels of Conservative councils and Labour councils.

I am sorry to say that the Liberals are in the same boat. The average Liberal council costs 44 per cent. more than a Conservative council. That shows the extent to which the Liberals are tarred with the same brush. That is the real issue that Londoners should be allowed to debate and focus on, not the ridiculous amount of £2 million to £3 million to hold a referendum on a separate date, when we could focus on the real issues.

However, as my hon. Friend the Member for Mole Valley (Sir P. Beresford) said in one or two interventions, the real issue is that the Government are showing their lack of trust in parliamentarians and the people of London. There is a difference between a White Paper and a Bill. Hon. Members of long standing have seen the difference between a White Paper and a Bill. I do not make a partisan point here. [HON. MEMBERS: "We do."] As a parliamentarian, I have often regretted the difference between a White Paper that has been brought to the House and a subsequent Bill. It is a fact of life, and we can no more trust the Government then we could any previous Government, Labour or Conservative, not to amend the detail of a Bill following a perfectly faithful representation in the House of what is in the White Paper.

The Minister tries to have it both ways by saying that the White Paper will have all the detail, but if it has all the details, he can publish the Bill. If it has all the details, there is no problem in publishing a Bill in due course. So he is really—

Mr. Ian Bruce: Mr. Deputy Speaker, I hope that you will allow me to make this point. On Friday 30 January, the hon. Member for Ceredigion (Mr. Dafis) had published a great deal of information about the Road Traffic Reduction (United Kingdom Targets) Bill that he was introducing to the House. The Bill was not published until almost the day before it was debated, and we noticed that all the road traffic targets had been taken out.

Mr. Deputy Speaker: Order. I think we should deal with the Bill before the House.

Mr. Horam: I entirely agree, Mr. Deputy Speaker.

The problem is that the Government are ignoring the very sensible and experienced views of Parliament in this respect. All Governments have changed Bills, sometimes as a consequence of genuine representations, and in some cases because they have got it wrong in a White Paper and wish to make amendments when the Bill is published. Quite apart from that, many details come up in the course of drafting legislation suitable for the House of Commons, which necessitate changes in the detail of the Bill. My right hon. Friend the Member for Sutton Coldfield is right about that. Prudence is wise in that respect. It is a pity, from the viewpoint, once again, of parliamentary rectitude and common sense, that we are taking this path.

If I may say so, as a London Member, who represents a constituency on the very edge of London, in Bromley, I have a particular concern—*[Laughter.]* I do not know what the hon. Member for Eltham (Mr. Efford) is laughing about. [HON. MEMBERS: "But we do."] I am not surprised about that.

I wish that Orpington was not a part of London. Many of my constituents wish that we were still part of Kent. Perhaps there should be a third question in the referendum, in addition to the two that we are advocating, so that some of us could request to secede from London as we have it now. That would be very popular among my constituents.

In Orpington, being part of the borough of Bromley, which is obviously at the edge of London, we have specific anxieties about this approach, which we would wish to have aired. Many details that appear to be unsettled as yet—issues that worry councillors and other constituents in my area—would be resolved by the full publication of a Bill.

Take transport. The mayor will apparently be able to take action to implement Londonwide strategies, including transport policy. The role of the assembly will be to scrutinise the activities of other publicly funded

[Mr. Horam]

London organisations, presumably including transport organisations. We should not forget the London development agency. That curious body is the third leg of that strange stool.

Mr. Lansley: Does my hon. Friend agree that there is a particular difficulty in that the White Paper will be published in the week beginning 23 March but the Government's White Paper on integrated transport policy is not expected until late May or early June? The London Chamber of Commerce told us today that transport is the most important issue for business, yet the transport White Paper will be followed by the Bill and then the referendum.

Mr. Horam: The fact is that policy is evolving in many areas, including transport and health. A recent White Paper on health in London set out new proposals for allocating health expenditure in the capital. Those proposals must be stitched in with the Government's other proposals for London government. We must think more carefully about transport and health issues.

It is not simply that we have been promised an integrated transport policy in the near future, or that the London development agency, the mayor and the assembly have an interest in these matters, but the Government also have an interest.

Take, for example, the recent events concerning the channel tunnel rail link. I do not criticise the Government for what has happened; they followed their policy and they are now allowing various parties to come forward within 30 days to offer alternative proposals that may allow the project to succeed. I hope that it will succeed. Railtrack has produced an alternative proposal, which was canvassed widely in the press recently, whereby the project will be changed so that the link ends at the boundaries of London and proceeds on the old track. I am wholly hostile to that proposal, which misses the point of the original idea of a separate channel tunnel rail link.

Mr. Deputy Speaker: Order. The hon. Gentleman must return to the amendment in hand.

Mr. Horam: I shall certainly apprehend your reasonable comments most carefully, Mr. Deputy Speaker. I shall not pursue that point, but I believe that the Government should consider it carefully.

The three bodies proposed by the Government's legislation as well as the Government have responsibilities in this area. Policy is evolving in many fields, and health and transport have been mentioned. I think that it is right for the Government to give the House and the Opposition parties an opportunity to say what they think. The people of London should also have an idea of what the total package will be at the end of the day. At present, the policy is being revealed in dribs and drabs—in some cases via a White Paper, in others via a statement and, in this case, via a Bill before Parliament. That is extremely unsatisfactory. I hope that the Government will consider the matter more carefully and allow the amendment to stand.

Mr. Paul Burstow (Sutton and Cheam): While listening to the opening of the debate earlier this evening, I was rather struck by the mock rage expressed at what had occurred in the other place on the two amendments. I was reminded of the debate in this place during early stages of the Bill when the Minister at the Dispatch Box challenged the Liberal Democrats and the Opposition to come up with a two-question referendum that worked. As that has happened, it is hardly surprising that the legislation should return to this place.

It is hardly our fault if we rise to the challenge offered by the Minister and deliver on it in another place. We are here tonight because of that challenge. We would not need to be here if the Minister had allowed a similar amendment when the Bill was last before the House. The Liberal Democrats will take no criticism from the Minister about the importance of the role of the House of Lords. It is important that the points that we raised in the House are pursued and debated in another place.

It has been interesting to watch and listen to the debate. Until now, Opposition Members have bobbed up and down as though they had pins on their seats, and Government Members have appeared to be "Blutacked" to their seats. I look forward to hearing from Government Back Benchers whether they have questions for the Government on how the Greater London authority will work in practice. *[Interruption.]* As Labour Members remain stuck to their seat, they are willing to make only sedentary comments. Having wound them up, I shall now progress to other matters that may not make them any happier.

8.15 pm

In a few months, the people of London will be asked to decide on the future of government in our city. Most Londoners want a citywide authority to tackle the challenges facing any world city. However, the debate about how the new government will work has barely begun. So far, it has been hijacked by debate about the personalities involved—even tonight, we have heard about the personalities who may be candidates in the election for mayor. Londoners face the prospect of two more years of debate about who governs London rather than how London will be governed—style over substance. However, the substance matters, and the Government must start to provide some answers to important questions.

The Liberal Democrats have sought at every stage of the Bill's passage to push the Government on two fronts. First, we want the Government to be more explicit about how their model of two in one—mayor and assembly in one authority—will work. Secondly, we have asked the Government to be more open about the final shape of London government. The Government should listen and let the people decide.

The Liberal Democrat position has been set out clearly: we oppose having a directly elected mayor. However, we have never sought to halt the passage of the Bill or to wreck it. We want to see a referendum accompanied by genuine debate about what form of government is right for the capital. We do not believe that power should be concentrated in the hands of one person: we prefer a cabinet model with an executive that is drawn from, and accountable to, the assembly.

Mr. Raynsford: The hon. Gentleman seems to be taking a little time to come to the point of the amendment. Does he support the view expressed by the hon. Member

for Southwark, North and Bermondsey (Mr. Hughes) on 19 November? He said:

"We are not arguing that it is possible to produce the Bill before we have the referendum".—[*Official Report*, 19 November 1997; Vol. 301, c. 383.]

Does the hon. Gentleman support the view expressed by Baroness Hamwee in another place? She suggested that the Bill

"should be published at least six weeks before the date of the referendum".—[*Official Report, House of Lords*, 13 January 1998; Vol. 584, c. 941.]

The hon. Gentleman owes it to the House to explain his position.

Mr. Burstow: I am grateful to the Minister for that intervention. I hope that he will at least acknowledge that the subjects I am addressing are germane to the debate about London government—a characteristic that was lacking in other contributions. My remarks will address his question directly, and I shall turn to them in my own good time.

I was about to say that the Lords amendment before the House is one of two that were debated. One was moved by my colleague Baroness Hamwee and the other was moved by Lord Bowness. As a result of the laxity of Labour Whips in another place, the second amendment was passed. Baroness Hamwee's amendment was intended to probe the Government's willingness to be more open about their proposals and how they would work.

During the debate—I have read the transcript, as I am sure the Minister has—the Minister replying to the debate on the amendment moved by Baroness Hamwee offered an assurance that there would be time to debate the White Paper in both Houses before the referendum. On that basis, my colleague withdrew the amendment. That is a perfectly reasonable position to adopt in Committee in the other place. It often happens in Committee in this place. It is hardly the fault of Liberal Democrats here or in the other place that Labour Whips in the other place were unable to get their act together and put seven more Labour peers through the Lobby to defeat the Conservatives.

In Committee, my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) did not press his amendment and was assured by the Minister that the White Paper would be published in the week beginning 23 March, which would have allowed six or seven weeks for public debate before the referendum. We wanted a little longer than that, but we decided that the additional two weeks for which we were campaigning was not a large enough issue to prevent us from supporting the Government and we did not press amendments.

Neither the offer of a debate nor the commitment to publish the White Paper six weeks before the referendum is as much as we would like. However, they are improvements and that is why we reject the Lords amendment and shall vote against it. Throughout the passage of the Bill, we have sought to improve it and to encourage debate about the future governance of London. We are not trying to wreck the Bill. The Lords amendment would require the Government to publish the detailed Bill in advance of the referendum. That would have the consequences that Ministers have suggested, and that is why we do not support it.

The Government should practise what they preach. Some hon. Members seem to have been unable to obtain from the Vote Office the consultation paper that was issued on Monday by the Department of the Environment, Transport and the Regions. It is entitled "Modernising Local Government" and contains many fine words about the value and importance of consultation in shaping policy. When Labour embarked on its road to the manifesto process, its paper "A Voice for London" stated:

"we aren't saying, 'This is it. Take it or leave it.' We have our ideas. But we recognise other people have good ideas too. It's really important that we get things right—that we come up with a London-wide authority that really works and really makes things better."

I agree, and that is why we want Londoners to be able to make an informed decision on 7 May. Electoral arrangements for the mayor and the assembly, which hon. Members have mentioned, their role and functions, where the GLA's powers will come from—will they be hoovered up from local government or drawn rather like teeth from Whitehall?—are important issues. In addition, we want to find out, and many people outside want to understand, how gridlock will be avoided.

Funding is an increasingly important issue. In an otherwise uncritical paper which was published by the Association of London Government last week, entitled "A Tale of Two Cities, the government of New York: Lessons for London", the authors Tony Travers and Gerry Stokes wrote—

Mr. McNulty: It is Stoker.

Mr. Burstow: I defer to the hon. Gentleman. That is the only occasion on which I will defer to him.

The authors of that document state:

"The greatest doubts about the proposals for London remain around its fiscal and financial capacity. The Mayor of London will have much more than the Mayor of New York to look to higher levels of government for funding. The relationship between the Albany—capital of the state—and New York is not always comfortable. The proposed new arrangements for London may prove even more difficult for Whitehall given that the funding regime may give the Mayor little option but to look to central government for increased resources, backed by the votes of some 5 million Londoners."

Those are the words of independent assessors who generally support the Government's proposals. The disease that local government has at the moment—lack of financial independence—will afflict the GLA and without that independence everything else becomes secondary. That is why we say that London's budget must be for Londoners. The GLA must be as free as possible from interference.

Mr. McNulty: Will the hon. Gentleman give way?

Mr. Burstow: The Blutack has been removed.

Mr. McNulty: Many thanks for deferring to me again. I do not mean to trouble you, but if you could possibly go back to your—

Mr. Deputy Speaker: Order. I know that the hon. Gentleman is a new Member, but will he please use the correct parliamentary language?

Mr. McNulty: I apologise, Mr. Deputy Speaker. Perhaps the hon. Gentleman could get back to the amendment.

[Mr. McNulty]

On 26 November, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said:

"We support the idea that the referendum should be on 7 May next year, on the same day as the local elections, and we have voted for that."—[*Official Report*, 26 November 1997: Vol. 301, c. 990.]

That is a perfectly reasonable position, but it does not bear comparison with the action of Liberal Democrats in the other place. If they had supported that position—

Mr. Deputy Speaker: Order. The hon. Gentleman's intervention is turning into a speech.

Mr. Burstow: The hon. Gentleman should make his own speech rather than seeking to contribute by way of an intervention. His question to me was answered when I replied earlier to an intervention by the Minister. If the hon. Gentleman does not accept that, perhaps he will take the opportunity to read and reflect on my speech in *Hansard*. If he does that, he will be happy to accept that I have dealt with the point and demonstrated that the debate in the other place on the amendment that was moved by my noble Friend the Baroness Hamwee enabled the issue to be discussed.

We secured an assurance from the Minister in the other place that there would be an opportunity for both Houses to debate the White Paper before the referendum. We sought that assurance, and when we received it we withdrew our amendment. It is hardly our fault if Labour Whips in the other place could not get their act together to deliver an additional seven votes to defeat the Conservatives. No amount of protest will dispose of that.

Mr. Hughes: I shall deal fully with the question by the hon. Member for Harrow, East (Mr. McNulty). In support of my hon. Friend, I can offer a quotation from my noble Friend the Baroness Hamwee. It is at column 941 and she says—

Mr. Deputy Speaker: Order. The hon. Gentleman is not allowed to quote from speeches by anyone in the other House other than Ministers.

Mr. Hughes: In that case, I shall refer the hon. Gentleman to the fact that my noble Friend made it absolutely clear that we did not wish to delay the referendum, but that the Government were seeking to provide a second-best solution. It is there in black and white, and it will completely reassure the hon. Gentleman.

Mr. Burstow: Labour Members can obtain copies of the Lords *Hansard*. The hon. Member for Harrow, East has a copy with him and he will know that my response to his intervention was correct.

Mr. McNulty: Will the hon. Gentleman give way?

Mr. Burstow: I shall give way to the hon. Gentleman just once more.

Mr. McNulty: The hon. Gentleman is incorrect. My point was not about Baroness Hamwee's amendment but about the subsequent one. Logically, and in keeping with what the hon. Member for Southwark, North and Bermondsey said in this place, you would have voted against that. I do not want to hear any silly little noises about us getting our act together. Your logical and reasonable position—

Mr. Deputy Speaker: Order. The hon. Gentleman really must learn proper parliamentary language.

Mr. Burstow: I look forward to the hon. Gentleman expounding on that issue when he makes a speech later.

At the heart of the two amendments, one of which we shall not support, is the extent to which the Government are willing to be candid with the people of London about their detailed proposals. That is why we want the referendum in the form that is proposed by the Bill. We do not accept that a detailed Bill needs to be published, but we want to be sure that there is more than adequate time for the White Paper to be debated.

Progress so far on the debate about the GLA is rather like a candlelit dinner, at which there is a warm glow but not enough light for the diners to see what they are eating. Most Londoners feel positive about the proposal. They desire a new form of government for London but much unseen detail will prove harder for Londoners to swallow. Throughout the Bill's passage, Liberal Democrats have adopted a constructive approach. We have no doubt that London needs a strategic authority that is capable of leading the capital. The Government's aim should be to establish that new authority with as broad a base as possible. We think that that broad-based support is best achieved by an open debate about the precise form of government that Londoners—

Mr. Lansley: I am trying to follow the hon. Gentleman's comments on the Liberal Democrat position. Am I right to think that you believe that it is impossible to publish the Bill before a referendum on 7 May but that your—

Mr. Deputy Speaker: Order. The remarks I made earlier to the hon. Member for Harrow, East (Mr. McNulty) apply to the hon. Gentleman.

Mr. Lansley: I am falling into error, Mr. Deputy Speaker. I will endeavour not to do so again.

Am I right in thinking that the Liberal Democrats believe that it is impossible to have publication of the Bill before the 7 May referendum, but that they took the view in the other place that to have the White Paper and the Bill together would be preferable? If the referendum were to take place on a later date, that would be possible.

8.30 pm

Mr. Burstow: If the referendum were to take place on a later date, that might prove possible, but we are committed to the idea that the referendum should take place on 7 May. Our position has been that the White Paper is enough. That is what we are proposing and it is what we supported when the Bill was considered in the House earlier. That is the position that we will stick to tonight.

We believe that the onus is on the Government to secure broad-based support. The best way to do that is through a full debate, not just in this place but in London as a whole. That is why the earlier the White Paper can

be published, the better. The opportunity for a debate on the White Paper before the referendum is vital. I hope that we will hear some words of assurance from the Minister that the House will have an opportunity to debate the White Paper before the referendum. That is crucial.

If we do not have that debate, the people of London will not be as well informed as they could be, and hon. Members will feel let down by the Government. They have made much of consultation, especially recently with the publication of their consultation document.

We will be supporting the Government in voting against the Lords amendment and we will be supporting the amendment that was passed in the other place in respect of the two-vote referendum. With your indulgence, Mr. Deputy Speaker, my hon. Friend the Member for Southwark, North and Bermondsey will talk about that later.

Mr. Lansley: I am grateful for the opportunity to contribute to the debate. It is ironic that the Minister, although not his hon. Friends, should decry the intervention of the House of Lords in seeking to amend the Bill. We are told that he does that in the cause of democracy. As I understand it, in this place democracy is served not simply by voting, but by debate followed by a vote. Now that the Bill has returned to this House and it is our responsibility to debate the amendments, the Minister—he presented his case—is unsupported in debate by any arguments from his hon. Friends. It is only democratic if, when we vote, we do so on the basis of a debate. A debate entails the presentation of arguments on both sides. I hope that I will be pleasantly surprised by the presentation of arguments in support of the Minister. If not, one will be forced to wonder whether such arguments exist.

We do not want to debate the merits or otherwise of the other place having an opportunity to amend the Bill. However, with this amendment they have asked us to look again at a particular issue. It is clear that some of the best arguments in favour of the amendment would stand up to good examination, which takes us beyond the consideration that took place in Committee. There is merit in thinking again in this House and responding positively to the way in which the Lords have amended the Bill.

Labour Members might wonder why a Member representing South Cambridgeshire should take such an interest in Greater London matters. They will know that I did so during our earlier consideration of the Bill. I do so because many of my constituents work in London.

Also, I believe that there is some precedent in the way in which we deal with these matters in London—in the establishment of a tier of regional government—and the way in which the Government might choose to dispose of the issues relating to regional government elsewhere in the country. I would be loth to allow the Government to proceed in a certain way in relation to London and then do the same in relation to other regions when we might discover that the consultative procedures were not as democratic or open as they might be.

Many people in my constituency attach great importance to the governance of London. They believe that the way in which our capital city is governed should be important to hon. Members throughout the country. The same is true—I will not prolong this thought—of the debates on Scotland and Wales. In those debates, the participation of hon. Members from outside Scotland and Wales has been distinguished and important. It is the responsibility of all hon. Members to care about the constitution of this country. That is certainly true when we venture down the path of referendums.

The first best solution, which is not now available, would be to have a referendum only after the Bill has been debated in this place. The electorate of London would then be able to examine the Bill, as amended and debated in the House. We all know that amendments can be accepted during debates. I know from my experience on the Committee considering the National Minimum Wage Bill that amendments can be made. During the past week in that Committee, the Government found that the Bill was wrong-headed. They had to do a U-turn and amend it.

We seek another U-turn from the Government. They have done it before, and some of their U-turns have been embarrassing. It would not be a great embarrassment to the Minister if he were to change his mind. I suspect that he might secure some approval, not just in the House but in the media of London, if he were to say that there is an opportunity for publication of the Bill before the referendum. The media would think that a good thing.

As my hon. Friend the Member for Orpington (Mr. Horam) made clear, the purpose of the amendment is not to wreck the Bill. It is straightforward. It would mean one of two things. First, in pursuance of their intention to have a referendum on 7 May, the Government would have to publish the Bill in the week beginning 9 March—if my calculation is correct. I am sure that, when the Minister for Transport in London replies to the debate, she will say that it is impossible for Ministers to publish the Bill in that week. Although they may know all the details of the White Paper and be proceeding down the path towards publication, she will probably say that to translate those provisions into the detailed drafting necessary for the construction of legislation is too lengthy a process.

I understand that. I have been a member of a Bill team in a Government Department, and I remember the process by which one submits instructions to counsel, and the debate between officials and parliamentary counsel. However, the Minister should not take too much comfort from that thought, because it illustrates one of the most important points. The process of iteration between the Government, as they explain their intentions, and parliamentary counsel, as they try to implement those intentions, is precisely the point at which contradictions, difficulties, conflicts of interest, and questions about how those problems are to be legally resolved, are exposed.

Sometimes, in the exposure of those conflicts and questions, some of the most important aspects of drafting and of the subsequent legislation are uncovered. To proceed on the basis that the White Paper and statement of intentions are sufficient is palpably wrong. I imagine that, in time, as happens with constitution-making legislation generally, instructions to parliamentary counsel on the Bill's structure will expose exactly the questions and details that the White Paper has not dealt with.

Mr. Horam: My hon. Friend has been helpful. He has been a member of a Bill team, which is an interesting

[Mr. Horam]

experience. Has he ever known a Bill to remain unchanged from the beginning of such a procedure to the end?

Mr. Lansley: In my personal experience, a Bill has never remained unchanged. It would be stretching a point to say that the principles of a Bill changed completely from those that were set out in the original instructions to counsel, but, in many of their details, Bills were changed.

Ministers have an advantage over us in that they have read the White Paper, but, when we read it and find out how many of the 61 questions it answers, we shall probably find out most of the principles that the Government wish subsequently to put into the legislation. However, most of the debate will take place not on those principles, but on their detailed application.

I leap ahead slightly to something that I was going to say later. For example, the resolution of conflict between the mayor and the assembly is precisely the issue on which legislation will have to be specific. We have made that point in other debates on the Bill. When we make a constitution, it is not sufficient to say, "People will work together in partnership." I am sure that the word "partnership" will appear regularly in the White Paper. It will be clear that the Government's intention is that the elected mayor will propose policies and nominations for appointments, and set out the way in which London's strategy is to proceed. It will say that that will be the subject of scrutiny by the assembly and, where the mayor and assembly disagree, that all will be resolved in a spirit of partnership.

Let us be clear: it does not always work like that. If it did, legislation and the constitution would probably be of little purpose. The purpose of the constitution, like the purpose of politics often, is to resolve conflicts. That is why we have Standing Orders and a structure to our debates. The same will be true in relation to the authority as represented by its two component parts: the mayor and the assembly. When they are in conflict, how will those conflicts be resolved? That will not be in the White Paper. I will gladly give way to the Minister if he can give me a categorical assurance that the White Paper will tell us the manner in which, in all circumstances, conflicts of principle, issue or interest between the mayor and assembly will be resolved. The White Paper will not do that. We will not find out how those conflicts will be resolved until we have the legislation.

The amendment could have one of two effects. One is that Ministers would have to publish the Bill before 7 May. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) told us that it was not possible to publish the Bill before 7 May. For the sake of argument, let us assume that he is right. What does that mean? It means—I hope that the Liberal Democrats will agree with us—that, for the Bill to be published before the referendum, that referendum has to take place at a later stage.

In an earlier debate, the hon. Members for Southwark, North and Bermondsey and for Brent, East (Mr. Livingstone) were wrong. Both said that to hold the referendum after 7 May would delay the implementation of the policy. There is no reason why that should be true. My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) was clear about the matter. It is possible to publish the White Paper in March and the legislation in the summer, to have a referendum in September and to present the Bill to the House in November. There is no reason why the timetable for the implementation of the Government's manifesto commitment should not proceed to its finality as planned.

Sir Sydney Chapman: Does my hon. Friend accept that the Government explicitly accept that the referendum might have to be held on a date later than 7 May—as clause 1 specifically provides?

8.45 pm

Mr. Lansley: I am delighted that my hon. Friend made that point, because I had planned on asking the Minister that very question. The Minister might like to intervene now or to reply later to that point. Why—except in contemplation of a date later than 7 May—does the Bill explicitly provide that a later date may be prescribed?

Like you, Mr. Deputy Speaker, I know only too well that Ministers will always take powers that they have no intention of exercising. Undoubtedly, that provision in clause 1 will be one of those instances. Although the provision is clearly stated in the Bill, hon. Members are being told not only that Ministers have no intention of holding the referendum on a later date but that the House should not even contemplate the possibility of doing so. If the Bill contains the provision, it is perfectly valid for the House to take advantage of it, and to pass an amendment making it clear that we contemplate circumstances in which that power will be used to hold the referendum at a later date.

Sir Paul Beresford: The Government's key excuse for not pursuing the course described by my hon. Friend is the need to save money. Those of us who lived in a London borough under the Greater London council will remember some terrible and horrendously expensive conflicts—primarily because of legal fees—between the GLC and the boroughs. My hon. Friend has already mentioned conflict between the mayor and the assembly, but there is an even greater likelihood of very expensive debate and conflict between the authority and lower levels of government. If the legislation were introduced so that it could be examined and debated before the referendum, there would be an opportunity not only for it to be straightened out but for the people of London to see the potential expense and themselves to send the Government back to rethink it.

Mr. Lansley: My hon. Friend makes a very important point, which helpfully brings me to my next point. I shall not dwell on the point that he has made, because hon. Members from London constituencies, by reference to their own and neighbouring boroughs, may more readily be willing to do so.

The basic question is: why are Ministers resisting Lords amendment No. 1? One reason is that, as my hon. Friend the Member for Orpington said, they devoutly wish that the referendum should be held on the same day as local government elections. Consequently, Ministers would be able to obscure the record of Labour-controlled local authorities. They could present jam tomorrow—a strategic

vision and all will be well—for London, obscuring the absence of good value for money in Labour-controlled London local government. It is an old trick. If things do not work out today, make an even more grandiose promise for the future. That is how the Labour Government are approaching the referendum.

Ministers talk about the £2 million that would be lost by holding the referendum on a different day. The Bill's explanatory and financial memorandum states that the referendum will cost £5 million if it is held on a day other than 7 May, and £3 million if it is held on 7 May.

I shall mention, for one last time in this debate, the Standing Committee considering the National Minimum Wage Bill—which has taken up a lot of my time, although we have learned a thing or two. Only yesterday, £2 million of public expenditure—for publicity on the minimum wage—was described as very little money. The Government recommended the sum of £2 million and said that it was nothing; the hon. Member for Gravesham (Mr. Pond) described it as a trivial sum.

Curiously, yesterday in Committee, £2 million was described as a trivial sum and was of no importance to Labour Members; today, it is a sum that we should not exceed in establishing sound democracy.

Mr. Laurence Robertson (Tewkesbury): I am sure that my hon. Friend will agree that £2 million spent in establishing a potentially enormously expensive body pales into insignificance compared with possible future sums.

Mr. Lansley: My hon. Friend is absolutely right. We do not have to speculate about that. Ministers tell us that £2 million is to be saved. As we shall debate later, from Ministers' point of view, it is certain that, if there is to be an authority, it has to include an assembly.

The explanatory and financial memorandum to the Bill states that the cost involved in the establishment of the authority is £20 million, let alone any additional public expenditure that may be required subsequently. It would be interesting if Ministers told us what proportion of that £20 million was attributable to the cost of establishing the office of the mayor, as distinct from the cost of establishing the assembly.

Ministers will correct me if I am wrong, but I suspect that the greater part of that £20 million will be attributable to the cost of establishing the assembly rather than the office of the mayor. If that is so, the electors of London might be on to a good thing by virtue of the amendment. It is not for me to judge, but if the electors of London were, by virtue of subsequent debates, able to choose not to have an assembly, although they had a mayor, and were to do so in the context of a referendum that took place at a later stage, because this amendment required that to happen, and if they saw the conflicts that might arise, and, instead of a directly elected assembly, had a nominated assembly from the boroughs that was better able appropriately to scrutinise the mayor and so on, it might be altogether cheaper than having a separately elected assembly. The greater part of the £20 million might thus be saved by the spending of an extra £2 million on the election itself.

Mr. Ian Bruce: I think that my hon. Friend is being sucked into the argument used by the Minister to defend not having an election later than May because it would cost £2 million extra. Surely he knows that, in the consultation paper on local democracy, which we have not yet seen, but have read about in the newspapers, the Minister for Local Government and Housing is pressing to have elections not once every four years but every year. Page 15 of the Green Paper—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The debate is going wide of the amendment.

Mr. Lansley: I freely acknowledge that the amendment would probably mean that the referendum would take place not on 7 May but later in the year at additional expense—but what price democracy? In other circumstances, which we are not debating now, Ministers would be willing to accept that the cost of democracy often rests on the need to pay for elections. There is nothing remarkable about that.

If it is resolved that it is necessary to consult the electorate of London, it is not unreasonable that we should first determine the most appropriate, legitimate and effective way to engage in that consultation, and then pay for it. It is wrong to say that we will first decide the cheapest way to consult the electors of London and do it that way, even though it might be less effective and less democratic. I am surprised that, so soon after taking office, Ministers should have pursued quite such a democracy-constraining approach—I put it no more strongly than that.

We need to emphasise the differences between a Bill and a White Paper. The implication of the Minister's opening remarks was, in effect, that all would be revealed in the White Paper and that we did not need to see the Bill because the difference was essentially a matter of legalism. I assume that the Minister thinks that, although the public are competent to read the White Paper—indeed, the Minister may assume that the great majority of people will read the summary of the White Paper that is to be delivered through their letter box—they are somehow not competent to read the Bill itself and extract something from it. None the less, we shall leave that on one side.

There is a big difference between a Bill and a White Paper. I shall give only one example, but it is an important one—the issue of electoral arrangements. I am sensitive to the issue, as one who was born and lived in "Essex" London. My hon. Friend the Member for Orpington (Mr. Horam) talks about "Kent" London and my hon. Friend the Member for Uxbridge (Mr. Randall) could tell us about "Middlesex" London. There is a deep sensitivity that goes to the heart of the Bill about the extent to which the authority, and particularly the assembly, will be able to represent the different parts of London. Hon. Members on both sides have acknowledged that London is not an homogenous entity, but a set of villages that come together to make one great city.

The electoral arrangements are key. If the electoral arrangements for the assembly do not take account of this issue, the voters in the referendum will ask whether there should be an elected assembly. We shall debate later whether they should have two questions. The fact that they should know the electoral arrangements hangs on the amendment. If the referendum is delayed—not the final Bill or its implementation, but the referendum—there will be scope for the Local Government Commission,

[Mr. Lansley]

under part II of the Bill, to present its advice to the Government during the spring and early summer, in time for it to be reflected in the eventual Bill. That would make it an important basis on which judgments could be made in the referendum.

In the absence of such advice, the White Paper will not fulfil the Minister's intention of setting the issues out and ensuring that we all know what the system will look like.

Mr. Oliver Heald (North-East Hertfordshire): Does my hon. Friend agree that we could have the same problems as we had for Scotland? The White Paper for Scotland promised that enterprise would be a devolved issue. In the Bill, it turns out that it will be dealt with primarily by the Department of Trade and Industry. The White Paper for Scotland suggested that Scottish Ministers would be able to represent the United Kingdom in Europe, putting forward the Scottish viewpoint. The Bill says that they will merely assist Ministers in European representation, which is a far less strong provision. Does my hon. Friend agree that only when we see the Bill will we have chapter and verse?

Mr. Lansley: I entirely agree with my hon. Friend. In the London context, the separation of powers and the relationship between superior and other bodies—between the boroughs, the assembly and the authority—will be very significant. To reiterate the point that I made when intervening on my hon. Friend the Member for Orpington, no power will be more significant than that over transport policy, which is critical for those in London and those who live beyond the confines of Greater London.

Not until we see the White Paper on the integrated transport policy—I am sure that the Minister for Transport in London could tell us more about that—will we know the context in which the relative powers of the boroughs, the assembly and central Government, including the continuing role of the regional office of government, will be clearly delineated.

The White Paper, which is to be published in the week beginning 23 March, may well leave some questions unanswered on transport. The Government will tell us that we shall find out more when the White Paper on integrated transport is published. That will not arrive before 7 May. When the voters of London have to make their decision, questions will still be unanswered on the issue that may be central to their perception of what the mayor has to achieve. This is a question not just of powers, but of how those powers will be used. If Ministers can tell us that we will see all the details on transport policy for London in the White Paper in the week beginning 23 March, we would be very happy to hear it. However, I feel confident that Ministers will not be able to do so.

The amendment's effect could be positive; it is not a wrecking amendment. It is perfectly possible for the Government to achieve their intentions through a better procedure. Consultation with Londoners would be better, knowledge gained by the electorate before they take part in the referendum would be more complete, and the House would be better able to be advised by the referendum if we proceeded down the path predicated in the amendment.

9 pm

Dr. Jenny Tonge (Richmond Park): I was unsure about whether I wanted to speak in this debate, but something that I heard earlier made me extremely angry and want to make a brief speech.

The hon. Member for Ruislip-Northwood (Mr. Wilkinson), who has left the Chamber, no doubt to put himself out of his misery, said that democracy had been defrauded. Baroness Thatcher defrauded democracy when she abolished the Greater London council simply because she wanted to get rid of the hon. Member for Brent, East (Mr. Livingstone).

Mr. Lansley: Will the hon. Lady give way?

Dr. Tonge: No, I will not. I have listened to the hon. Gentleman for long enough.

Baroness Thatcher did not of course succeed in getting rid—

Mr. Deputy Speaker: Order. Perhaps the hon. Lady should listen to me. I should like her to speak to the amendment.

Dr. Tonge: I am going to speak to the amendment.

Mr. Deputy Speaker: Order. Will the hon. Lady please have a seat? It is not a matter of what she is going to do but of what she must do: speak to the amendment.

Dr. Tonge: Thank you, Mr. Deputy Speaker, for your instruction. I wish that you had been present earlier to instruct other hon. Members.

If Baroness Thatcher had consulted "Considerations on Representative Government" by John Stuart Mill, she would have read:

"In a really equal democracy, every or any section will be represented not disproportionately, proportionately".

She could have dealt with the Greater London council had she introduced proportional representation.

The Government have promised us a White Paper, which is supported by all Government Departments. I have heard that said many times in the Chamber. We have also been told that an explanatory leaflet will be sent to every household. We even have some sort of proportional representation—although not the sort of which I would approve. Nevertheless, we are getting there.

Mr. Brooke: Will the hon. Lady give way?

Dr. Tonge: No, I shall not give way.

Conservative Members insist on talking about a Bill as if it will save the nation. The general public are not interested in a Bill. They want Government ideas to be explained to them, and they want to get on with it.

Mr. Richard Ottaway (Croydon, South): Will the hon. Lady give way?

Dr. Tonge: No, I will not, because I am just about to finish my speech.

London is deteriorating while we all sit around arguing about how many angels one can fit on the head of a pin. It is time that we got on with it, had the referendum and restored proper government to London.

Mr. McNulty: Inadvertently, I have slipped up twice by referring to people other than your good self, Mr. Deputy Speaker, as "you"—although not while you were in the Chair. I shall endeavour not to do so again.

It is interesting to follow a Liberal Democrat, because the point that I was trying to develop earlier concerned their quite illogical behaviour in another place. I fully accept the point about Baroness Hamwee. She tabled a little probing amendment to see whether, given the timetable that we were dealing with, it was possible to have the Bill published then. That is fine. She duly probed, and then withdrew. The fact that the Liberals did not then support the Government's position in getting the referendum for 7 May—something that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and others have talked about ad nauseam in this place—defies belief.

That charge was not answered in any way, shape or form by the hon. Member for Southwark, North and Bermondsey or by the hon. Member for Sutton and Cheam (Mr. Burstow). The only logical position for the Liberals to take on the amendment in the upper House would have been to support the Government, given that they have said, rightly, that the referendum should take place on 7 May. I am pleased to hear that they will support the Government tonight in defeating the Lords amendment but, as ever with Liberal Democrats, that is probably too little, too late to reconcile themselves.

By way of a slight digression, I must tell the House that—I am pretty sure that I have the time and date right—I almost voted in the Division in which the Government were defeated in the House of Lords. I was near where the green carpet becomes red, and I could not find the place I was looking for; it was some Committee Room or other. I got stuck down a narrow little corridor, wondered why it was so narrow, and discovered that it was the Lords Lobby.

Then the bell went off, and some kindly employee of the upper House locked the door in front of me. I was panic-stricken, rushed to the other end and just got out of what I now know to be the Lobby in which the Opposition were voting. I think, but cannot swear to the fact, that that was the very occasion on which the Government were defeated.

My friends in the Whips Office have subsequently told me that rather than panicking, I should have stayed there. Had I done so, the entire vote would have been void and perhaps we would not be here discussing the Lords amendment now. We live and learn.

Mr. Simon Hughes: The hon. Gentleman could have been more discreet had he been there during the second vote when the Government were defeated. As he will be aware, some of his colleagues were with us on that occasion and he could have slipped through unnoticed. He would have been entirely welcome.

Mr. McNulty: That was an entirely unnecessary and nasty point, which introduces partisan politics into the House when we are trying not to be partisan. Dreadful.

I have listened to Opposition Members, and although we may joke about how touching it is to see people representing Dorset and Cambridgeshire taking an interest, I entirely accept that what happens to the governance of the capital city is a matter for all English Members of Parliament, if not for all United Kingdom Members. In saying that, I shall probably offend people from Edinburgh, Cardiff and Belfast, so I apologise in advance, but the capital city of the United Kingdom is London. Yes, we can have fun with the idea of those Members contributing, but everyone can and should have his or her say.

I am astonished to hear about the mystical properties that are now attributed to a Bill, as though a Bill were entirely immutable and cast in stone—[HON. MEMBERS: "No."] That is the gist of what Opposition Members have been saying. Apparently White Papers can be changed completely, willy-nilly, but Bills are cast in stone.

That is not the case. *[Interruption.]* With respect to the sedentary gestures by the hon. Member for Epping Forest (Mrs. Laing), she has not been here for much of the debate.

Mrs. Eleanor Laing (Epping Forest): I have been here for the whole debate, except the first three minutes, and I have heard almost every word of it. I should not have been making gestures from a sedentary position; I should have asked the hon. Gentleman to give way so that I could point out to him that the contrary of what he is saying is the case. A White Paper remains as it is published for ever more, but a Bill is a document that starts a process in the House whereby it is subject to scrutiny. As was said earlier this evening, almost no Bill has ever remained unchanged.

Mr. McNulty: That is a pretty way of putting it, but it entirely confirms my point, rather than the contrary. If the hon. Lady has been here after all, I apologise. I do not know how I could have missed her when she is dressed in such colours, but while I have been here, I do not remember seeing her. Perhaps that is because she has been sitting nice and quietly, unlike some of her colleagues.

We are committed to holding the referendum and to publishing the White Paper in March, as was said on Second and Third Reading. It is the responsibility of every single Member of Parliament and every party to ensure that, in those ensuing six weeks, there is the fullest and most detailed debate.

The principal Opposition party may well have some difficulty with pre-legislative referendums, and that is entirely fair and reasonable, but it should not try to hide with smoke and mirrors the fact that the amendment is essentially a wrecking amendment. Baroness Hamwee and others in the other place deserve an ever-so-slight slap on the wrist for not going through the Lobby when the amendment was made.

It was interesting and, not, I suspect, atypical, that the hon. Member for Ruislip–Northwood (Mr. Wilkinson), who is a north-west London colleague to whom I speak often, should have discerned a conspiracy to make the demise of the House of Lords a reality. He suggested that, somehow, we managed to leave my noble Friend Lord Hattersley at lunch and others busy in various places, and deliberately contrived to lose the vote, merely to reinforce our argument for reform of the upper Chamber.

[Mr. McNulty]

Nothing could be further from the truth. To begin with, our argument is democratic and needs no strengthening. As and when the relevant legislation is passed, the Lords will have had their day. The point was completely irrelevant.

Another conspiracy theory was advanced, although I am afraid that I have forgotten who advanced it. It was suggested that the rush to hold the referendum on 7 May was intended to hide the disgraceful performance of London Labour councils.

Mr. John Randall (Uxbridge): The hon. Gentleman spoke of the need for every Member of Parliament, in the six weeks between the publication of the White Paper and the date of the referendum, to explain that document fully to his electorate. Surely we shall not have time in that period to expose all the problems that we have in our respective boroughs with Labour councils. If we concentrate on the White Paper and the referendum, how will we be able to concentrate on the local elections?

Mr. Deputy Speaker: Order. We really must concentrate on the amendment. I hope that the hon. Member for Harrow, East (Mr. McNulty) will not respond to that intervention.

Mr. McNulty: Many thanks, Mr. Deputy Speaker. I was developing my point within the context of a point made specifically on the amendment, concerning whether the referendum should be held on 7 May or delayed to allow for the publication of a Bill. That is entirely within the terms of the amendment.

I say to the hon. Member for Uxbridge (Mr. Randall), and to every other hon. Member, that, if party organisations in London find themselves overtaxed by campaigning both on the Greater London assembly and mayor and on the borough elections, perhaps they should not be fighting either campaign in the first place. With the greatest respect to the hon. Gentleman, who is an even newer Member than I am—there are not many of whom that can be said—his argument is absolute nonsense.

Now that we finally have the Liberals on side—it was nice of them to make up their mind in the end—I hope that the amendment will be soundly defeated. It is a wrecking amendment: I fully accept Conservative Members' aversion—this year—to pre-legislative referendums, but they should not try to dress it up. We know why your colleagues in the upper House mistakenly won the vote, and we shall be doing them a great favour by defeating it tonight. Perhaps, in the spirit of getting your colleagues in the other place out of a deep hole—

Mr. Deputy Speaker: Order. The hon. Gentleman should be aware that I do not have any colleagues in the other place.

Mr. McNulty: In the spirit, I should have said, of getting their colleagues in the other place out of the extremely deep and embarrassing hole into which they put themselves by winning the vote, I urge all Opposition Members to join us in the Lobby tonight. Then, perhaps, we can get on with what I think that we will all agree are more substantive amendments: Lords amendments Nos. 2 and 3, on the two questions.

The amendment should be defeated. It is a nasty little wrecking amendment and its supporters should be ashamed of themselves.

9.15 pm

Mr. Brooke: I congratulate the hon. Member for Harrow, East (Mr. McNulty) on having spoken. Labour Members have been absent from this debate, as they were absent for most of the remaining stages of the Bill in November. My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) referred to the various elements of London. I make it clear that I speak for London London.

On the morrow of the amendment that we are debating tonight, the Prime Minister—alluding to the hereditary peers' vote—said not once but twice that the House of Lords was seeking to stop people voting in the referendum "on 8 May". I stress 8 May, which, being the day after the day originally selected—and thus no longer the day of the local government elections—suggested that the Government were already on the way to conceding the amendment.

On 13 January in the Lords, the Minister for Roads referred to this as a wrecking amendment. The Minister in this House did the same this evening. The hon. Member for Harrow, East has just done the same. If this is a wrecking amendment, I have to say that the Bill is a very frail craft. I had an aunt once. The brother of somebody who worked for her went into the Navy. On inquiry, it turned out that he was serving in HMS Abominable. My aunt constructed an entire class of warships; HMS Intolerable, HMS Impossible, HMS Unspeakable. If this is a wrecking amendment, the Bill is patently HMS Insubstantial.

The Minister seemed to take mild offence that his Bill had been scathed during its passage. The great Claud Cockburn went to see his tutor at the end of his time at Oxford. His tutor said, "Up to now, Cockburn, your life has been punctuated by examinations, but from here on out you have a clear run through to the grave." I have to tell the Minister that Bills are subjected to examinations, and his has been. He will recall that, in the debate on the government of London last June, I referred to the great Sam Rayburn's remark that the three wisest words in the English language were "wait a minute". I said it in the context of the concept of a mayor, which my party subsequently espoused. I say in passing that I make no complaint about that.

The mayor is a continental and American model. For this country, our approach should be pragmatic and empiricist, against the philosophies which apply elsewhere. I am delighted to hear that the Government are supporting Lord Hunt's Bill, which is itself pragmatic and empiricist in terms of those experiments. The principle applies to the debate on the Bill before we finally pass it.

Local government goes back a long way in the history of my constituency. There have been Lord Mayors of London for at least eight centuries. The franchise was so generous in Westminster in the 18th century that, when the Reform Bill was passed in 1832, the electorate actually fell. I realise that new Labour regards these as the events of pre-history—happily defined once as a cross between Sir Rider Haggard's "She" and Sir Leonard Woolley's "Ur", but the past does illumine the future and it is highly important that we should so regard it.

I had no idea of the drama played out at the Lords Committee, described for us by my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), but I have some familiarity with the way in which the Liberal Democrats vote. When I was a pairing Whip, they once voted for a Bill at Second Reading and against on Third Reading, which gave me some rather nasty moments. My right hon. Friend referred to indecision. Clearly, the events in the Lords were played out on the battlements of Elsinore, and it sounds as though this debate is being played out there, too.

I am familiar also with Governments being defeated in the Lords. I was the Whip on the Education (No. 2) Bill 1980—the first Lords defeat suffered by my noble friend Lady Thatcher's Administration. It was a remarkable event because Christopher Price—the then Labour Member for Lewisham, West—persuaded Rab Butler to lead the opposition to the Bill. He remained convinced throughout the episode, and thereafter, that Rab had throughout believed him to be a Conservative Member of Parliament.

On 13 January, the Government clearly had confidence that all was well. Only one person spoke on behalf of the Government and that was the Minister. Had anybody else been brought in, there would have been ample time to drum up the remaining seven votes by which the Government failed to win.

On the substance of the argument, in the Lords the Minister said:

"The requirement to publish a Bill before the referendum would mean unnecessary complication and delay.

People have waited far too long happily to tolerate further delay."—[*Official Report, House of Lords*, 13 January 1998; Vol. 584, c. 944.]

The Government have not shown much previous evidence of hurrying in the context of this legislation. The Scottish and Welsh Bills made much faster progress. The Minister will recall the exchanges that he and I had about the clever chaps working away on the Bill, because we had not heard much about it before, but all that was evidence that time did not much matter to the Government in the early stages.

The Minister said in the House—I have not yet found the column reference, which is a discourtesy on my part—that the Bill was hugely popular with the people. In the Paviours Arms in my constituency, they talk of nothing else. The possibility of delay, even to the Prime Minister's chosen date of 8 May, excites them passionately.

I have never fully understood the Government's enthusiasm to run the risk of holding the referendum—here I am touching on the speech of the hon. Member for Harrow, East (Mr. McNulty)—alongside the local government elections, and I am certain that the suggestions made by my right hon. Friend the Member for Sutton Coldfield at the start of the debate are unfounded. It has always seemed to me unduly disrespectful to candidates in the local government elections in April to run a referendum debate in tandem—it certainly did not happen in the cases of the Scottish or Welsh Bills—especially given that the Government are anxious, as the other documents that they published this week made clear, to raise the profile of, and public confidence in, local government at large.

As for the £2 million to which my hon. Friend the Member for South Cambridgeshire referred, I once asked Alan Lennox-Boyd, a little over 40 years ago, why he had taken a particular decision on Cyprus two years later than necessary. He replied that two years was but a hiccup in history. I do not suggest for a moment that £2 million is a bagatelle, but the government of this great city has a weight and importance far greater than £2 million, and that should not be a decisive factor in determining the timetable if waiting a minute, to go back to Speaker Sam Rayburn, can produce a better and more thoughtful result.

Mr. Keith Darvill (Upminster): There are many reasons for rejecting the amendment. Primarily, it is a delaying tactic. That is obviously the primary political reason for its having been supported and passed in the other place. It is therefore ironic that Conservative Members should use supposedly democratic grounds for supporting it in this House this evening.

The argument does not hold water. The views that Labour Members have advanced for some time for an assembly and a mayor have been well aired. They were aired in the run-up to the general election and at the election proper. They were aired in general terms in the Green Paper on the governance of London. In my borough of Havering, I joined my hon. Friends the Members for Hornchurch (Mr. Cryer) and for Romford (Mrs. Gordon) at a public meeting, which was well advertised locally, when our proposals were put to members of the public and discussed. The purpose of the meeting was also to encourage debate and contributions to the consultation process.

The debates in this House and in the other place have been well reported and debated throughout London in the run-up to the election in May. If hon. Members look in the *Evening Standard* and other newspapers, they will see that those issues are debated almost every day. The firm undertaking given by my hon. Friend the Minister to publish a White Paper setting out his proposals in full at least six weeks before the referendum is more than sufficient. Londoners will have all the information they require to reach an informed decision on 7 May.

The right hon. Member for Cities of London and Westminster (Mr. Brooke) said that it was inappropriate to use the same day for the referendum and the local elections. I put the opposite view. It is appropriate because, on that day, Londoners' attention will be focused on the division between the powers of the London boroughs and the distinct strategic functions that the Greater London assembly will have when it is set up. That is appropriate for the debate on local democracy, regionally and locally. Londoners want a strategic authority. They want a voice for London and democratic accountability. They want the Government to deliver our manifesto commitment of a referendum in May.

The amendment would inevitably mean delay because of the time it would take the parliamentary draftsman to prepare complicated multi-clause, multi-schedule legislation. Contrary to what Conservative Members have said, a White Paper would be more appropriate than a draft Bill, which would almost certainly require amendment through the legislative process. It follows that the amendment should be rejected.

Mrs. Laing: My constituents in Epping Forest are not residents of London, so I suppose that I am speaking for Essex London, as has been suggested. They are, however, much affected by what happens in London, because the

[Mrs. Laing]

prosperity of my constituency depends greatly on the prosperity of the City of London, where many of them work. They are proud to be in Essex, but their concerns about London are my concerns. That is why I am pleased to have an opportunity to take part in a discussion that so seriously affects London.

My constituents wonder what the proposed new tier of government will do for them. The Minister for Transport in London has been very patient in recent months in listening to my many pleas to her about the future of London Underground. I would not dream of doing that this evening, as it would be out of order. My constituents wonder how this great piece of legislation will in any way improve their lives. I am sure that the constituents of my hon. Friends feel the same, no matter what is discussed in the local hostelry of my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke).

The Government have a habit of breaking promises about referendums. We have had assurances from Ministers that the referendum on London would be taken after the Bill on the matter was published. I am sure that it is a complete coincidence, but I am delighted that the Secretary of State for Scotland has suddenly appeared on the Government Front Bench. It seems that, every time I speak, I make some point about Scotland and he is normally here. I am amazed that he is here when we are discussing London, when I am about to make a point about Scotland.

Mr. Ian Bruce: It may be that Ministers have asked him to explain to them why the referendums for Scotland and Wales had to be held on a different day from local election day but the London referendum must be held on the same day.

Mrs. Laing: I thank my hon. Friend for that excellent point; that may be so. I hoped that the Secretary of State for Scotland had appeared because he saw my name on the annunciator and thought that there must be something concerning Scotland going on in the Chamber.

The Prime Minister gave an undertaking last year that the referendums on Scotland and Wales would take place after Bills were published on the government of Scotland and Wales. Now we find another, similar U-turn. Ministers have said that the Bill will be published first and then later we discover—the Minister is shaking his head.

Mr. Raynsford: We have never given any such undertaking. The Government have always said emphatically that we would publish a White Paper before the referendum, but there was never any question that a Bill would be published before the referendum.

9.30 pm

Mrs. Laing: I take the Minister's point, but it does not lessen the argument. To ask the voters to vote in a referendum on a matter of importance without the full facts of the matter before them is no less bad now in the case of London than it was in the case of Scotland and Wales.

Sir Sydney Chapman: My hon. Friend has made a fair point. Those of us who have been in the House many years know that it is rare that an Act of Parliament is exactly the same as the Bill first introduced into the House. It is even more rare that a White Paper is reflected in a Bill. The longer I am here, the more I think—to adapt an adage—that White Papers seem like bikinis: what they reveal may be interesting, but what they conceal is vital.

Mrs. Laing: I thank my hon. Friend for that brilliantly illustrated point. It is certainly true. *[Interruption.]* Labour Members disagree. My hon. Friend's point about bikinis is certainly true. They cannot possibly disagree with it. My hon. Friend's point about the difference between White Papers and Bills is also true.

On scrutinising the Scotland Bill and the Government of Wales Bill, we are discovering that there are differences between the implications of the White Paper and what the Bill says. I do not for one moment dispute the Government's right to make certain detailed changes between publishing a White Paper and publishing a Bill. The point is that the people are being asked to vote not on the Bill which will come before the House and the information contained in it, not on the points which will become law, but on the White Paper, which is merely an expression of intention.

We all know what is paved with good intentions. That is certainly what happened in the case of the Bills on Scotland and Wales before the referendums. It is exactly what is happening now.

What is wrong with giving the electorate more information on which to make up their minds how they will vote in a referendum? What are the Government trying to keep back? If one is trying to improve the democratic process and make democracy more relevant to people, is it not important to give them all the information they need before they exercise their democratic right to vote?

I note that Baroness Hayman said in another place that a Bill was a highly complex piece of legislation. She said that a Bill would be drafted in a highly technical style. Her implication was that what she called the ordinary voters of London would have a chance of understanding a White Paper, but that they would not understand a Bill. Well, I have news for the Government, many of the ordinary voters of London are lawyers, and they understand Bills. *[Interruption.]* Labour Members cannot possibly disagree with that assertion.

Mr. Gerald Howarth: My hon. Friend's constituents and mine are perfectly capable of assessing the intricacies of technical Bills, but, even more importantly, the commentators, whose job it is to convey such things to the public, will be able to assess the intricacies of the Bill. They will be able to tell the public just where the Bill differs in key material effects from those good intentions to which my hon. Friend referred which are contained in the White Paper.

Mrs. Laing: I thank my hon. Friend for so eloquently making the point that I was about to make.

Mr. Howarth: I am sorry.

Mrs. Laing: No, there is no need for an apology: my hon. Friend is absolutely correct.

Sir Paul Beresford: There is a third group to consider, to which I referred in an earlier intervention. All those

standing at the borough council elections, which will be held at the same time, will generally have received advice on the Bill, if it is published by then, and will understand it with the assistance of the lawyers who are provided by local authorities. They will be deeply concerned, because they will be directly affected by the new authority.

Mrs. Laing: My hon. Friend is absolutely correct. Such points all add to the argument that can only lead to us assume that there is something that the Government have to hide from the potential voters of London. If they have nothing to hide, why do they not simple publish the Bill?

We all know how long it takes to put a Bill together—my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) explained it eloquently. If the Secretary of State for Scotland can put together his extremely complex Scotland Bill in a short time, why cannot the Government also publish the relevant Bill for the proposed London authority? They could have done so in a shorter time than it took to publish the Scotland Bill, because it is bound to be shorter and less complex than that legislation.

Also at stake is the very principle of having a referendum in the first place. I believe that a pre-legislative referendum is even more dangerous than a post-legislative referendum, because the former goes even further in negating the responsibility of Parliament. In fact, it represents a further negation of the sovereignty of this place.

The Minister for Transport in London (Ms Glenda Jackson): That is the first time we have heard that.

Mrs. Laing: I am surprised to learn that I have made any point that has not been made before, given that this has been a long debate tonight.

I accept that, very occasionally, there is a case for having a referendum as part of our legislative process on a point of huge constitutional importance, but I submit that this is not such an occasion. It merely shows that the Government do not have the courage of their convictions. They want to have a referendum without giving the people who are to vote all the information that they need to make an informed choice about how to vote because, as we have seen so often with this new Government, they are more concerned—almost entirely concerned—with the public relations aspects of their actions and with their image. They have hardly dared to take a step without consulting the focus groups and opinion polls. Now we find that, again and again, they cannot act without consulting through a referendum of some kind. However, it is not a valuable referendum; it will not give people a true choice, because they will not have the information on which to make that true choice.

We have heard very little about who will vote in the referendum, with or without the information that they would have if there were a Bill before them. My constituents will not have the chance to vote, and neither will constituents of most hon. Members in the Chamber who live in other parts of the United Kingdom. The boundaries will be narrow, yet people who are not citizens of the United Kingdom will have an opportunity to vote, because, in London, many people who are householders and have the chance to vote in London local elections are not even citizens of the United Kingdom.

Once again, as they did with Scotland and Wales, the Government are taking a step that affects not a narrow part of our society, not a small number of people in the United Kingdom. They are taking a step which, because it affects our great capital city, affects everyone in the United Kingdom; yet the only people who will have a chance to vote are those who have a right to vote in London. It is not fair. It is the wrong way to conduct business. The referendum—

Mr. Gerald Howarth: Is it not the case that, if the referendum is held on 7 May, nothing can happen until the legislation has passed through the House? So the hon. Member for Richmond Park (Dr. Tonge) completely misled the House in suggesting that, if the referendum were not held on 7 May, the whole process would be delayed. Does my hon. Friend agree that the process of delay lies in the hands of the Government—

Mr. Deputy Speaker: Order. I am sorry; I was distracted for a moment. I thought that the hon. Gentleman mentioned someone misleading the House. No one would do that. Would that be the case?

Mr. Howarth: I am so sorry, Mr. Deputy Speaker. I think that she inadvertently may have misled the House, but—

Dr. Tonge *rose—*

Mr. Deputy Speaker: Order. Let us get this settled. The hon. Gentleman should just withdraw that remark. It tidies things up.

Mr. Howarth: Of course, Mr. Deputy Speaker, I do withdraw the imputation. I just think she was wrong.

Mr. Deputy Speaker: Now that we have got that out of the way, we have had an intervention, so the hon. Member for Epping Forest (Mrs. Laing) should speak.

Mrs. Laing: Thank you, Mr. Deputy Speaker. I was about to conclude. I agree with the point that my hon. Friend has once again so eloquently made. Because the basis of the referendum is so weak, its result will hardly be worth paying attention to. It is not fair to ask people to go to the polls and take a decision when they do not have the full facts. The referendum will not bring increased democracy to people; it will be an abuse of the democratic process because it distorts that democratic process for the sake of the image of the present Government.

Mr. Ottaway: We have had an especially interesting debate tonight. The Secretary of State for Scotland, who has graced us—honoured us—with his presence, has looked in, and smirks at the suggestion.

It has been suggested by a number of Labour Members, mainly in interventions, and by the hon. Member for Harrow, East (Mr. McNulty) in a speech, that Lords amendment No. 1 is a wrecking amendment. As my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) said, if it is a wrecking amendment, it is a very insubstantial one. The definition of a wrecking amendment is an amendment that would make the Bill ineffective if it were accepted. This amendment does not make the Bill ineffective; it merely adds a little bit of democracy to the process. It is spurious to claim that it is a wrecking amendment.

[Mr. Ottaway]

We are addressing the principle of open government. We are not asking the Government to do anything extraordinary or unusual or anything that would cause them embarrassment—although I suppose that passing the amendment might have that effect. We are asking the Government to be fair to the people of London. Our request is not unreasonable: we are seeking clarity so that the people may exercise their judgment in a manner consistent with open government—something that Labour Members lecture us is a matter of principle.

9.45 pm

If the Bill is passed unamended, we shall be seeking the approval of the people of Greater London for a Government proposal that has little form or substance. They will be invited to vote for an idea, not a proposal. It is highly unsatisfactory to seek the views of the public in a referendum without offering the details of what is proposed. There is a case—although it is not covered by the amendment—for arguing that the Bill should be enacted before the referendum is held so that the people of London may see beforehand what the House has decided.

If a Member of Parliament were to walk into a car showroom to buy the latest model and the salesman said, "I'm sorry, we don't have a car in stock, but here is a glossy brochure that gives a detailed description of the car," he would be right to be wary. The interpretation of the wording, the photography and the presentation of the document reflect the perspective of those who want to sell the goods. Wise people would want to see the car before they bought it. They would want to view it from their own perspective; they would not want to be bamboozled by glitz and media presentation.

That is the nub of the argument tonight. The Government claim that Londoners need to see only a White Paper—the equivalent of the car showroom brochure—before making up their minds in a referendum. The Government cannot promise what final version of events will appear in the Bill. Nevertheless, they ask us to trust them.

Mr. Gerald Howarth: Would my hon. Friend be prepared to buy such a car on the basis of the prospectus if he were dealing with a reputable dealer? In this case, the dealer is thoroughly disreputable.

Mr. Ottaway: My hon. Friend makes my point for me. I would certainly buy a used car from him, but I cannot say the same for some Labour Members.

The Government claim that there are no devils in the detail. However, their argument is flawed. The Government have said repeatedly that they will play a neutral role in the referendum campaign. As they produced the policy, the Government are incapable of being neutral. That is understandable. The Government want everybody to say yes, and they will produce only publicity and material that sets out the positive side and the benefits of their arguments. It is only logical, and the temptation to do that will be irresistible.

In the latter part of last year, the London desk in the Department of the Environment, Transport and the Regions produced a document about the London referendum publicity campaign. That campaign will have a pretty glitzy run—what is more, the taxpayers will pay for it all. The document says that, before March 1998, we shall see the logo for the London vote. An internet site and a helpline will then be established. Stands will be set up in shopping centres and then, glory be, there will be a referendum bus. All of that will happen before the White Paper is published, let alone any other details. Lord only knows what Government supporters will say as they trundle around.

Following the launch on 23 March, we shall have the White Paper and a White Paper leaflet. Most revealing of all is the advertising to back up the White Paper. This is the first that the House has heard about an advertising campaign. In Committee, the Minister said that a leaflet would be published. He continued:

"We will also ensure that every household in London receives a neutral and factual summary of the White Paper, setting out the proposals on which they will be asked to vote, as well as other initiatives, to ensure that everyone knows what the issues are . . . There will be no public funding for either a yes campaign or a no campaign."—[*Official Report*, 19 November 1997; Vol. 301, c.378-9.]

That flies in the face of the memo.

The Minister shakes his head. Page 3 of the memo states:

"We are currently in the process of appointing an advertising agency."

That was in December. The memo continues:

"The campaign will have a value of about £750k over the two financial years."

The most revealing part is what follows:

"This spend is part of the total cost of the referendum of no more than £3m."

There we have it, and it is getting perilously close to dubious practice. There was no mention of this matter when the Bill went through this House. Every impression was given that the £3 million that was covered by the financial effects of the Bill was the cost of running a referendum, and it was said that, if it was not held on 7 May, it would cost £5 million. Now we discover that £750,000 of that £3 million is to be spent on an advertising campaign. The Minister has said that the extra £2 million for delaying the referendum could not be afforded, but £750,000 is going on an advertising campaign which is effectively a state-funded yes campaign.

Mr. Raynsford: I ask the hon. Gentleman to withdraw his last remark. The Government have made it quite clear that we have a responsibility to make available factual and neutral information about the White Paper and the referendum. There is no question of any Government money for a yes campaign, and I ask the hon. Gentleman to withdraw his scurrilous allegation.

Mr. Ottaway: If there were to be a neutral campaign, the Minister would stick to the words that he used in Committee on 19 November, when he said that there would be a single leaflet. A £750,000 advertising campaign does not draw attention to but backs up the White Paper. It is impossible for that to be a neutral campaign. It seems to be a flagrant breach of the Minister's undertaking that no public funds will be used, because such funds are clearly being used. They are being

provided under the terms of the Bill and the money is being spent without any hon. Member being aware of the proposal until now.

This is a disclosure of a massive state-funded yes campaign. There is no kidding: the campaign will focus on improving the turnout. It supports the Government's proposals and it is the nearest that there can be to a state-managed hijack of public funds.

Mr. Raynsford: Two minutes ago I repeated a clear undertaking that there would be no public money to support a yes campaign and I asked the hon. Gentleman to withdraw his scurrilous allegation that there would be one. He did not do that and he has exacerbated the problem by repeating his allegation. That is a gross discourtesy to the House and shows the scurrilous way in which the hon. Gentleman is operating. He is failing to withdraw when he has been revealed as peddling untruths.

Mr. Ottaway: The first time that the House knew that £750,000 was to be spent on an advertising campaign in support of the Government's proposals was when I revealed it this evening. The Minister may say that he said "other measures" in Committee. He was covering up a blatant abuse concerning the use of public funding.

Mr. Wilkinson: My hon. Friend makes a most important point that has transformed the debate. I am sure it has been a revelation to Londoners and the country. Does my hon. Friend agree that the Government could easily have obviated this expenditure by doing the honest thing and publishing the Bill, which contains the genuine proposals? That would be better than having to produce blurb to try to put flesh on the skeleton proposals in the White Paper.

Mr. Ottaway: My hon. Friend is absolutely right. That is why we are urging the House to support the Lord's amendment.

The Government say that their publicity campaign is to be neutral and that it will focus on ensuring that people are aware of the Government's proposals and of their right to vote on them. That is not the point. The point is that this is their gloss on the Government's proposals. The Government are saying that the proposals are a good thing and the money is supporting their argument that they are a good thing. In truth, one cannot write a proposal and put it forward in a neutral way. There we have it. The Government are spending £750,000 on an advertising campaign in support of the glossy brochures—there is no chance to look at the car one is buying.

It is just such an approach that leads us to believe that, in the interests of fairness, justice and democracy, the detailed proposals for London set out in the Bill should be made available to the Government.

The most spurious argument of all is that of delay. The Government may say that to publish the Bill—

Mr. Ian Bruce: Only recently we have seen the narrow vote on the Welsh assembly, which took place on the basis of a White Paper and is now being seen as spurious. The assembly will not be in Cardiff where it was supposed to be. Surely we want to see what is really going to happen, not what the gloss is.

Mr. Ottaway: My hon. Friend illustrates the fact that the devil is in the detail. We want to see the detail before we ask Londoners to vote on the matter.

As I have said, the most spurious argument of all is that of delay. The Government may say that to publish the Bill will delay the referendum. That is only part of the case. The only consequence of publishing the Bill in advance of the referendum is that the referendum will not be held on the same day as the London borough elections.

As my hon. Friend the Member for Epping Forest (Mrs. Laing) said during her excellent speech, the Scotland Bill had its First Reading five months after the publication of the White Paper. For Wales, the interval was four and a half months. With the publication of the London White Paper on 23 March, a draft Bill could, under the same time scale as for Scotland—the longer of the two intervals—be published in mid-August 1998 with a referendum in October. If the referendum resulted in a yes for the Government's proposals, the Bill would feature in the Queen's speech in November. There is no difficulty in that proposal. There is no reason why it cannot be delivered, and the Government must recognise that that is the fairer way of doing things.

In Scotland and Wales there may arguably have been a case for saying that there was no time. That excuse is not available in London. However, reasonableness and fairness do not come into the making of this decision. The only argument that the Minister is left with is that it will cost £2 million. As my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) said in his excellent speech, that is peanuts. In terms of the departmental budget, it adds up to 30 minutes expenditure over a year. As my right hon. Friend the Member for Cities of London and Westminster said, that is a small price to pay for the long-term interests of democracy in London.

We all know that the reason for the referendum on 7 May—this is the point made by my hon. Friend the Member for Orpington (Mr. Horam)—is to obscure the appalling record of Labour councils that are up for re-election in the London borough elections on the same day. So ghastly has been Labour's track record over the years, and so appalling has been its performance in London, that the Government want to cover it up.

We have only to look at the disgrace of the schools in Hackney, the broken pledges to Edgware general hospital, the building on green-field sites across London and the waste, inefficiency and incompetence of Labour councils from one side of the capital to the other. In a futile attempt to cover that up, the Government have gone for the ultimate smokescreen—a referendum on the same day. They did not do it in Scotland or in Wales, and they do not have to do it in London. We say that in these matters the devil is in the detail. It is in the fine print that the real answers to the many questions can be found. On past evidence, we are right to ask for the details to be spelled out.

In a letter to the editor of *The Times* in October, the Minister for London and Construction said that he did not support the idea of a borough leader representing a geographical part of London, who

> "would see his or her first loyalty as fighting for his or her own patch rather than the wider interests of London as a whole."

There it is: a clear, unequivocal statement setting out his position as a matter of principle. Anyone who read *The Times* would be clear what that meant. They would say, "This guy is thinking strategically. Very interesting. I must judge him on that proposal." Just imagine how

[Mr. Ottaway]

that person will feel when he discovers that, in truth, the Minister has already abandoned that principle, that he is now considering an electoral system where members are elected by geographical constituency—

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, Consideration of Lords Amendments to the Greater London Authority (Referendum) Bill may be proceeded with, though opposed, until any hour.—*[Mr. Graham Allen.]*

Question agreed to.

Question again proposed, That this House doth disagree with the Lords in the said amendment.

Mr. Ottaway: I was drawing attention to the Minister's letter to the editor of *The Times*.

Mr. Raynsford: Wind up.

Mr. Ottaway: The Minister says, "Wind up." I am afraid to say that he has much to hear yet, which he is not going to like.

Just imagine how the person reading the Minister's letter to *The Times* will feel when he discovers that, in truth, the Minister has already abandoned that principle and that he is now considering an electoral system whereby members are elected by geographical constituency, with a top-up list, as we have in Scotland. I know what that person would say: "I am appalled. I have been misled. How can I trust this man?" That is what is happening.

That is why we want all the details of the measure spelt out before Londoners make a judgment. It is no good trusting Ministers: they change their minds about everything.

Before the election, the Prime Minister said that he wanted to extend the scope of personal equity plans and tax-exempt special savings accounts. After the election, he announced that they would be abolished. Labour said that it would introduce cold weather payments. The Minister with responsibility for pensions has rejected that.

Mr. McNulty: What does that have to do with the amendment?

Mr. Ottaway: I will tell the hon. Gentleman. It demonstrates that people cannot trust any pledge made by a Labour Minister.

Mr. Deputy Speaker: Order. We must keep strictly to the Lords amendment. We are going a bit wide.

Mr. Ottaway: I shall keep to London matters, Mr. Deputy Speaker. Before the election, the Minister for Transport in London campaigned on behalf of members of the National Bus Company employees pension scheme, who felt that, on privatisation of the buses—

Mr. Deputy Speaker: Order. The Lords amendment clearly talks about the government of London and the question of a referendum, so the hon. Gentleman must speak about the referendum. There are many wide issues that he can go into, but not tonight.

Mr. Ottaway: I do not seek to quarrel with you, Mr. Deputy Speaker, but this concerns the credibility of Ministers, who are inviting us to accept a pledge that they will not change the details of the White Paper before the Bill is published. We have heard from other hon. Members how the Government have changed their White Paper proposals on Scotland and on Wales. I am illustrating matters affecting the Minister for Transport in London, which go on in London in the transport sphere, which will be a part of the Greater London authority, and which will feature in the White Paper. I am showing how Ministers change their mind from one day to the next. That is the point that I seek to demonstrate. May I continue on that basis?

Mr. Deputy Speaker: What the hon. Gentleman can say to the House is that the Minister for Transport in London has changed her mind. He has said that, so we can return to the amendment.

Mr. Ottaway: But I have not told the House how the Minister has changed her mind.

Mr. Heald: Does my hon. Friend agree that this should be his concern and that of the House? The Scotland White Paper pledged, for example, that enterprise would be a devolved issue; in fact, it will still be dealt with by the Department of Trade and Industry. Similarly, the Scottish White Paper said European representation would be a matter for Scottish Ministers, who would be able to go to Brussels and argue the case for the United Kingdom and Scotland; in fact, that is not offered in the Bill. It has to be a question of what is actually in the Bill.

Mr. Ottaway: I sense that you, Mr. Deputy Speaker, are getting a bit edgy. Perhaps I will find time on another occasion to deal with the pledges to the employees of the National Bus Company broken by the Minister for Transport in London.

Mr. Lansley: Unless we make Lords amendment No. 1, we will not see the integrated transport White Paper before the referendum.

Mr. Ottaway: My hon. Friend makes exactly the point that I was trying to make.

A matter that certainly will be dealt with by the Greater London authority is health in London. In the general election campaign, the hon. Member for Brent, North (Mr. Gardiner) issued a leaflet saying:

"You Can Still Save Edgware General If You Vote Labour on May 1st".

Labour Members will probably recognise the leaflet and the photograph of the current Secretary of State for Culture, Media and Sport, who was then the shadow Secretary of State for Health.

The leaflet continues:

"The handshake which brings hope for the future of Edgware General Hospital."

Under that, it says:

"Barry"—

who I presume is Barry Gardiner, although we do not see him around much; I do not know whether he was elected—

"is determined to restore the accident and emergency department at Edgware with Chris's help."

But the honeymoon did not last very long.

Only three weeks later, the *Barnet Advertiser*—the free newspaper of the year—issued a special edition, with the headline "The Great Betrayal" of the Labour party. It continues:

"Labour win votes by pledging to review A and E closure, then do an immediate U-turn and consign Edgware General to history".

The article states:

"Three weeks ago Labour captured two of Barnet's Parliamentary seats on the back of a cast-iron"—

Mr. Deputy Speaker: Order. That has nothing to do with the Lords amendment. I appeal to the hon. Gentleman to speak to that amendment.

Mr. Ottaway: May I just say that the quote ends:

"This week it became clear that those words were not worth the paper they were written on"?

That is exactly how the Opposition feel about the Labour party's undertaking—

Mr. Graham Allen (Lord Commissioner to the Treasury) *rose in his place and claimed to move*, That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 347, Noes 105.

Division No. 164] **[10.7 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradshaw, Ben
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keetch, Paul
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livsey, Richard
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
Mactaggart, Fiona

McWilliam, John
Mahon, Mrs Alice
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Oliner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Robert Ainsworth and Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Gale, Roger
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Loughton, Tim
Luff, Peter
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paterson, Owen
Prior, David
Randall, John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Townend, John
Tredinnick, David
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and Mr. Nigel Waterson.

Question accordingly agreed to.

Question put accordingly, That this House doth disagree with the Lords in the said amendment:—

The House divided: Ayes 346, Noes 103.

Division No. 165] **[10.21 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne

Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradshaw, Ben
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keetch, Paul
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livsey, Richard
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann
(Dewsbury)
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don

Trickett, Jon
Truswell, Paul
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Robert Ainsworth and Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Gale, Roger
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Loughton, Tim
Luff, Peter
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paterson, Owen
Prior, David
Randall, John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Townend, John
Tredinnick, David
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and Mr. Nigel Waterson.

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment: No. 2, in page 1, line 11, leave out ("question") and insert ("questions").

Mr. Raynsford: I beg to move, That this House doth disagree with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to discuss Lords amendment No. 3, and the Government motion to disagree thereto.

Mr. Raynsford: When the Bill was last debated, I said that the Government were pragmatic about the two questions; unlike the Opposition, we would be prepared to listen. Indeed, I invited the Opposition to come up with a viable second question. However, I specified some essential tests that any second question would have to pass.

First, if we are to have a second question on the grounds that it extends democratic choice, it needs to do just that. It needs to accommodate the various permutations and preferences raised during our debates. The amendment made in another place patently fails to do that. Rather than clarifying the choices, it opens up a series of ambiguities. The electorate will not know what they are voting for.

How does the staunch Tory who wishes to vote specifically for his party's preferred option—an assembly made up of borough leaders—do so when faced with the two questions? He cannot. He can only vote for an assembly without knowing how it might be constituted. This is from the party that argued throughout the previous debate that clarity was essential—that people should be aware of every fine detail of the arrangements. Of course when it comes to this Lords amendment, the Conservatives use totally different logic.

Mr. Ian Bruce: Will the Minister give way?

Mr. Raynsford: Oh dear, the hon. Gentleman is once again going to bore us.

Mr. Bruce: I am grateful to the Minister, who thinks that he will be bored. The Government have produced the Green Paper and the consultation paper, and if the amendment is passed the referendum will not take place. We do not know, however, what the Government will propose in the White Paper. How can we ask detailed questions when we do not even know what the Government propose?

Mr. Raynsford: It is a little depressing to realise that the hon. Gentleman—who was in the Chamber for most, if not all, of the debate on the previous amendment—obviously has not listened to a single word. We have made it clear that the Government will publish a White Paper, setting out the full details of the Government's decisions in respect of the Greater London authority, and that will be at least six weeks before the referendum. In addition, a summary leaflet will be distributed to every household in London. I accept that the hon. Gentleman, who represents a constituency somewhere in the west

country, will not get a copy through his postbox because he does not happen to live in London—except during the week.

Mr. Bruce: I have an address in London.

Mr. Raynsford: Well, I hope that the hon. Gentleman gets one through his postbox. He will then see the basis of the Government's proposals.

Mr. Bruce: Will the Minister give way?

Mr. Raynsford: No, I wish to make progress. The hon. Gentleman has intervened on many occasions but has cast little light on the debate. We should proceed.

Equally, how does the earnest Liberal Democrat express her preference for a mayor elected from the assembly? She cannot. She can only vote for or against a mayor, without knowing how the mayor will be elected. Again, that is clear evidence that the Opposition have failed to come up with a second question that clarifies the issues.

Mr. Simon Hughes *indicated dissent.*

Mr. Raynsford: The hon. Gentleman shakes his head, but he would want a Liberal Democrat to have the opportunity to vote for an assembly without a mayor. That cannot be done on the formulation he proposed. That reveals the total failure of the Opposition to come up with a viable second question.

Mr. Hughes: With your leave, Mr. Deputy Speaker, I shall deal with this point at greater length later.

The Minister's argument is flawed in two respects. First, the Bill, as amended by our amendment, specifically says that the Government propose one question, "Do you want an elected assembly, elected by Londoners?" and another, "Do you want an elected mayor, elected by Londoners?" Secondly, the Minister knows that his one-question proposition does not allow somebody who wants only a mayor or only an assembly to express that view either. The argument that he applies to us applies equally to him.

Mr. Raynsford: I accept that. I have never pretended that we have a duty to put before the electorate the Liberal Democrats' basically unsound proposals. We are not obliged to put their views to the electorate.

Mr. Hughes *rose—*

Mr. Raynsford: I ask the hon. Gentleman to keep calm and I shall give way to him in a moment.

We have always said that we would put before the electorate the Government's proposition, which we put to the electorate at last May's election and which was overwhelmingly endorsed by the people of London. The Liberal Democrats would love to be in government and they could then put their proposition, but they are not and they should therefore accept that they are not in a position to do so.

Mr. Hughes: I am not so arrogant as to suggest that the Government put our proposition to the electorate; I suggest that they put a choice to the electorate. Why do not the Government allow the electorate to decide, rather than insist on determining the question?

Mr. Raynsford: That is exactly what the Government are doing. We are putting the proposition that we put to the electorate last May. The electorate voted for the Labour party, which had made it clear that it proposed a Greater London authority comprising a mayor and an assembly. We said that we would consult the people of London before legislating. That was our pledge and that is what we are doing, in marked contrast with the Conservative party, which consulted no one when it abolished the GLC. There was no referendum or test of opinion, and it is pure humbug on the Conservatives' part now to talk about referendums, votes and tests of opinion.

Mr. Lansley: Will the Minister give way?

Mr. Raynsford: No.

My second test was that the referendum must be capable of delivering a decisive expression of public opinion. Those two questions do not guarantee that. If I, as a proponent of the Government's package of a mayor and an assembly together, voted yes on both questions, only to find that a mayor alone had been approved in the referendum, I would be appalled. My vote would have contributed to an outcome that I did not want. We have repeatedly emphasised that the mayor's powers must be balanced by the accountability provided by the assembly. Without that framework of accountability, too much power would be concentrated in one person's hands, yet, under the amendment made in another place, I would be denied the option of a vote for the combination of mayor and assembly, which forms the basis of the Government's proposal.

It is pretty rich for the Opposition to devise a couple of questions that would deny the people of London an opportunity to say yes or no to the proposal contained in the Government's election manifesto, which was supported by the overwhelming majority of Londoners. That is the sheer hypocrisy of the Opposition parties.

Mr. Hughes: The Minister knows that the majority of Londoners did not vote Labour at the election. We discussed that last time and the Minister must withdraw that claim. If his case is to be credible, he must persuade the electorate to vote "yes, yes". They then get exactly what he wants and will have answered both parts of the question in the affirmative. He simply does not have confidence in his own case.

Mr. Raynsford: On the contrary. We have just heard from the hon. Gentleman the typical Liberal Democrat ploy of trying to get their own way, and denying the people of London the opportunity to vote on the Government's proposition. That was endorsed by 49.5 per cent. of the electorate of London last May—a rather larger proportion than that which voted for the Liberal Democrats.

The two questions drafted by the Opposition risk peoples' votes carrying the day for a package with which they do not agree. That is good neither for clarity nor for democratic choice.

[Mr. Raynsford]

Thirdly, the Government should not be in the business of putting forward unworkable propositions in which they do not believe and which they would not implement, but that is precisely what those two questions risk. What would the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) do if he were faced by a vote in favour of a mayor without an assembly? What would the right hon. Member for Sutton Coldfield (Sir N. Fowler) do if he were faced with a vote for an assembly without a mayor? Would they implement models of government to which they were diametrically opposed? I doubt it. I have explained that the amendments do not meet the key tests set out in our earlier deliberations.

Mr. Lansley: This is curious, because the Minister seems to suggest that the Government will not respond to an advisory referendum. Surely the point of having a referendum is to render the Government advice on the view of the electorate of London, but the Government are saying that they do not want to be given such advice and that, if they get the wrong advice, they will not follow it.

10.45 pm

Mr. Raynsford: I am sorry that the hon. Gentleman, who has a reputation for being thoughtful in some respects, should have entirely missed the point. He talks about the Government seeking advice. The Government are seeking not advice but the view of the electorate on a specific proposition. We are seeking clarity. In the last debate, he was all in favour of clarity. He now peddles the argument for ambiguity. The point that I have already made to him, and which he appears incapable of understanding, is that, if the questions as now phrased were put to the electorate, people would be voting for propositions the outcome of which they could not know.

There are several permutations that could lead to the result that people least want as a result of voting in the way that they thought would accord with their views. That is the problem. The Conservative who does not want an assembly but wants a mayor could vote yes for a mayor and yes for an assembly, which seems to be roughly the Conservative party position, and end up having voted for the assembly, because that is a separate vote, but not getting the mayor because the majority were against one. The hon. Member for South Cambridgeshire (Mr. Lansley) does not seem able to understand the problem that there would be no clarity. There would be confusion and uncertainty.

I have explained that the amendments do not meet the key tests set in our earlier deliberations. The Opposition have failed utterly to come up with two questions that meet the requirements that we set, and they have equally failed to refute the Government's case for a single question. We must therefore ask why the amendments were pressed in the first place. As with the previous amendment, the answer can be only that they are determined to wreck our clear manifesto commitment to restore democratic citywide government in London.

As I said earlier, the Opposition parties dare not do so openly, because they know that our proposals command the support of the overwhelming majority of Londoners. They have resorted to the subterfuge of wrecking amendments. That is not an honourable or creditable approach. It is, of course, all too typical of the Conservatives, who have twisted and turned on the issue over the past year. Twelve months ago, they were saying that there was no need for a new authority for London.

Mr. Gerald Howarth *rose—*

Mr. Raynsford: The people of London gave their verdict overwhelmingly on that proposition on 1 May last year. I invite the hon. Member for Aldershot (Mr. Howarth) to consider that point: does he agree with the outcome of the general election on 1 May, and will he respect it?

Mr. Howarth: If it was the clearly expressed will of the electorate of London last year that there should be a mayor and elected assembly, and if the Minister is Mystic Meg and knows the outcome already, why is he holding the referendum in the first place?

Mr. Raynsford: The hon. Gentleman ignores the point that I have made many times already. It was a manifesto commitment that we would hold a referendum to confirm the support of the people of London for our proposition. I hope that even he would not suggest that we should break manifesto pledges.

Twelve months ago, the Conservatives did not want an assembly or authority for London. The people rejected their view. Now, realising that they are profoundly unpopular, they have started to change their position. They now say that they think that there is a case for a mayor. They cannot bring themselves to agree with the concept of a strategic authority and are therefore going for a halfway house of support for a mayor but rejection of an assembly. It is difficult to understand how any political party could get itself into such a ludicrous position until one recalls that it is not the product of rational analysis but of the Tories being told by their spin doctors to change their policy without having thought through the issues.

Perhaps the more interesting question is not how the Conservative party got itself into this mess, but why the Liberal Democrats should have been so keen to join them in opposing the Government's proposals. In their case, it is once again, as with the Conservatives, not the product of any sensible or rational analysis. Indeed, it was notable that, in the other place, those Liberal Democrat peers who had given serious thought to the governance of London—I think especially of the distinguished former director of the London School of Economics, Lord Dahrendorf—did not support their party's wrecking amendments. Lord Dahrendorf was explicit in saying that he supported

"the Government's Bill without any ifs and buts."—[*Official Report, House of Lords*, 15 December 1997; Vol. 584, c. 428.]

The hon. Member for Southwark, North and Bermondsey, to whom I will happily give way, should perhaps consider that the person in his party perhaps best qualified from experience to comment on the governance of London explicitly repudiated his party's position in the other place.

Mr. Simon Hughes: It is true that three of our colleagues supported the Government in the other place.

Three of the Government's colleagues supported us—two former London Members of Parliament and one other Member. Does the Minister accept that it is as valid to regard the opinion of his dissenters as it is to regard the opinion of ours?

Mr. Raynsford: If any of the dissenters on the Labour Benches had had as distinguished a career in analysis of the governance of London as Lord Dahrendorf, I would have treated their opinions with respect. I have to tell the hon. Gentleman that he was wrong once again. He often is. It was not three but four Liberal Democrat peers who voted for the Government, one of whom happened to be their Deputy Chief Whip. I have to put it to the hon. Gentleman that his party, as usual, did not know what it was doing.

The truth is that the Liberal Democrats in London are in the pocket of their local councillors, who have not the vision to see any possible alternative system of government to the conventional town hall model. A rather distinguished senior figure in the Liberal Democrat party, who was one of many others who did not vote because they could not bring themselves to vote for their party's absurd position, commented that the fault line in the Liberal Democrat party was now between the councillors and the others. That was very evident in the debates in the other House.

The two Opposition parties are united in an unholy alliance of conservatism to try to wreck the Government's radical reform proposals. The electorate will no doubt have a good chance to reflect on that on 7 May.

As my noble Friend Baroness Hayman made clear in another place, there are legitimate differences of opinion about the best form of government for London. It is perfectly acceptable that such differences exist, and I am happy to debate the issues, but the Government are not obliged to put those differences to the people of London in a referendum. We do not have to offer a vote on the Conservative position, the Liberal Democrat councillors' position or indeed any other variation.

We will seek the consent of Londoners to our considered proposal for an authority made up of an elected mayor and an assembly. We have consulted the people of London already on that and worked up detailed proposals. We have published those proposals in a White Paper well in advance of the referendum. That is the package that we believe to be the best form of government for London. That is what we promised to deliver in our manifesto. If Londoners do not agree with our proposals, they are free to vote no.

Our proposal for a single question in the referendum will allow a decisive expression of public opinion on a clear proposition. People will know exactly what they are voting for, and what they will get. If there is a yes vote, the people of London know that the Government will act, and how they will act. Londoners have waited far too long for their chance to decide on their city's future; they should not have to endure further confusion and delay now. I urge the House to reverse the Lords amendment.

Sir Norman Fowler: That is probably one of the weakest arguments that I have heard even the Minister make on these issues. We have debated them before. The distinctive feature is that his replies get worse rather than better. When he begins to attack us for being the prisoners of spin doctors, he is really scraping the barrel for an argument. To suggest that the amendment is a wrecking one is a ludicrous proposition; it has the support of a number of people representing a range of opinion.

When the Minister discussed the previous amendment, he made a great deal about the House of Lords, its rights and the hereditary peerage. He did not mention those issues again in his speech on this amendment, for the good reason that, when it came to a decision on the amendment in the other place, the Labour party managed to garner only 104 votes in the Division, which it lost. Presumably Lord Hattersley was either still out at lunch or preparing for dinner, and other Ministers were unavailable to the Whip. On that occasion, three Labour peers voted with the Conservative party, including Lord Jenkins of Putney and Lord Stallard. Lord Jenkins and Jock Stallard are not exactly pillars of the Conservative party.

Mr. Raynsford: Will the right hon. Gentleman explain why a distinguished former leader of the Greater London council, Lord Plummer, voted with the Government on that occasion?

Sir Norman Fowler: Lord Plummer doubtless voted with the Government, but, although I hate to make the Minister leave his fantasy world, I must remind him that the Opposition won that vote. His party was able to produce only 104 votes. A coalition of Conservative, Liberal Democrat and Labour peers managed to win the vote, for good reasons; no one can seriously doubt the strong arguments invoked.

This is an important debate and I hope that the Government will not move the closure before the Minister for Transport in London, who is meant to responding to the debate, has the opportunity to do so. It shows an unappealing lack of confidence in her that the closure was moved before she had the opportunity to say a word. Presumably there was a risk that she would deter people from voting in her Lobby. The decision to move the closure was extremely discourteous to Labour's chosen candidate for mayor of London. We have already made it clear that the Conservative party backs her candidature. We imagine that she will soon stand down from office to take up that challenge.

The amendment refers to an issue that has remained crucial throughout the debate on the Bill. The Government have been urged not only by the House of Lords but by a range of other people to make provision for not one but two questions to be asked at the referendum. The public should be asked whether they support the proposal for a directly elected mayor and, separately, whether they would support the establishment of new elected assembly for London.

The Conservative party has made it clear that it supports the proposal for a directly elected mayor but opposes that for a new assembly. We are not alone in that view, because the Liberal Democrats support us, as do members of the Labour party. The most significant speech from a Labour Back Bencher in the entire debate in the House was that of the hon. Member for Brent, East (Mr. Livingstone), when he roundly attacked the Government's proposals. On that occasion, Labour Back Benchers were allowed to speak, and it is significant that,

[Sir Norman Fowler]

since the hon. Gentleman's speech, they have been banned from doing so. The hon. Gentleman said:

"We are not getting a single voice for London—we are getting two competing voices, locked into an institutionalised conflict."—[*Official Report*, 19 November 1997; Vol. 301, c. 400.]

His argument was that the crucial body was the directly elected assembly. Given his position on the GLC, that comes as no surprise.

The hon. Member for Brent, East revealed that many people in the Greater London Labour party were unhappy with the Government's proposals, usually because they wanted an assembly but did not want a mayor. He was scathing about the whole consultation process. He said:

"If we were prepared to trust Londoners, we would have a debate in which Ministers could marshal their arguments and we could challenge them. If Ministers could persuade Londoners, Ministers would get their way, but they do not trust Londoners, which is why they will not be given a choice. Londoners will be told, 'Take it or leave it.' That is insulting to Londoners. We have just had a referendum in Scotland and we allowed the people to have two votes to decide about tax policy, but Londoners can have only one option . . . we should not deny Londoners the chance to decide what system of government they want. I am deeply ashamed of the way my party has proceeded tonight, because it is an offence to Londoners and an insult to their intelligence."—[*Official Report*, 19 November 1997; Vol. 301, c. 403.]

That was the opinion of the hon. Member for Brent, East. Whatever other criticisms one can make of him, he has taken some interest in the affairs of London and local government during the past few years.

11 pm

By any standards, no one can seriously claim that the idea of two questions was dreamed up in the House of Lords. It has been at the heart of the debate on the London referendum throughout. A large part of the press has supported the two-question proposal. *The Times* said:

"These are two different issues. They require two separate questions and answers".

It said:

"If the Government has its way, Londoners will be asked to consider one single proposition in which they must either accept or reject both a mayor and an elected assembly. The electorate will not be allowed to choose between them."

Referring to the Prime Minister, *The Times* said:

"He imposed that view on a reluctant party. He should not do so again."

The Guardian expressed a similar opinion.

There are two separate propositions. It is possible to argue for a mayor, to be a voice for London and to carry out other functions, without accepting the case for a new assembly. That is especially so, in the light of the effect of the proposals in the Bill combined with the effect of the proposals in other legislation currently before the House—in particular, the Regional Development Agencies Bill and a House of Lords private Member's Bill, the Local Government (Experimental Arrangements) Bill. That shows that we are heading for an incredible, multi-layered bureaucratic administration for London.

I should have thought that many hon. Members on the Labour Benches—if there were many hon. Members on the Labour Benches; remarkably, not only do they not speak now, but they do not even turn up to listen to the debate—

Mr. Raynsford: Yours are going.

Sir Norman Fowler: I think that common observation will illustrate that the Conservatives are better represented in the Chamber than are the massed ranks of the Labour party, who are, presumably, even now in the Tea Room.

Let us consider what the structure of local government in London will be if we continue on the lines that the Government propose. First, we shall have a directly elected mayor, with powers yet to be specified by the Government. Secondly, we shall have a directly elected assembly, also with powers yet to be specified by the Government. Thirdly, we shall have a regional development agency, appointed by the Secretary of State, but with powers that will impinge on all of London. Thirdly, we shall have the Government office for London, which, on past performance, will be extraordinarily reluctant to give up any power or influence.

Fourthly, the Local Government (Experimental Arrangements) Bill will allow boroughs to apply to have their own executive mayor. I gather that the London borough of Hammersmith and Fulham is already working on that model. If all these plans go ahead, residents of Hammersmith and Fulham, of which I am one, will live under a London mayor and a borough executive mayor, and there will also be powers for a small cabinet around the borough mayor.

Finally, at long last, in this new bureaucratic system for London, we get to the borough councillors—the people who are directly accountable to the public they serve. They are at the end of the queue. Their power will be reduced—there is no other sensible explanation of what is happening. It is simply not possible to argue that the power and influence of borough councillors can remain the same given the vast superstructure that has been erected above them.

Mr. Raynsford: I am grateful to the right hon. Gentleman for giving way. It is interesting to note that he is clearly unsympathetic to the proposals for democratic reform in local government advanced by Lord Hunt through legislation in another place. I am rather surprised that the Opposition do not support that measure.

I simply ask the right hon. Gentleman to recognise that he was incorrect in claiming that the development agency for London would be appointed by the Secretary of State. We have made it clear that there will be a direct line of democratic accountability from that agency to the mayor and the assembly of London. I hope that the right hon. Gentleman will correct the impression that he has given.

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before the right hon. Gentleman responds, I remind the House that this is rather a narrow amendment. I invite the right hon. Gentleman to speak to it.

Sir Norman Fowler: I accept that warning, Mr. Deputy Speaker. My point is that we are debating whether there should be a separate vote for a mayor and

a separate vote for an assembly. A crucial argument in allowing a vote on an assembly is that the Government will insert new layers of local government into the system. In other words, it is crucial to understand that, as well as the directly elected assembly, other layers will be inserted by different legislation. I shall not labour the point. However, it was not clear from the Minister's remarks who will appoint the development agency.

Mr. Raynsford: The mayor.

Sir Norman Fowler: The mayor will appoint the development agency for London, but we are correct in saying that it will be an entirely appointed body. There is no question of its being elected democratically—in other words, it will be a major quango. *[Interruption.]* Let us not have any arguments from a sedentary position. The Minister is provoking my hon. Friend the Member for Ribble Valley (Mr. Evans).

The Secretary of State appoints the members of other regional development agencies, but, in the case of London, the mayor will make the appointments. There is no question but that the members will be appointees and that the body will be a quango.

One does not have to be a paid-up Conservative Member to see that the system being proposed is out of control. Even those who advocated the idea of a London mayor must now wonder about the enormous machine that is being constructed. The House of Lords was entirely correct to pass the amendment. It will enable the public to decide whether they want to remove at least one layer of administration and bureaucracy that the Government are inserting.

The Opposition have no argument about the mayor: we support the concept of a mayor. However, for all the reasons that I have stated, we oppose the idea of a directly elected assembly. If an assembly is required as a checking measure, we propose that it should comprise borough leaders—it could even include executive mayors, if power has passed to them by that stage. The Minister challenges me on that point. We seek an assurance—which is one of the reasons why I was so sad not to hear the winding-up speech of the Minister for Transport in London—*[Interruption.]* The Minister must have a glimmer of understanding that we are working in a democratic assembly and that hon. Members have an absolute and utter right to put their points of view. It is not enough for the Minister to say, "We achieved a big majority at the last election, and this is our will." We do not accept that, and the sooner the Minister gets used to that, the better it will be for him.

Mr. Raynsford: Rather than expressing mock indignation, the right hon. Gentleman should speak to his hon. Friend the Member for Croydon, South (Mr. Ottaway) about honouring undertakings about the length of winding-up speeches. If those undertakings had been honoured, my hon. Friend the Minister for Transport in London would have had time to speak.

Mr. Deputy Speaker: Order. Perhaps we can return to the amendment.

Sir Norman Fowler: The Minister is totally erroneous and he is certainly out of order. It is a great pity that he does not calm down and listen to the arguments. *[Interruption.]* Perhaps I may be allowed to continue.

If we go down the Government's proposed road, there will be exactly the kind of institutionalised conflict that the hon. Member for Brent, East forecast. There will be conflict between the mayor and the assembly, and between the elected assembly and the elected borough councils. It will lead to a transfer of power from the boroughs to the centre. It is fanciful, ludicrous, to believe that elected assembly members will be content simply to carry out strategic thinking and checking. I can think of no elected assembly that would be happy with such a role. Step by step and year by year, the members of the assembly will seek further powers.

It was entirely clear from Labour speeches on Second Reading that Labour Members want a return to the Greater London council. They consider it a great pity that the GLC was abolished and they would like to see it return. That is their honest view, although it is not a view which the Government would dare to express. The powers that go to the assembly are unlikely to come from the Government and Whitehall, because, if history is any guide, they will fight like tigers to preserve their own. The powers that eventually go to the assembly will be those of the boroughs.

The Minister challenged me and the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) to table clear amendments that gave the public and the House a choice. We think that we have already tabled such amendments and I am glad that the Liberal Democrats have come round to our way of thinking on the matter.

Mr. Paul Tyler (North Cornwall): How does the right hon. Gentleman keep a straight face?

Sir Norman Fowler: The amendments are exactly the same. The Liberal Democrat Chief Whip would realise that if he knew anything about these matters, which I doubt.

The amendments are clear and I think that the hon. Member for Southwark, North and Bermondsey and I can agree on that. Above all, they give the people of London a vital choice and the House should support that. We have consistently argued for two questions. The other place was right to pass the amendment, and I urge the House to support it.

Mr. Simon Hughes: The right hon. Member for Sutton Coldfield (Sir N. Fowler) looked forward to the day when Hammersmith and Fulham had directly elected mayors. Even if, with our support, he does not win the battle for a referendum with two questions, he may soon get two referendums, each with one question. People may be asked, "Do you want a directly elected mayor and an assembly for London?" and, "Do you want a directly elected mayor and an assembly for Hammersmith?" There is a consolation prize ahead of the right hon. Gentleman.

Sir Norman Fowler: I shall not get that because there are no powers for such a referendum. That is precisely my point. There are no powers for a referendum anywhere but in London. That is why I want an assurance from the Government that the House will be given the opportunity to debate the private Member's Bill in the other place that is being promoted by Lord Hunt.

Mr. Hughes: The right hon. Gentleman is correct. At the moment, there are no such referendum powers. I share

[Mr. Hughes]

his view that there should be such powers and that there should be a debate. My colleagues and I share the scepticism about some elements of Lord Hunt's Bill.

I was reflecting on what the debate on the Lords amendment would be called if it were a novel.

Mr. Raynsford: "Much Ado About Nothing."

Mr. Hughes: From a sedentary position, the Minister—

Mr. Deputy Speaker: Order. It would help progress enormously if we did not have interruptions from a sedentary position, from Ministers or anybody else.

11.15 pm

Mr. Hughes: Particularly if they are so misinformed as to think that "Much Ado About Nothing" is a novel.

The title I gave it was "The great abolition justifies the great endorsement". The Government's argument seems to be that, because the Tories were wicked—which they were—in abolishing the GLC without asking anybody, which is what happened, they are now justified in saying, "This is our proposal and this is the only show in town."

The Liberal Democrats want the Bill to become law as the House of Lords has now amended it. On a Liberal Democrat amendment, supported by Conservatives, three Labour peers—I hope that the Government will concede, on reflection, that they are not insubstantial Labour peers, as they included two eminent former Members of this House and one other—and independent peers, including a former Speaker of the House, the other place amended the Bill to provide that the referendum should have two questions, not one. The amendment also provides that the schedule should have two clear questions, not one simple question.

Mr. Raynsford: Will the hon. Gentleman confirm that, in the vote in the other place, the Government were supported by the distinguished former leader of the GLC—Lord Plummer, a Conservative peer—Viscount Falkland, the Liberal Democrat deputy chief whip in the Lords, three more Liberal Democrats and some of the most distinguished Cross-Benchers, including Lord Carnarvon who chairs the all-party London group? I hope that the hon. Gentleman will accept that that is a pretty clear sign that there was substantial support for the Government's position from the Liberal Democrat Benches, the Conservative Benches and the Cross Benches.

Mr. Hughes: The Minister fails to understand an important point. The Government should allow people to express their opinion. We did. The Minister corrected me earlier, and I accept that four of our colleagues voted with the Government. If the Government had not steamrollered their view through their party, their regional conference and their local parties, ignoring grassroots opinion, and if the Minister had allowed the hon. Members for Brent, East (Mr. Livingstone) and for Islington, North (Mr. Corbyn) and all the others to vote as they wished, he would have found that many of his hon. Friends would have voted with the Liberal Democrats.

Given that, for the first time in the history of Parliament, we now have the rule that, if one votes against the Government, one risks deselection with no reselection, and there is no right to object to the Government's policy, of course most people follow the party line. It is that, or no job. In the other place, thank God, some people were more independent. I support the idea that there should have been a freedom to vote. There should have been freedom in this place and the other place. If my hon. Friends here had wanted to vote differently, I hope that we should have allowed them to do so.

I also believe that the voters of London should have a free choice and not be dragooned into one lobby with only one choice, imposed by one minority Government.

Mr. Lansley: Does the hon. Gentleman agree that it seems odd that the Government deny the right of the other place to amend the Bill while moving on to a detailed exegesis of who voted which way and what value should be ascribed to their vote?

Mr. Hughes: I began to wonder whether we were evaluating whether an earl was worth more than a viscount or a baron and whether, if they happened to have been Members of Parliament, that added a few points to their credentials. I believe that, even in the other place, each vote counts as one. On two occasions a couple of weeks ago, according to the calculations by the Whips in that place, we won. My understanding is that that is the way in which this place works. It may be simple. It may be simpler even than the Government's original proposal, but, if it has been all right for this country for a few hundred years, I reckon that it may be all right for a few hundred more.

Mr. Brooke: Did the hon. Gentleman observe that, although the Minister claimed three quarters of an hour ago that Lord Dahrendorf voted with the Government, the Minister did not quote his name the second time? The reason is that Lord Dahrendorf did not vote for the Government in the second vote.

Mr. Hughes: The right hon. Gentleman is correct. However, like some of my colleagues in the other place, Lord Dahrendorf not only spoke in favour of the principle of directly elected mayors, but did not vote against the proposal that Londoners should be able to decide that question.

Mr. Raynsford: In response to the intervention by the right hon. Member for Cities of London and Westminster (Mr. Brooke), I should like to make it clear that I specifically said that Lord Dahrendorf spoke; I did not say that he voted. I would not wish to be misrepresented. Lord Dahrendorf, who is a distinguished former director of the London school of economics and who has studied the issue in great depth, reached an informed view as to the right basis for government and said that he fully supported the Government's position. That is the point that I made and I hope that that is accepted.

Mr. Hughes: This is in danger of becoming a seminar on decision making in the House of Lords. There was a heated debate among my colleagues in both Houses. The result is that several colleagues—Lord Taverne for example—share the view not only that there should be a

directly elected mayor, but that there should be two questions and that people should be allowed to make the choice, whatever we, the legislators, think.

As I said in an intervention, it was rich of the Government to claim that, because the amendment was passed by an unelected hereditary second Chamber, it should not be listened to. I have been here 15 years this month. On several occasions, the other place has either succeeded or nearly succeeded in preventing this place from getting away with things that it should not have got away with.

The other place may not be perfect and I do not like the way in which it is composed, but it is an important safeguard. It is composed as it is because past and present Governments have not changed it. The Government could have changed it, but they have not. It does not lie in their mouths to complain.

How we govern our capital city is a big and important issue. It is right that it should have a lot of attention because this country needs a capital city that works best. It is exciting that we are going to get London government back. My colleagues and I thoroughly share that view.

We welcome a Government who want to restore government to London. We have said that unequivocally. We think that the Government started from the right position: they wanted to restore democratic government in London. However, there is no theology about that and we are here because we think that they have the wrong proposal. We are entitled to say that, the Tories are entitled to their view, and others are, too. Worse, having fixed on a view, the Government have not been listening or adapting their view—formed originally by a relatively small number of people—in the light of the public's opinion.

In many respects, we think that the Government have been far too timid in not giving the proposed London government tax-varying powers and in not allowing it any control over strategic health matters. Therefore, in many respects, it is not a bold and radical proposal. Only one thing appears to be a huge totem pole of machismo and conviction for the Government: we have to have both a directly elected mayor and an assembly, whether people like it or not. The Government appear to be wedded to that proposal.

The Green Paper asked 62 questions to elicit opinions. The one question that most people wanted to answer was not even asked. [HON. MEMBERS: "It was in the manifesto."] I shall not have a great debate on the manifesto. There was a pledge in the manifesto, but that does not mean that the manifesto either expressly stated that there would not be two questions—I have a copy of the manifesto here, and it did not even imply that—or that the Government should not respond if there were a well of opinion in London favouring two questions.

We are in for a hard time if we have a Government who will never, even in the light of circumstances or of public opinion, alter a single word implied in their manifesto. The curse of undemocratic Governments is to be wedded to a manifesto, without engaging the brain. It is important not only to apply policies and principles but to listen to what the people are saying and, whenever possible, to give them the maximum choice.

Mr. Lansley: I am grateful to the hon. Gentleman; he has been generous in giving way. Does he recall that, in a previous debate, the Minister for Transport in London told us that, although none of the 61 questions dealt with how the referendum questions would be phrased, 10 per cent. of responses raised exactly that matter, asking how voters would be consulted in the referendum?

Mr. Hughes: I have read our earlier debates on the matter, and I think that that is what the Minister said. Although the summary of responses that the Government supplied—it is in the Library, and I have a copy—does not provide such a breakdown, I believe that a clear majority of those who responded on that matter wanted there to be two questions. I shall be corrected by the Minister if I am wrong on that. Where a view was expressed, it supported the Opposition's and not the Government's position.

We are in this muddle and are having a debate between this place and the other place over the Lords amendments because we have gone about the process in the wrong way. There is no theology about it; logically—I repeat our position, because I do not want Ministers to misrepresent it—we think that there should have been a Green Paper and then a White Paper. After we had seen the proposals, we should have seen a Bill, so that we knew what the public would be asked to decide in a referendum. We should then have a referendum. We are being asked to approve a referendum before knowing the proposals—which could be very different from those in the Green Paper.

The arguments in the other place on whether we should attach the Bill to the White Paper and on a post-legislative referendum are perfectly valid, although there is no perfect answer to them. We simply believe that the Government have got themselves into difficulty because they were determined to hold the referendum in a certain manner. Their difficulties are of their own making.

There is a difference between this debate and the debate on Lords amendment No. 1. It is fair to say—without misrepresenting anyone's opinion—that, as was conceded by the Government and Opposition Front Benchers, Lords amendment No. 1 was an accident. The Government did not think that they would lose the vote on it, and the Tories did not think that they would win.

Sir Norman Fowler: What did the hon. Gentleman think?

Mr. Hughes: That is a perfectly valid question. I do not think that we thought that the Tories would win.

Lords amendment No. 2 was not an accident but was completely intentional. It was absolutely not a wrecking amendment. It was also not, as the Minister suggested, contrived in secret. The Government asked us to produce a proposal that we negotiated in the full light of day and tabled when the sun was shining. Several days were spent preparing it before it was debated in the House, and there was a vote on it on a normal weekday afternoon. There was absolutely no secrecy about it. For the Government to suggest—in the words of the right hon. Member for Maidstone and The Weald (Miss Widdecombe)—"something of the night" about our doings is very unfair. We did what the Government asked us to do.

I remind the House of what the Minister asked us to do. I remember the stricture, Mr. Deputy Speaker, that I am not allowed to quote, so I shall not. On 19 November,

[Mr. Hughes]

the Minister said that Liberal Democrats and Conservatives could not agree on the formulation of a common wording; that the Liberal Democrat amendment that was being considered would not allow the Conservatives to have what they wanted; that there was no single and simple proposition for a simple second question; that there was no simple second question; and that even the Tory and Liberal Democrat proposals would not do justice to people with a different point of view.

I do not know what the academic analysis would be, but it seems that the amendment passed in another place is pretty simple. It asks whether the voter is in favour of an elected mayor, yes or no? It then asks him to put a cross in the appropriate box. If that is not simple, I am a Dutchman.

The Government do not trust Londoners to answer two questions. For some reason, they do not think that Londoners can manage to express two opinions on two linked questions and understand what the consequences could be. The Minister repeatedly argues that people might end up not getting what they wanted but, under the Government's proposal, many people will have no choice but to vote for something that will not give them what they want.

Sir Robert Smith (West Aberdeenshire and Kincardine): It seems odd that the Government do not trust Londoners to take two votes but wished to impose two votes on the people of Scotland, although many did not want two. The Government perversely intend to do the opposite of what the people whom they are meant to serve want them to do.

11.30 pm

Mr. Hughes: My hon. Friend makes a point to which I can anticipate the Minister's response, because I heard it yesterday. The Minister's answer will be that the Scots did not have two constitutional questions to answer—one was constitutional and one was non-constitutional. However, I had always thought that tax varying was a bit of a constitutional issue. In any event, that was the Minister's answer when he and I and Lord Archer appeared on television yesterday—it was in fact this afternoon; it just feels like yesterday because we have been here so long. On the other hand, it will soon be yesterday.

Even if what the Minister says were true, there were two questions in Scotland, and the Scots managed perfectly well. They answered both and got a result with which they were happy, although one result was closer than the other. I think that the people of London would be perfectly capable of undertaking the same exercise.

It is of course credible for the Government to put across their point of view and say that Londoners have to take the whole package. We do not dispute that they can do that, but we are saying that it is not the best way to proceed. It is credible for the Conservative party to say that it wants a mayor and to ask people to vote for a mayor and against an assembly. We happen not to agree with that, but the Conservatives are entitled to put their point of view, just as we are entitled to say that we want a traditional parliamentary-type system whereby members are elected and the leader is chosen from among them.

They are all credible propositions. All we are saying is that we should not have a little debate here that limits the options to one. Many more people would vote in the referendum if there were a better choice of question than if there is only the "take it or leave it" option.

Mr. Raynsford: The hon. Gentleman has clearly not listened to what I was saying. Will he explain how, under the formulation that he is proposing, someone who believes in the Government's proposition that there should be a mayor and an assembly, and that either one or the other without the total package would be a mistake, can vote? There would be no guarantee that the outcome would be the two linked together. That is the defect in the hon. Gentleman's formulation, and he should recognise that.

Mr. Hughes: I have heard that question before, and it troubles me to think that that is what has been exercising all the great brains in the inner sanctum of the Department of the Environment, Transport and the Regions for so long. The answer to the question is that the outcome cannot be guaranteed; we have to encourage people to vote for both.

Mr. Raynsford: There is no clarity.

Mr. Hughes: That is not the case, but I shall deal with that point in a moment. It is exactly the same as the dilemma facing, for example, a Liberal Democrat who on 7 May wants to vote for an assembly but does not want a directly elected mayor, or a Tory who wants to vote for a mayor but not a directly elected assembly. They have to make a judgment. We shall recommend to our people to vote yes, not as our preferred option, but as our second best option. We are waiting to hear what the Tories will recommend.

We cannot know. The Minister will say that the Government offer certainty. A voter will know that, if they vote for the Government's proposal, it may get through. Is it better to give people a choice that they do not want, with the certainty that they will get something that they do not want, or to give them a choice that includes something that they want, with slightly less certainty that they will achieve it? People would rather have less certainty but know that they could get what they want than be forced to have something that they do not want, knowing that the only certainty is that they will get it.

Mr. Wilkinson: Is not the paradoxical delight of the proposal that the Government have naively put that it maximises the chances of a no vote, giving real hope to the anti campaign in the forthcoming referendum? Those who are dissatisfied with part of the Government's proposal for a Greater London authority will have an incentive to vote no for the whole thing.

Mr. Hughes: That may be true; I do not know. Logically, it is likely that a coalition will be formed of people with different reasons for voting no. The hon. Member for Ruislip–Northwood (Mr. Wilkinson) has been an assiduous participant in these debates. There is a coalition on our proposal that includes Conservatives, Liberal Democrats and absent Labour Members. I heard one on the radio today saying that they support us. I shall

not embarrass the London Labour Member whom I heard today by naming him, but I heard him and Labour Members know that. That Labour Member was aware that this was the right proposal, that there should be no directly elected mayor and that there should be two questions. I shall produce the London News Direct tape tomorrow if the Minister does not believe me.

The benefit of our proposal is that each party's preferred outcome is possible. The Tories could win. There is an incentive for them to campaign and get people out to vote. We could win. The Government could win. To my simple little mind, a proposal in which anyone could win, a bit like the lottery, is more exciting and more likely to induce participation than a proposal in which only the Government can win and nobody else can get what they want. I shall give way for the last time to my erstwhile opponent.

Mr. Heald: The hon. Gentleman won on the previous occasion. Does he agree that the dilemma that the Minister has posed is the same as was faced in Scotland? The Government believed that there should be a Scottish Parliament with tax-raising powers. There were two questions. It was possible that they would not get everything that they wanted. In Scotland, they were prepared to give two votes. Why are they not prepared to give two votes in London? Is not the issue the same in principle?

Mr. Hughes: In logic, that question also baffles me. I think that the answer is that, before the general election, a few people, including the Prime Minister, got together and decided on the package that they wanted. Once the Prime Minister decides, that is the end of the debate.

Mr. McNulty: It was in the manifesto.

Mr. Hughes: That is why it was in the manifesto. There were not many proposals in the manifesto that the Prime Minister did not want. I challenge the hon. Member for Harrow, East (Mr. McNulty) to offer me one. There were many proposals not in the manifesto that many of his colleagues wanted. The hon. Gentleman is on weak ground.

We think that people have to be offered more than one choice. The Government know that one choice is not real choice.

Sir Patrick Cormack (South Staffordshire): Hobson's choice.

Mr. Hughes: As the hon. Gentleman says, it is traditionally known as Hobson's choice. In this case it is Blair's choice—we get Blair's choice or we get no choice. We can vote only for or against what the Government want.

I have two final points that open the issue out. We are going down a dangerous constitutional road.

At the moment, the Government want us and their colleagues to vote later tonight—[HON. MEMBERS: "Much later."] They want us much later tonight to vote to restore one rather unclear and unstraightforward question. The implications of the mayor-assembly relationship are not clear or straightforward. We have never had such a system in Britain before; we have never seen whether it works; we do not know the balance of power—it might be different in the White Paper. The Lords proposal explains the Government's position. It says:

"The Government propose the establishment of a Greater London Authority made up of an elected assembly and a separately elected mayor, both to be elected by Londoners".

It puts the Government's case categorically.

The amendment then proposes two simple questions, which are much more clear and simple propositions than the Government's alternative to roll things together and not say how it will work out. The Lords propose two simple but good questions which, if I may say not a little immodestly, are right because the novel issue for Londoners this year is whether we want a directly elected mayor. If the Government do not ask people that question specifically and on its own, they are clouding the question. The Government are trying to change what the House of Lords, to its credit, put right just a couple of weeks ago.

I think that such a proposal is dangerous. In spite of the Prime Minister's speech in Scarborough at the weekend and what I hoped—and still hope—that Labour would do, the proposal presages a desire to impose the Government's will rather than allow a multiplicity of flowers to bloom.

My party—this is one of the reasons why I have been a member of it for more than half my life—believes in pluralism. We believe that we do not necessarily need the same form of local or regional government in every part of the country. If the Scots do not want the same form of government as the Welsh, they should not have it. It should be for them to decide. It should be part of the country's richness. The Spanish did very well when they started to work out regional government after Franco. It is different in different parts of Spain. We support that; we are pluralists, and the Government should be too. That is exactly why there should be a free vote—or at least an unwhipped vote. The signs are worrying because the Government are not only imposing their will on the single question.

The Government commissioned a report by Professor Patrick Dunleavey and Dr. Helen Margetts on electoral systems for the London assembly, which is called "Electing the London Mayor and the London Assembly". We on the Liberal Democrat Benches happen to know that the first draft was sent back for rewriting because, we understand, it did not quite say what the Government wanted it to say. I am not suggesting that they asked the authors to say things with which they did not agree. I am suggesting that the Government asked for the report to be rewritten in order that it said more clearly what the Government wanted Professor Dunleavey and Dr. Margetts to say that they agreed with.

In answer to my question,

"To ask the Secretary of State for the Environment, Transport and the Regions to place the first version of the report on the electoral system for the Greater London Assembly commissioned from Professor Dunleavey in the Library",

the Minister replied:

"In line with usual practice, we do not propose to make available incomplete and uncorrected earlier drafts of the report."—[*Official Report*, 10 February 1998; Vol. 306, c. *128*.]

By not allowing people to see entirely independent academic reports without the right to recommission them, the Government are setting a worrying trend. I am

[Mr. Hughes]

troubled that we are seeing government by diktat from Downing street and not government by decision of Parliament.

Mr. Raynsford: The hon. Gentleman has completely misrepresented the basis on which the report from Professor Dunleavey and Dr. Margetts was presented to the Department. As with all other such reports, a draft is prepared, there is a discussion about its details, and if there are factual inaccuracies or a need for further work on particular items because certain items have not been fully covered, that further work is done. I make it clear to the hon. Gentleman that there was no suppression of any point of view expressed in the report, and no pressure put on the researchers to produce any variation from the recommendations that they produced in their first draft. I hope that the hon. Gentleman will accept that.

11.45 pm

Mr. Hughes: Of course I accept what the Minister says from the Dispatch Box. It would be improper for me not to do so. However, in that case I want an answer—although it need not be given tonight—to the question why, when the first report was published and we asked to see it, and the authors said that we could, the Government prohibited us from doing so.

If that report were written at the beginning, even if it had drafting errors or was typed in the wrong colour ink, or whatever, I do not accept the idea that a Government committed to open government and to discussing their proposals with a view to getting advice on how they could be improved, can claim to have a consistent attitude if they keep it for a long time and allow it to be read only at a much later late. That is certainly what happened, because we were told that the authors would have been happy for the report to be released to us some time before.

Challenged to agree on some wording, the Opposition parties agreed. Challenged to come up with a proposal, we have done that, too. The Minister had said—I told him at the time that it was to his credit—that the Government would give serious consideration to a jointly agreed proposal with two simple questions.

However, I do not think that the Government have given serious consideration to our proposal. If there is a defeat in the House of Lords at about 6 o'clock, the Government say they are angry at 7 o'clock, they issue a sound bite at 8 o'clock and a press release at 9 o'clock, and by 10 o'clock declare their intention to reverse the defeat, that is not serious consideration. It does not sound to me as if there was much reflection—

Sir Patrick Cormack: That is how they always do things.

Mr. Hughes: Perhaps. It does not sound as though serious consideration was given to whether the Lords amendment should be accepted. If the Government had listened to consultation—most of the responses were on our side of the argument—to their Back Benchers who know a lot about such matters, or to the peers, who by a majority vote freely entered into, decided that the Government were wrong, they would have been willing to change their mind.

The Liberal Democrats say that whether London should have a directly elected mayor is a big controversial issue. It is also an unprecedented issue. We are likely to have foisted on us something that we may—not necessarily will—live to regret.

We shall probably have an assembly with no independence, and the electoral system that the Government are determined to put through will mean a mayoral type of election that rules out people who are not members of big political parties. There will be no chance to vote against, no matter how weak the assembly and how powerful the mayor—or how strong the assembly and how weak the mayor. The Government are saying, "Take it or leave it."

We think that the people should have been asked the questions and the decision should go to the people, and we are even stronger in our view tonight than we were a few weeks ago. We are grateful that the House of Lords agreed with us, and we ask the Government to respect the other place. They should not get away with saying that, because the Lords are not elected on party tickets as we are here, they should be ignored. This time the Lords are right, and they should be listened to.

Mr. Eric Forth (Bromley and Chislehurst): The debate surely illustrates better than most the folly of referendums as a means of trying to decide what are invariably difficult and complex questions. The decision before us, as it turns out, is just such a difficult and complex question, not the simple-minded question that the Government suggested when they started out on the venture.

The question has become no simpler. If anything, it has become more complicated. The excellent speech by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) showed that all too well.

The Minister has imported over and over again the tired old new Labour red herring of the mandate. I am getting sick and tired of hearing about that mandate.

Mr. Nell Gerrard (Walthamstow): You would.

Mr. Forth: It is being seriously suggested to us, apparently, that each voter assiduously studied the Labour party's manifesto, and then voted in a deliberate way to endorse each individual item in it.

I find that somewhat difficult to believe, and I reject totally the Minister's suggestion that the people of London rushed out to the polling booths with wild enthusiasm to vote for the Labour party and its manifesto specifically so that they could get not only a mayor and an assembly but a single-question referendum.

Mr. Lansley: Did my right hon. Friend note that Ministers are trying to suggest that, because the Conservative Government abolished the Greater London council on the basis of a general election mandate, and did not hold a referendum, they did not have a true mandate? They want to have it both ways: they have a mandate, but we did not have one when we abolished the GLC.

Mr. Forth: That is a valid point, and it underlines what nonsense the mandate argument is. We can put that to one side and forget it for the purposes of this or any other debate.

Mr. Ian Bruce: The Labour party manifesto—we know now what new Labourspeak is all about—uses the words:

"Following a referendum to confirm popular demand".

How can a referendum without even a minimum number of votes required, let alone any opportunity for people to choose what they want, confirm popular demand?

Mr. Forth: My hon. Friend is right. The concept of popular demand is an interesting and difficult one, especially in this context. Those of us who have the privilege to represent London constituencies are unaware of any popular demand for the nonsense that the Government want to impose on the people of London.

We are being asked to accept what I can only characterise as an excess of bureaucracy, and indeed even an excess of democracy. We are now contemplating a London in which hapless Londoners will be expected to vote from time to time for a borough councillor, a Member of Parliament, a Member of the European Parliament, a member of a Greater London assembly, and a mayor.

Some of those may provide a valuable service—Members of Parliament perform a vital function, as we all know, as do London borough councillors, who are close to their communities—but we must ask exactly what additional democratic or governmental value the members of the assembly or indeed the mayor will bring. Such questions are—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The amendment is about whether there are to be one or two questions. It is tightly drawn.

Mr. Forth: Yes, Mr. Deputy Speaker. The questions are about the assembly members and the mayor. I was leading into that part of my argument when you very kindly reminded me that I should perhaps move on to it, which I shall now do.

People will want to ask whether they will get additional value from an extra level of government as represented by the proposed assembly, and/or an extra level of government as represented by a mayor. The Government have tried to tell us that those proposals are indissolubly linked, and can have governmental validity only if they are taken together. That is the core of the Minister's argument, but I do not believe that the people of London see it that way at all. The hon. Member for Southwark, North and Bermondsey brought that out extremely well.

It must be right that people—voters and taxpayers—who are being asked to accept additional levels of government, and therefore of bureaucracy and, almost inevitably, of cost, should be allowed to make their judgment about whether they believe that such an imposition would be valid for them as Londoners. They should be able to decide about each level separately.

I leave aside the validity of the arguments about whether London requires those extra levels of government. I recognise that that is not relevant to the amendment, and I know that you, Mr. Deputy Speaker, would not want me to rehearse those arguments again. We are considering whether it is necessary for the people of London to be allowed to consider the questions, and answer them separately.

For the life of me, I cannot see why the Government are afraid of asking the questions separately. Is it contempt for the ability of the people of London to make that judgment? Is it one of the characteristics we have learnt that the Government show above all—an arrogance which says that, because they have a very large parliamentary majority, they can sweep aside all other considerations and impose their will on the people of London, or the country as a whole?

What about the Government's relationship with the House of Lords? Why are the Government so keen to do away with the hereditary peers? It is almost precisely because of what we are considering tonight. The second chamber has performed its role responsibly and thoughtfully. The Minister was at pains to tell us how thoughtfully the Members of the House of Lords had considered the matter, but conveniently ignored the fact that they delivered what he would regard as the wrong answer.

We can see why the Government want to abolish the second chamber—in all meaningful senses—as quickly as possible. They want to deny us—the people of London in this case—that revising, thoughtful approach that we have learnt to value.

We are beginning to see clearly the Government's true motive. They will use what they describe as their mandate—their enormous parliamentary majority—to railroad through these proposals, completely ignoring not just the wishes of the people but the considered views of another place. The matters are tied up closely. The merit of the case is vital, but the Government want to deny the people of London the possibility of looking at and answering the questions separately.

I remain to be persuaded that the people of London need or want either an assembly or a mayor, and I would want at least the opportunity to consider the questions on their merits and to be allowed to give my answer. I would take my chance—like the hon. Member for Southwark, North and Bermondsey—that the answers to these separate questions might not be the ones I wanted. I would seek to persuade my fellow citizens of my point of view, but I would accept the verdict of the ballot box. Why is the Minister not prepared to accept that? What is he afraid of? Does he think that he might get two "no" answers, or one "yes" and one "no"?

Why does the Minister not have confidence in his own case, with all the powers of persuasion and propaganda that the Government have? If he were confident, he would be more than happy to go forward on that basis to get the double "yes" answer he wants. The Government will not do that, because they are not certain of the outcome. They are afraid of the potential power of the arguments—which we have not really heard yet—against these extra levels of bureaucracy and the different layers and costs.

All this comes before we have heard in any detailed or coherent sense the answer to the important questions about the relationships that will exist among all the different institutions, all of them elbowing one another aside and crunching the people of London beneath them as they attempt to take them who knows where.

Until or unless we get the answer to those questions, the Government will not have persuaded me, and I suspect that they will not have persuaded the House. We must have proper answers. I hope that the House will agree with the other place and reject the Government's arguments tonight.

12 midnight

Mr. Wilkinson: At this midnight hour, I should like to try to analyse rationally the Minister's arguments in favour of overturning their Lordships' considered amendment.

First, the Minister argued that it was pragmatic to do so. I do not comprehend how this Administration's entirely dogmatic attitude towards this issue could be considered pragmatic. A pragmatic Government would seek to establish a genuine dialogue with all the interested parties, and find a form of words that best meets the democratic imperative of finding a question that is most acceptable to all the participants. If a referendum is to be valid, it must be based on consensus. That is absolutely fundamental.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) has expended a great deal of intellect and emotion on these matters. The most disappointed people must be the Liberal Democrats, who have had a "special relationship" with the Government and are participants in the constitutional Committee. Where is their pay-off? Even Lord Dahrendorf does not seem to behave as one would expect a happy Liberal Democrat to behave in the other place.

Democracy is about genuine choice, and the people of London, in having a single question foisted on them, are definitely not being given genuine choice. The Minister says that the Government's steamroller policy is based on the need to avoid ambiguities. The consequence is to maximise ambiguity rather than diminish it.

Inasmuch as there is no scientific estimation of popular opinion on the two constituent elements of the Greater London authority, the legitimacy of each will never thereafter be properly quantified and evaluated. The likelihood must be that the GLC will go into operation fundamentally deficient in that scientific endorsement by a clearly established popular vote on its constituent parts.

Sir Sydney Chapman: My hon. Friend will recall that the Labour party manifesto specifically promised a referendum on an elected assembly and a mayor. Given that it was written in simple English, people must have concluded that there would be a referendum on those two issues, and that they would be put separately. It would be reasonable for any moderate person to assume that, if the Labour party intended that there would be only one question, it would have made that point specifically in its manifesto.

Mr. Wilkinson: My hon. Friend, who has consistently taken an intense interest in local government over many years, and who has been a London Member of Parliament for a long while, is entirely right in his interpretation of the Labour party manifesto. As my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) made clear, the pernicious doctrine of the mandate is not even implemented properly. It is a perverted mandate, as my hon. Friend the Member for Chipping Barnet explains. It is Stalinism with a trendy face. That is what new Labour is all about.

Mr. Ian Bruce: I am sure that my hon. Friend has read the Labour party manifesto for time out of mind, as we all have. In the same sentence as it says

"Following a referendum",

it states:

"there will be . . . a strategic authority and a mayor, each directly elected."

If Labour had not wanted those issues to be decided separately in a referendum, surely the sentence would have been separated out? It is ridiculous.

Mr. Wilkinson: It is ridiculous. As I sought to suggest in my intervention in the admirable speech of the hon. Member for Southwark, North and Bermondsey, the perverse consequence is likely to be that the no vote will be maximised inasmuch as people will have no confidence in the referendum per se, and certainly no confidence in it as a means of testing their opinion on the two ingredients of the assembly that they are supposed to endorse. In fact, because they will be preoccupied with their immediate future in their boroughs, thank goodness, I believe that they will be concentrating on the vote for their councillors. As my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said, it is councillors who matter to people in their daily lives.

The experience of all hon. Members on the doorstep in London was that the Greater London Authority did not come up. In my constituency, it genuinely did not come up at all. It never came up once at any public meeting, or on any doorstep, or in any church question time or on any of the occasions which characterise the hustings in a general election campaign.

Because the question is so clearly a democratic fraud, I suspect that the winners in the referendum campaign will be the abstainers by a huge majority, as they were in the Welsh referendum, but even more so. In this case, however, people are supposed to be encouraged to vote on the Greater London authority by virtue of the fact that they are likely to go to the polling stations to vote for what really matters for them, their borough elections.

Thirdly, the Minister said that the referendum was to be a decisive expression of public opinion. We have already seen that in microcosm on the Labour Benches. The service in which I spent my formative years had the delightful expression "dumb insolence". I do not charge Labour Back Benchers with that but with a dumb insult to democracy. That is what this is all about. It is a dumbing exercise by the Labour party, and as such its stand should be utterly rejected. I am sure that it will be by the electorate. It will be seen as a fraudulent Stalinist attempt to deny the people of London the genuine choice they deserve.

Mr. Edward Davey (Kingston and Surbiton): I have watched this process with great disappointment. I attended the Second Reading debate and the Committee. I read the reports of the debates in the House of Lords. All along, the Government's attitude has been disappointing.

The Government may say that I am a naive young Member and that I was gullible enough to take them at their word when they told the House that they were open-minded. My disappointment at their not fulfilling their word is shared outside the House. It is not only rock stars who now realise that the Labour party cannot be trusted. It goes wider than that, throughout the community.

People in the media, in local government and in the Minister's own party are extremely disillusioned with the approach and style of the Government. The approach that

the Government have taken on this issue typifies that. It is not just the public spending cuts that the Government have made. It is not just their attitude to lone parent benefits: it is their attitude and the way in which they are going about reforming London government. People are disillusioned, and the Government should take that seriously.

The Minister told the House that he would listen. The House of Lords called the Minister's bluff. Unfortunately, the Minister has been found wanting. Gone is his promise to be open-minded. Gone is his promise to be consultative. The rhetoric has been proven to be very weak. I found his arguments weak. Labour Members were shame-faced at the tortuous logic he used to defend his arguments. He is having to defend the Prime Minister's beliefs. Those beliefs are not shared by the party, or by the public at large, but Ministers are having to toe the line and come up with some weak arguments to do so.

Tonight, the Minister's arguments relied on the fact that the Government's proposals on London government were in the manifesto. That was the only argument they seemed to put. But that shows how unserious they were all along about consultation. They have just taken the partisan line. Why have they wasted our time? Why did they offer to be open-minded? Why have they wasted so much money on the process? It throws into question the Government's commitment to consultation.

I thought that the Government were serious about consultation. I thought that they wanted a new style of government—new Labour, new style. I thought that they were doing that because they were trying to achieve a political aim. I thought that they wanted to show that they would be this inclusive, cuddly, democratic Government. But they are not. It is a charade. They have not changed their minds.

Mr. Ian Bruce: On a point of order, Mr. Deputy Speaker. I hate to interrupt the hon. Gentleman. We think that the millennium bug has come into effect. It got to midnight and the annunciator stopped working; it is now switched off.

Mr. Deputy Speaker (Mr. Michael J. Martin): It has been reported, and it will be attended to. I thank the hon. Member for bringing it to the attention of the House.

Mr. Davey: I am glad to hear that, Mr. Deputy Speaker, because I would not want Members who were hanging around the bars not to know that I was on my feet. I know that they would rush in to listen to my speech.

Mr. Deputy Speaker: Order. Members do not hang around the bars.

Mr. Davey: I am waiting for someone to rise on a point of order, but perhaps they will not.

Mr. Simon Hughes: A pint of order?

Mr. Davey: No, not that sort of order.

The Government's attempt to portray themselves as consultative and open-minded has backfired on them. Not only have they disappointed people who were looking to them to be open-minded, but they have lost the good will of many people in the community. They have lost credibility when they consult.

Therefore, when the Government issue their next consultation paper on another subject—the reform of the House of Lords or some other reform—will it be worth anyone replying? People will know that the Government are not serious about consultation. No one will believe them or trust them in future episodes of consultation. That is a great shame. The Government have proved to us that they are not a listening Government.

Mr. Hughes: You are on again.

Mr. Davey: I am grateful to my hon. Friend for telling me that my name is now back in lights.

The case for a referendum is strong, because it is important that the new assembly for London has legitimacy and a mandate to operate based on the solid support of the people of London. That mandate will ensure its permanence. The system of government in London has changed up to four times this century, and we want the next change to be a permanent, not a short-term, feature. We do not want the ebbs and flows in the structure of London government to continue. A referendum that provided a mandate from the people would ensure that that new government structure for London was guaranteed stability.

12.15 am

The Government have lost an important opportunity by their failure to opt for a two-question referendum. The legitimacy offered by a referendum on one question is different from that offered by one on two questions. If the people voted yes in a one-question referendum, it would mean that they wanted a democratic voice for London, but it would not provide a mandate for that. A two-question referendum would enable all parties to be sure that Londoners wanted a particular democratic structure.

There is a dangerous implication behind the Government's actions. Although a future Government may recognise the mandate for a democratic voice in London, they may quite rightly say that the structure of democratic government in London had not been given the proper support of Londoners because they were never given a choice. The government of London could therefore be changed once again—subject to yet further ebbs and flows in its sorry history. If that happened, the Government would be culpable because of their failure to seize the opportunity to provide proper legitimacy for the structure of government in London once and for all. That arrangement should not be a political football.

The Minister said that the referendum should pose just one question, because that is the only way in which the people of London—*[Interruption.]*

Mr. Deputy Speaker: Order. There should no other conversations in the Chamber. The hon. Gentleman is entitled to be heard.

Mr. Davey: Thank you, Mr. Deputy Speaker.

[Mr. Davey]

According to the Minister, it is important that people are certain about the likely structure of London government after the referendum, and that therefore just one question should be posed. Certainty about the outcome is an interesting concept of democracy. It is my understanding of democracy that the outcome should not be known before the question is put. The Government's suggestion seems to hark back to one-party states and the notion of choice in eastern Europe—one was either for or against the Communist party. That is not democratic or pluralist, and it reveals the danger behind the Government's simplistic approach to referendums.

The Government are setting a dangerous precedent by their reaction to the calls for consultation and their attempts to secure legitimacy for their views. Their behaviour will come to haunt them, because people had expected more of them.

Mr. Horam: When the Minister opened the debate just a few moments ago, but, in fact, yesterday, he said that he would be pragmatic. That choice of word rather surprised me, but he said that he would subject his pragmatism to three tests.

The first test was to decide whether a two-question referendum extended choice. He argued that it did not. That seemed to me an extraordinary argument. Two questions are greater than one question. Therefore, two questions extend choice. The Minister seemed to be arguing that one question was greater than two questions; the logic of his arithmetic escaped me.

I remember Douglas Jay, a Cabinet Minister in two previous Labour Governments, arguing that even socialism must obey the laws of arithmetic. In suggesting that one question provided more extensive choice than two, new Labour has even gone beyond Douglas Jay's remonstrations.

Secondly, the Minister suggested that the test must be a decisive test of public opinion. He asked, what would a loyal Liberal Democrat or a loyal Conservative want to do? That person might not end up with a choice that favoured his point of view. However, surely, as the hon. Member for Kingston and Surbiton (Mr. Davey) said, we do not know what the results of democracy will be before we embark on the course. If the Liberal Democrats argue their case that there should be an assembly but no mayor, they may get a no, yes vote. If we argue our case for a mayor and no assembly, we may get a yes, no vote. If the Government argue their case and succeed, they may get a yes, yes vote. That would be a perfectly accurate, decisive test of public opinion.

The Government's conflation of the two questions causes concern because that formulation will not necessarily ensure a proper test of public opinion. For all we know, public opinion may be in favour of a mayor but not of an assembly. How is that point of view to express itself when there are not two separate questions? If there is only one question, and if, on balance, the public feel that we should have a mayor but are prepared to put up with an assembly, they will get both, even though they do not want an assembly.

It is extraordinary that the Government are arguing that a two-question approach is not a decisive test of public opinion. It is a decisive and clear test of public opinion.

Thirdly, the Minister argued that an approach on the question issue had to produce a workable proposition. Only the Government say that any proposition but their own is unworkable. How do we know what is a workable proposition? It has not yet been put into practice. As we know, events usually diverge widely from what theory would lead one to expect. I suggest that a mayor without an assembly is a perfectly practical proposition. An assembly without a mayor may be a perfectly practical proposition; we do not yet know. Therefore it is astonishingly arrogant of the Government to say that only their own proposition is workable.

The Minister said that, in proposing a two-question solution, not only were we not meeting the Government's three criteria—which we obviously are—but we were not honourable; we were playing politics. It is rich of the Minister to say so, because we all know how the Government got into this position.

Traditionally, the Labour party was trying to resurrect, in one form or another, the Greater London council. I remember the Minister—who, unfortunately, is now not in the Chamber—producing little maps, which showed the electoral area for a new assembly, with a slightly different physical shape from the area covered by the Greater London council. The area stretched along the Thames but, unfortunately, did not include Bromley, my borough. One felt that the Labour party intended to recreate the Greater London council, but not quite, to avoid the charge that it was recreating the GLC. That was the traditional policy of the Labour party for many years in opposition.

Suddenly, the idea of a mayor became fashionable and the two ideas—of a mayor and an assembly—were put together, because the Labour party could not make up its mind. There was a strong body of opinion for recreating the GLC and a strong body of opinion for creating the mayor, and the Labour party could not decide.

As the House knows, I have some experience of being a Labour Minister as well as a Conservative Minister. I often say to my hon. Friends that the most profound problem with Labour Governments is not necessarily that they take the wrong decisions—although they frequently do—but that they cannot take decisions at all.

Mr. Andrew Mackinlay (Thurrock): Like what party to belong to.

Mr. Horam: Well, yes.

This is a perfect example. The Labour Government have been unable to resolve the problem of how to decide between two obvious alternatives, so they have stuck them both together and conflated them. Not only are the Government unable to decide: they are unwilling to allow the people of London to decide between the two alternative propositions—an astonishing situation. We are in this situation because the Government have failed to make up their mind. There will be a cost: it will be of the order of £20 million, which is the cost of the assembly. There is always a cost when Governments, of whatever political persuasion, fail to make clear-cut decisions. In this case, the Government will pass on their indecision to the people of London who will have to pay for it out of their own pockets.

Mr. Lansley: Before my hon. Friend leaves the question of why the Government favour one question rather than two, will he recognise that the Government's argument hinges on the proposition that a significant number of people do not want a mayor without an assembly, and do not want an assembly without a mayor? The Government claim that the two things are interdependent. In fact, there is no evidence that a significant number of people hold the interdependence argument at the heart of their views. Most people have a view about the mayor and a view about the assembly, so it is natural to have two questions.

Mr. Horam: That is so. We must consider the matter rationally, as the newspapers do occasionally. It is interesting to examine their opinions on this issue. *The Guardian*, which the Government regard as a hostile newspaper, said:

"The Government's package deal allows no room for those who want a Mayor but no Assembly . . . or those who want an Assembly but no Mayor . . . We subscribe to neither view. But to deny them any expression on the ballot seems peculiar. After all, the whole point of a referendum is to allow all the people their say".

The Times, which I imagine supports the Government these days, said:

"In Scotland, Tony Blair insisted that two distinct issues were separated. He imposed that view on a reluctant Party. He should do so again . . . These are two separate issues. They require two separate questions and answers".

Sir Sydney Chapman: The Government promised to hold a referendum on the specific issue of whether there should be a Greater London assembly and an elected mayor. Given that the introduction of an elected mayor would be unique to our system of government in this country, does my hon. Friend agree that it beggars belief that the Government think that the people will accept one question rather than having the two issues separated in a two-question referendum? Does he agree also that it would be in the Government's interests, even at this late stage, to allow a two-question referendum? If they do not, they will lose more credibility and Londoners will turn against them.

Mr. Horam: I have followed the debate quite closely both inside and outside this place, but I do not know whether people have been asked whether there should be two questions. I do not know the people's views on that subject, and I do not know how they would vote. I suspect that the Government have not sought an opinion as to whether there should be two questions—they are simply imposing their view this evening, over and above the common sense displayed by the other place. That is a great shame.

After a while, I believe that people will begin to see that the Conservatives' proposal is cost-effective and extremely simple. During Disraeli's second term, his Cabinet comprised 10 people and there were only 16 members of the Government—one of whom was the Master of the Horse. Those 16 people—compared with the 90-odd Ministers we have at present—ran an empire of considerable size. I believe that that is a tribute to the simplicity of government: simple, cost-effective government is always best. This complicated, bureaucratic, many-layered government is sure to fail.

Mr. Brooke: I am delighted to follow my hon. Friend the Member for Orpington (Mr. Horam), who has made a second excellent speech during these deliberations. The Minister has been skating on thin ice. I am not much of an authority on thin ice, although I once read an essay by Paul Jennings in the first week of the new year in which he described what his diary publishers thought he needed to know. This year, they thought that he needed to know about ice. He reported that, as a consequence, he now knew that half an inch of ice was required to sustain a duck and an inch was required to sustain an infant; the measurement increased to 16 inches for a county class locomotive and 24 inches for a regiment of foot. When he reached the regiment of foot he wondered how they knew and assumed that it was a dull moment in the Crimea.

12.30 am

I do not know on top of the Government's majority how much ice is needed to sustain a Minister in the Department of the Environment, Transport and the Regions, but recalling some of their dimensions I hope that a safety factor has been built in. There is a further test of the quality of the ice in that the Minister skated over what the Americans would call "mayor'n assembly" as swiftly as he could. To be fair, at an earlier stage in the Bill's progress, he paid me the compliment of answering a question on this matter that I put to him in Committee. It is recorded in *Hansard* of 24 November at column 669. The Minister's speech over the next three columns did not answer my question, but when I asked it again at column 679 he started to answer it at column 680, wandered away elsewhere at column 681 and courteously and efficiently finished answering it at column 682.

When pulled together, the Minister's answer was—and I abbreviate—first, that the answer was in the Green Paper; secondly, that there was no simple second question; thirdly, that some of the permutations were unworkable; and finally that the Government were presenting a proposition for a considered judgment. There is no way in which the amendment could satisfy all those criteria, not least because the Opposition did not write the Green Paper.

It is reasonable for us to rebut the Government because while the Minister can tease us that our questions may not give us the answers that we wish, his question is equally incapable of allowing us the choice that we wish.

In the context of the noble Lord Dahrendorf, over whom we had a minor clash, we shall see tomorrow what the Minister said. I freely acknowledge that the noble Lord spoke in favour of the Bill on Second Reading and in Committee, but on Report he neither spoke nor voted in favour of the Government on the amendment. I had understood the Minister's references to be to that amendment. I hope that the Minister, who I am delighted to see in his place, will agree to an interim score of 30 all.

This country's electorate is the most mature in the world and as a Londoner, I regard Londoners as not the least part of that electorate. I regret that electors with that degree of maturity are not to be trusted to find their way through two questions rather than one. I fear that I still harbour suspicions that the American abbreviation "mayor'n assembly" owes more to cobbling together a deal that the London Labour party can live with than to the dictates of good government.

I am delighted that so many papabile people, not the least of whom is the Minister for Transport in London, wish to be mayor. I am sorry that Londoners are not being

[Mr. Brooke]

knocked down in a similar rush to be members of the assembly, but perhaps all those who do not manage to be mayor will get the assembly as a consolation prize. I am left with one essential question which was posed in a tiny intervention by the noble Lord Russell. It was worthy of his noble father but it was never answered by Baroness Hayman. He asked quietly why, if the manifesto decides the matter, we need a referendum at all.

Mr. Ian Bruce: I am grateful to be called and I declare an interest as a council tax payer in this great city of ours. I do not rise to speak for that reason or even because both my parents and those of my wife decided to abandon London and its government to go to better climes. I am up at this late hour because of my concern that, as always, my constituents will end up paying for any mess in London.

I have been somewhat perplexed, in trying to come to grips with the amendment, about what exactly we are trying to decide and how anybody setting up a referendum could do that without having at least the White Paper. It is extremely strange that the Government, who can produce through the civil service as comprehensive a consultation document as the Green Paper in probably less than a month, and who three months ago finished the consultation, the results of which are available, cannot tell us what will be decided upon. Clearly, the Minister is right to challenge the Opposition to say what questions should be used and to ask for examples of better questions than those in the Bill. However, he is not allowing us to see what he has told us the people of London will see shortly. When talking about referendums, the Government always seem to ensure that the House does not know what the electorate are to vote on when it is trying to determine the questions.

We have seen the two alternatives on the amendment paper. In the short time left in the debate—I know that my hon. Friend the shadow Minister is about to speak—we should put on record the commitment given in the Labour party manifesto. That is important. We have begun to see how precise the Government are in their choice of words. We are learning how to read what the words really say. I shall read a short paragraph from the manifesto, with its punctuation, because that is important. It says:

"London is the only western capital without an elected city government. Following a referendum to confirm popular demand, there will be a new deal for London, with a strategic authority and a mayor, each directly elected. Both will speak up for the needs of the city and plan its future. They will not duplicate the work of the boroughs, but take responsibility for London-wide issues—economic regeneration, planning, policing, transport and environmental protection. London-wide responsibility for its own government is urgently required. We will make it happen."

It is interesting that the penultimate sentence contradicts the statement:

"They will not duplicate the work of the boroughs".

Then, one begins to learn Labourspeak. Not duplicating the work of the boroughs does not mean that powers will not be taken away from the boroughs to the new assembly. I think that the Minister has agreed that that is the meaning of the words.

It is important that, during the debate that will take place in the country and in the City of London, we talk to people about the cost of an elected assembly versus just having a mayor who acts as a figurehead, a spokesman for London and somebody who brings together the boroughs.

I will be voting no to the one question that the Minister has invited us to accept, but I will be voting yes for the proposal to have a separately elected mayor. I believe that the Minister is doing his case no good. By having two questions he is splitting the Opposition. He will be getting yes votes on one half from the Liberal Democrats and yes votes on the other half from the Conservatives. He may get a bigger yes vote by having the two questions and be seen to be more democratic. At this late hour, I urge the Government to accept the Lords amendment.

Mr. Lansley: I want to add one or two points, one of which arises from the Minister's opening remarks. Having accepted that the referendum is to be pre-legislative and therefore advisory on the Government, it is unwise for Ministers to construe it not as advisory—leading to a choice of options by the Government in line with the preference of the London electorate—but as if it were a post-legislative referendum signifying the acceptance by the electorate of a Government proposal.

I have looked at the accountability of the London development agency to the assembly. Perhaps the Minister will tell us more about that. As I understand the Regional Development Agencies Bill, the Secretary of State appoints the members of the regional development agencies. There is no power in the Bill currently before the House to provide for anybody other than the Secretary of State to appoint the members, including those of the London development agency.

As has been said by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and in another place, we are being presented with Hobson's choice. We in Cambridge understand about Hobson because he was a carter in Cambridge. Hobson's conduit runs through my constituency. Hobson's choice is simple: a person can have any horse he likes as long as it is the one by the door. That is the Government all over: people can have any authority they like as long as it is the one that the Government propose. However, it may not be the one that London's electorate would prefer.

Mr. Ottaway: Some interesting speeches have been made. The Minister raised two important points. First, the date of the White Paper's publication seems to have become a little vague.

Mr. Raynsford *indicated dissent.*

Mr. Ottaway: I am pleased that the Minister is shaking his head, confirming that the date is still 23 March.

Mr. Raynsford: May I clarify the matter? We have always said that we intend to publish the White Paper in the week beginning 23 March.

Mr. Raynsford: I am grateful for the Minister's confirmation.

Secondly, the Minister argued that, if we have two questions, the result may be yes no, yes yes, no no or no yes; that, with two of those four results, the proposals

would not be workable; and that the various political parties would have to implement proposals with which they did not agree. That is a fair point and I am glad that the Minister has confirmed that that is his view. However, in Scotland, we had two questions and we could have had exactly the same result. The Government urged yes yes, but they may have got no yes, or yes no, in which case the position might have been unworkable and the Government would have been obliged to implement something with which they did not agree. Does that not make a mockery of the Minister's argument?

Another interesting revelation came out of the exchanges between the Minister and the hon. Member for Southwark, North and Bermondsey (Mr. Hughes): the Liberal Democrats' Deputy Chief Whip in the House of Lords voted against his party and with the Government. If my hon. Friend the Member for East Surrey (Mr. Ainsworth), my party's Deputy Chief Whip, voted with the Government tonight, I am not sure how much longer he would be the Deputy Chief Whip. That gives a new dimension to the Liberal Democrats' approach to politics: "On the one hand, this; on the other hand, that."

Mr. Simon Hughes: I say only for the record and to defend my colleague's interests that it was not a whipped vote.

Mr. Ottaway: There we are. The Liberal Democrats' approach is: "On the one hand, this; on the other hand, that—but we are not whipped."

Good sense and reasoned argument in another place have given the House a further and welcome opportunity to debate the details of the all-important referendum which will be staged on 7 May. The referendum is intended to reform the way in which our capital city is governed and to reinvigorate London for the 21st century. Above all, it is a referendum that should give Londoners the fullest opportunity to express their views on the details of the proposals for a Greater London authority. However, hon. Members on both sides of the House must realise that the Greater London authority comes in two distinct and separate parts: part one is a directly elected mayor; part two is a directly elected assembly. However, the Government still persist in ignoring the differences between the two and have just one question in the referendum.

The Government have already fiddled the question. "Which proposal should go first?" they asked their focus groups. "Are you more likely to support a mayor or an assembly?" they asked. The focus groups said that they did not like the idea of an elected assembly, so the spin doctors said, "We had better have a rethink and put the popular proposal of mayor first to soften the groups up." They added, "Let us forget about two questions because we will not get much support for both ideas together." I call that piggyback politics.

What is on the table for London's 5 million voters is one 24-word question:

"Are you in favour of the government's proposals for a Greater London Authority, made up of an elected mayor and a separately elected assembly?"

As my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said, that is it. There is nothing more. That is the end of story: a directly elected mayor and a directly elected assembly; a take-it-or-leave-it question from a take-it-or-leave-it Government, whom the public thought were elected on a platform of greater democracy, not less. The Government's refusal to support a two-question referendum shows how wrong they were.

The Conservative party is prepared to embrace reform, but Conservative Members want the Government to move away from a half-hearted attitude to the referendum and embrace the opportunity that they have been given today, by giving Londoners a genuine choice about reforming their government. A two-question referendum on 7 May would give that choice. We fully realise and have repeated time and again our belief that the time is right to reform London's government. Lords amendment No. 1—which was tabled, although for totally different reasons, by both the Conservative party and the Liberal Democrat party—calls for just that.

12.45 am

Conservative Members want two separate questions. The first would ask:

"Do you want a directly elected mayor?"

The second question would ask:

"Do you want a directly elected assembly?"

It would be two clear issues, two choices and two futures for Londoners to decide on. In our view, London deserves two questions.

After 18 years of Conservative government, Labour felt able, in its 1997 manifesto, to describe London as

"one of the greatest cities on earth".

I am very grateful to Labour Members for so generously realising that achievement.

The Conservative party wants to build on those 18 years and to see London with a directly elected mayor and an indirectly elected assembly of borough leaders. We want to avoid the clash, conflict and anti-borough culture that would be a consequence of a directly elected assembly. Our proposals for an assembly of borough leaders would form a bridge between the man on the street and the mayor.

The mayor would be a voice for London and much more. Our assembly of borough leaders, rather than of elected assembly men, would ensure that power in local government remains firmly based at local level. Whereas the Government want change simply to create more politicians and bureaucrats, we believe in power at the lowest level.

Perhaps we should not be too surprised—because of the very big and public splits in the Labour party on reform—by Labour's failure to embrace democracy as much as we have. The Secretary of State for Wales once said that the trouble with pre-legislative referendums was that there were so many questions that could not be answered. The Prime Minister is on record as saying that he is

"actually not a great exponent of government by referendum".

We must look to London to observe in detail the divisions in the Labour party. The London Labour party is split from top to bottom, which is a particularly damning indictment of Labour party policy. The minutes of November's London Labour party meeting record:

"it was clear that the London Labour movement is still opposed to a directly elected mayor and wants a bigger and more powerful authority.

It appears that Londoners are a little dim."

[Mr. Ottaway]

They continue:

"ask them two separate questions (do you want an elected assembly and do you want a directly elected mayor) and they come over all faint. According to our leaders, if we ask two questions, we are likely to end up with a mayor but no assembly".

So much for the London Labour party's views on the democratic process.

As my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) said, the London Labour party, ever helpful, has come together to keep us up to date with its views. We now have the February 1998 bulletin from the London Labour party.

Mr. John Bercow (Buckingham): Racy stuff.

Mr. Ottaway: It sure is.

The minutes of the London Labour party state:

"Trade unions, pensioners' groups, community and political organisations have come together to create a 'People's London' campaign working for a democratic Greater London Authority and against a directly elected mayor."

They continue:

"The campaign will work in direct opposition to the Government's plans up to the publication of the White Paper early in March, after which there will be a decision taken on its stance towards the referendum: whether to call for a vote against, abstention, a write-in or some other response. The fight will continue whatever the response to the referendum, concentrating on campaigning for our vision of a people's London: democratic, inclusive, and properly funded."

The London Labour party was due to have a conference, in February, to discuss all those matters. The bulletin continues:

"The annual conference, due to be held in February, has been postponed until after the referendum is safely out of the way. Regional Secretary Terry Ashton wrote to affiliates saying he had taken this decision because the original venue was too small."

Mr. Simon Hughes: If you believe that, you'll believe anything.

Mr. Ottaway: Perhaps.

The bulletin continues:

"However, when it was pointed out to him that he had no constitutional right to do this and that the new venue was actually available on the original date, he sent out new letters claiming that he had consulted with Party General Secretary Tom Sawyer, and that the reason was the need to concentrate on the forthcoming referendum and local elections. The truth is, of course, that there were resolutions from the Fire Brigade Union, MSF and others critical of the proposals.

Under the constitution, if 15 members of the Greater London Labour Party Executive call for a special meeting, then one must be held. However, Terry Ashton told one of those who did ask for such a meeting, that none would be held 'even if the whole committee asks for it'.

When such contempt is shown for its own members, what does this mean for how the Party feels about the wider labour movement and, indeed, the electorate?"

There you have it, Mr. Deputy Speaker.

On Second Reading, the Minister for Transport in London said:

"London needs the strategic leadership that can be provided only by a mayor who is directly elected by and speaks for the people, and who is capable of bringing all of London together."—[*Official Report*, 10 November 1997; Vol. 300, c. 671.]

I could not agree more but, as the hon. Lady is a declared candidate to be mayor, it must be frustrating for her not to have the support of London's Labour party. She is in for an interesting time, with Trevor Phillips as the Mandelson-Blair candidate and herself as the Gordon Brown candidate. Let us face it—if she cannot sort out London Underground in nine months, she is not going to sort London out over the next few years.

The London Labour party has confirmed that Ministers fear the result of a full and more open two-question referendum, which is what we want for London in May. Ministers are ducking their responsibilities because they are afraid that Londoners will not want what the Government think would be good for them. We are back to Labour's nanny state mentality.

I urge the House to support the amendment.

Ms Glenda Jackson: The hon. Member for Croydon, South (Mr. Ottaway) ended as he began—with misinformation about those who have declared an interest in standing for the post of mayor. He was, as always, as ill mannered as he is ill informed but, in a sense, that has been the keynote of tonight's so-called debate.

As my hon. Friend the Minister for London and Construction said, these are wrecking amendments that have come to us from another place. The issues have been thoroughly debated in this House, and the House has rejected the amendments that have been returned to us.

I would not have thought it possible for Opposition Members to cover themselves in any more shame than they have managed to do tonight. Every single Opposition Member, with the honourable exception of the hon. Member for Richmond Park (Dr. Tonge), has shown nothing but the most withering contempt for the people of London and, something that is perhaps even more shocking, contempt for this Chamber.

It has always been my—

Mr. Simon Hughes *rose*—

Ms Jackson: No, I shall not give way.

It has always been my understanding that this Chamber was the supreme decider on legislation in the House of Commons. Never—

Several hon. Members *rose*—

Ms Jackson: No.

Never have so many forelocks been tugged with such regularity as they have been tonight by Opposition Members, bending the knee to those tired, dusty, flea-bitten—*[Interruption.]* Opposition Members would not recognise a dramatic pause if it rose and struck them in the face. They have consistently bent the knee to the other place, where the unelected and unaccountable have attempted to subvert the democratic will of this House and of the people of London.

The people of London made their response to Labour's London manifesto abundantly clear: they voted for it overwhelmingly. They have consistently responded positively to the idea that my party has offered them—the restoration of a democratic voice which was taken away from them by the Conservative party. The Conservatives campaigned vigorously and vociferously before the general election against the Labour party's option being presented to the people of London—the option of restoring a democratic voice to London with a directly elected mayor and assembly. That is the issue, which Conservative Members have treated—as they invariably do—with the most withering contempt. The record will show that they have no respect for, interest in or concern about the democratic voice of the people of London and that they increasingly have no concern about, respect for or commitment to the primacy and supremacy of this Chamber as the decision-making voice in Parliament.

I have little doubt that the House will vote against this wrecking amendment, as it should. It is shameful that Opposition Members considered supporting it.

Hon. Members: More.

Mr. Deputy Speaker: Order.

Hon. Members: More.

Mr. Deputy Speaker: Order. The Deputy Speaker is on his feet. There should not be so much noise. I am about to put the Question.

Question put, That this House doth disagree with the Lords in the said amendment:—

The House divided: Ayes 245, Noes 181.

Division No. 166] **[12.56 am**

AYES

Abbott, Ms Diane
Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Bennett, Andrew F
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Canavan, Dennis
Caplin, Ivor
Cassale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Darvill, Keith
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
McWilliam, John
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Hara, Eddie
Osborne, Ms Sandra
Palmer, Dr Nick
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George

Stewart, David *(Inverness E)*
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Mrs Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mr. Paul Tyler.

Question accordingly agreed to.

Lords amendment disagreed to.

Schedule

FORM OF BALLOT PAPER

Lords amendment: No. 3, in page 6, leave out lines 3 to 7 and insert—

("The Government propose the establishment of a Greater London Authority made up of an elected assembly and a separately elected mayor, both to be elected by Londoners.

Question 1: Are you in favour of an elected assembly?

Put a cross (X) in one box: YES NO

Question 2: Are you in favour of an elected mayor?

Put a cross (X) in one box: YES NO ")

Motion made, and Question put, That this House doth disagree with the Lords in the said amendment.—*[Mr. Raynsford.]*

The House divided: Ayes 245, Noes 181.

Division No. 167] **[1.9 am**

AYES

Abbott, Ms Diane
Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Bennett, Andrew F
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*

Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Darvill, Keith
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
McWilliam, John
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Hara, Eddie
Osborne, Ms Sandra
Palmer, Dr Nick
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Mrs Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gorrie, Donald

Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
~~Prior, David~~
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mr. Paul Tyler.

Question accordingly agreed to.

Lords amendment disagreed to.

Motion made, and Question proposed,

That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their Amendments Nos. 1, 2 and 3; that Mr. Graham Allen, Mr. Stephen Day, Ms Glenda Jackson, Mr. Richard Ottaway and Mr. Nick Raynsford be members of the Committee; that three be the Quorum of the Committee; that the Committee do withdraw immediately.—*[Mr. Raynsford.]*

Mr. Simon Hughes: On a point of order, Mr. Deputy Speaker. This issue arose in the last Parliament after we had considered Lords amendments. We said that, if there was to be a fair reflection of the views of the House, there should be fair representation on the Committee. In the last Parliament, the Committee did include representatives from the Opposition Benches. Is there any way in which, even at this stage, all three parties represented in the debate could be represented on the Committee to ensure that the matter is not carved up again, as it has been in the past?

Mr. Deputy Speaker: That is not a point of order for the Chair, but it can be raised through the usual channels.

Question put:—

The House divided: Ayes 236, Noes 25.

Division No. 168] **[1.23 am**

AYES

Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Bennett, Andrew F
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Darvill, Keith
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Foster, Michael J *(Worcester)*
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David

Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
McWilliam, John
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Michael, Alun
Michie, Bill *(Sheffd Heeley)*
Miller, Andrew
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Hara, Eddie
Osborne, Ms Sandra
Palmer, Dr Nick
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Robert Ainsworth.

NOES

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Ballard, Mrs Jackie
Beith, Rt Hon A J
Brand, Dr Peter
Burstow, Paul
Campbell, Menzies *(NE Fife)*
Cotter, Brian
Davey, Edward *(Kingston)*
Harris, Dr Evan
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kirkwood, Archy
Moore, Michael
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Taylor, Matthew *(Truro)*
Wallace, James
Webb, Steve
Willis, Phil

Tellers for the Noes:
Mr. Paul Tyler and
Mr. Don Foster.

Question accordingly agreed to.

Reasons for disagreeing to certain Lords amendments reported, and agreed to; to be communicated to the Lords.

Heysham M6 Link Road

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Bridget Prentice.]*

1.33 am

Miss Geraldine Smith (Morecambe and Lunesdale): I welcome the opportunity to outline briefly to the House the case for the completion of the road link between the port of Heysham and the M6.

In recent years, Heysham port has been a story of continuing expansion, investment and success. Its ever increasing importance as a port, particularly in relation to trade with Ireland and the Isle of Man, is clearly demonstrated by the spectacular growth in the tonnage that it handles. In 1983, about 1,000 ships carried just over 500,000 tonnes of freight. By 1993, some 2,700 ships had more than quadrupled that tonnage to 2.2 million tonnes. In 1997, 3,500 ships increased the freight handled to in excess of 3 million tonnes. According to the 1995 figures, Heysham handles the second largest amount of roll on/roll off traffic from any single port on the Irish sea, just 2 per cent. less than the port of Liverpool and significantly more than any other west coast port.

The opening of the third roll on/roll off linkspan berth in August will undoubtedly lead to further growth in the port's market share of traffic. There are 11 scheduled services per day to Belfast, Dublin, Warrenpoint, and Douglas on the Isle of Man. The new berth will allow that number to increase to 13 per day. The port also accommodates a substantial private shipping operation, North Lancashire Stevedores, which has its own warehousing, wharfage and cranage.

On the north quay, British Gas has located its service base for the Morecambe bay gasfield, which is one of largest on the United Kingdom continental shelf. Another significant contributor to the port's success is the passenger and freight service to the Isle of Man, operated by the Isle of Man Steam Packet Company.

Heysham port has a natural advantage over its west coast competitors because it can operate around the clock throughout the year without regard to tidal conditions. It is expertly managed; has a dedicated work force; and has the physical capacity for much further expansion. I am convinced that the hard-earned growth and success of that port will continue, and that will be most welcome in an area of high unemployment.

I know that the Under-Secretary, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), is already aware of much of what I have outlined because she opened the new linkspan berth on an extremely wet and windy day in August. I can assure her that her visit and interest were most appreciated by all those involved with the port.

Heysham port is a success story, but its phenomenal growth has put enormous pressure on the local road systems between the port and the M6. It is estimated that in excess of 1,000 heavy goods vehicles per day start their journeys from Heysham port, swelling the congestion on the overloaded A683. The daily traffic flows on that single-carriageway road from Morecambe to Lancaster are in excess of 36,000, almost high enough to warrant motorway status in its own right.

[Miss Geraldine Smith]

The east-west traffic on the road meets up with north-southbound traffic on the Lune bridges at Lancaster. The traffic flows over those bridges are in excess of 56,000 vehicles per day, which is almost as high as that on the six-carriageway M6 north of Lancaster.

Heysham port is sited a mere nine miles to the west of the M6 junction, south of Lancaster, yet it frequently takes an hour to complete that short journey. Such unacceptable delays need to be addressed urgently.

In addition to the high costs caused by such delays, and the anger and frustration felt by the commercial and private motorist alike, numerous other problems are caused by the traffic congestion in the area. One is the ever increasing problem of air pollution from exhaust emissions. The daily deluge of poison released from the crawling traffic blights the lives and health of residents along the route and adversely impacts on the environment of the historic city of Lancaster.

There is growing evidence that the appalling traffic congestion is hampering the commercial development—especially the tourism industry, on which the area relies heavily—of both Morecambe and Heysham. Potential visitors to the resorts are deterred by the congestion.

The police, fire and ambulance emergency services are frequently snarled up in the traffic and, as a result, lives and properties are placed at risk. In the event of a serious incident at Heysham nuclear power station, speedy evacuation of the area would be impossible to achieve. The potential casualties that could arise from such an incident are almost too horrific to contemplate.

Another major area of concern is that, due to traffic congestion, bus operators are unable to maintain regular and reliable local services. That has led to a decline in the number of passengers using the services, which has led to increased costs to the operators, leading to increased bus fares, leading to further decreases in passenger numbers and increased use of private cars, which once again adds to the congestion; so the vicious circle continues.

It is clear that a modern integrated transport system will need to ensure that maximum use is made of public transport in our towns and cities. It is equally clear that that will not happen unless public transport offers regular, reliable, comfortable, safe and affordable services. In the Morecambe, Heysham and Lancaster areas, such services will not be available unless the traffic congestion problem is solved. In my opinion, the key to that solution is the completion of the Heysham port M6 motorway link.

The link, which will provide an additional crossing over the River Lune and bypass the city of Lancaster, will cater for the high percentage of through traffic generated from, and leading to, the large industrial conurbations to the south. I am convinced that the provision of the link would bring immediate and sustained relief to many thousands of beleaguered commercial and private road users and, undoubtedly, would be of significant economic and environmental benefit to the area.

Establishing an extra crossing over the River Lune and a motorway link is by no means a new concept. The need for them was recognised many years ago and, accordingly, they were embodied in the Lancaster district local plan. The first stage of the link was opened in 1994 but, because of environmental concerns regarding the original route, the completion of the link was put on ice. Several alternative routes have since been examined, and the decision on the preferred option is imminent.

Extensive local consultations have taken place, and two significant facts have emerged. First, the overwhelming majority of individuals, business and interest groups that participated in the consultative exercise support the completion of the link. Secondly, of those who support the motorway link, the vast majority are in favour of it being made to the south of the city of Lancaster.

Although I fully appreciate the difficult position that the Government inherited from the previous Administration—the Tory party, which often quotes the laws of supply and demand, singularly failed to supply the integrated transport network that the country has been demanding for years—I feel that the problems in the Morecambe, Heysham and Lancaster area are so acute that they warrant priority treatment. In view of that, and of the years of delay, I invite the Minister to give me an assurance that the case for the completion of the Heysham port motorway link will be considered as a matter of urgency, and that the decision can be taken at the earliest possible date.

1.43 am

Mr. Hilton Dawson (Lancaster and Wyre): I want to support my hon. Friend, and neighbour, the Member for Morecambe and Lunesdale (Miss Smith), and to congratulate her on her tenacity in securing the debate and on her energy in keeping going at this late hour.

The best route for the final leg of the Heysham M6 link would take the road through my constituency of Lancaster and Wyre. This is a road of vital strategic importance. It would boost the regeneration of rundown industrial areas in my constituency and raise the profile of Glasson dock as well as Heysham port. Most significantly for the historic and congested city of Lancaster, it could form a vital part of an integrated transport system, which could radically reduce traffic to the great benefit of my constituents.

A new road link to the M6 at junction 33 could provide an exceptional opportunity for park and ride, a base for a new station and a transport interchange featuring car hire, taxis, cycling and light delivery vehicles. Road pricing on the A6 south of Lancaster, coupled with a bypass, would return Galgate village to its inhabitants. It would create road space, increase safety and reduce noise and pollution.

Coupled with our history, the quality of our built environment, our natural advantages and other assets far too numerous to mention in this short space of time, the investment—which we in Lancaster and Morecambe have missed out on for decades—and the vision of radical traffic reduction could make Lancaster simply the best city in which to live, do business and visit.

1.45 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I wonder whether it is appropriate to congratulate my hon. Friend the Member for Morecambe and Lunesdale (Miss Smith) on obtaining this debate, given the lateness—or rather the earliness—of the hour. However, I congratulate her on setting out so cogently, clearly, strongly and in such detail the interests of her constituents and the particular problems that they face.

I recognise those problems, as highlighted by my hon. Friend, and the ones faced by the city of Lancaster. Our hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) added his voice to the debate and underlined the problems that are being experienced in his part of the country.

As my hon. Friend the Member for Morecambe and Lunesdale said, I was fortunate to have the opportunity to visit Lancaster and Heysham, when I witnessed some of the problems at first hand. Regrettably, traffic congestion blights many of our town centres. As part of the forthcoming integrated transport White Paper, we are considering ways of tackling congestion. I also appreciate the desire to provide better access to the port of Heysham.

Clearly, we will wish to look at how to address those needs in the context of our integrated transport policy. Before I turn to the situation around Lancaster, it may be helpful if I set out the reasons why we need to develop such a policy. As my hon. Friend will be aware, the Government are looking afresh at why and how we travel and move goods. We are also looking at the role each mode can and should play in meeting the demand for travel, and are seeking to develop a consensus on how national transport requirements should be met in the medium and long term in a way that contributes to greater integration, improved accessibility and safety, sustainable economic growth and the achievement of the Government's goals for a better environment. Above all, an integrated transport system must be sustainable.

One encouraging aspect of what is, in reality, an ambitious task is the degree of consensus in favour of change. We cannot achieve that change in isolation, and we are keen actively to engage those involved in transport. It is a feature of the policy development work now under way that we are involving a wide range of external advice and expertise, including local authorities, businesses, trade unions, transport professionals and transport users.

The roads review is examining the role that roads should play in an integrated and sustainable transport policy. Against the background of increased congestion and a need to reduce pollution levels, we have three broad options for roads: first, to make better use of existing infrastructure; secondly, to manage demand; and, thirdly, to provide new infrastructure, but only as a last resort.

To make the best use of existing infrastructure is the obvious first choice. It has been provided at substantial cost in both financial and environmental terms, and we must make the best use of that investment. Technologies old and new can help to make better use of our roads network. A number of measures can also bring safety benefits, and we will need to ensure that those are given proper priority. However, we must be realistic about what the various options can deliver.

We must also consider seriously more difficult options, such as managing demand and providing new infrastructure. Managing demand is a vast topic. It encompasses reducing the need to travel by, for example, land use planning, an assessment of the extent to which a shift to other modes is encouraged and, inevitably, controlling demand by pricing or rationing mechanisms. Many local authorities, including Lancaster, are seeking through integrated transport packages to combine demand management and other measures so that mobility is maintained while its adverse consequences are reduced.

Providing new infrastructure is a difficult option, both financially and in terms of the impact that it may have on the environment. Our starting point is that we will not proceed with major new road or rail construction unless we are satisfied that there is no better alternative. Even then, there will be difficult choices to be made within the limited resources that are available. That is the background against which future investment decisions will be taken. We make no apologies for setting it out at length, because it is a message which needs to be heard.

Perhaps I could now move to the specific issues that were raised by my hon. Friend. As she said, I visited her constituency on 21 August to open officially the port of Heysham's new £2 million linkspan—a road bridge which allows freight to load on and off the ferries. During my visit, I saw some of the work that is already being done to tackle Lancaster's traffic problems, and I discussed with councillors their proposals for improving access to Morecambe and Heysham. I congratulate the city on what has already been achieved in reducing congestion.

The opening of phase 1 of the Heysham to M6 link in July 1994 removed a significant volume of traffic from the built-up areas of Morecambe and Heysham, including a large number of heavy goods vehicles travelling between the port of Heysham and the M6. Completing the link could further improve access and reduce congestion. As my hon. Friend knows, Lancashire county council is still considering which route its proposed link road should take, following consultation last year.

The proposed road has some history. Following public examination of the Lancashire structure plan, the independent inspector's report recommended that the Lancaster western bypass should be deleted, as the traffic benefits were unlikely to outweigh the combined effects of the visual impact on the landscape and the estuary and the potential harm to conservation interests. Lancashire county council accepted that recommendation, and recently consulted the public on three different routes to complete the road link from the M6 to Heysham. I understand that the consultation showed considerable support for completing the link. My hon. Friend spoke about that.

Three routes are now being considered. They are the so-called orange route, a northerly bypass of Lancaster; the green route, a western bypass of Lancaster and Galgate; and the blue route, a shorter route to the west of Lancaster which involves the construction of new junctions on the M6 south of Lancaster.

When Lancashire county council has decided which of those routes to pursue, it will be able to apply for funds from the Department in the usual way as part of the annual local transport settlement. When it does, we will assess the merits of the scheme in line with the approach that I set out earlier. As my hon. Friends will appreciate, I cannot at this stage tell whether funding will be available. I know that the council is seized of the need to look at other alternatives. Clearly, improving access to the port of Heysham for freight traffic is important if the port is to develop and grow. A better road link could undoubtedly help, as could enhanced use of the rail network.

If we are to achieve our transport objectives, it is important that more freight should travel by rail where that represents a viable alternative to road transport. To help to achieve that, we are working to establish more

[Ms Glenda Jackson]

effective and accountable regulation and to establish a new rail authority to provide a clear, coherent and strategic programme for the development of the railways so that the aspirations of rail freight operators and users can be met. We have already taken account of that to boost the take-up of freight grants, and that is proving successful. We have also secured commitments from the French Government and Eurotunnel designed to get a better deal for rail freight through the channel tunnel and beyond.

I assure my hon. Friend that the issues that she has raised will be closely examined.

Question put and agreed to.

Adjourned accordingly at six minutes to Two o'clock.

House of Commons

Thursday 12 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Asian Economies (IMF Rescue Plans)

1. **Mr. Corbyn:** What British involvement there is in the International Monetary Fund rescue plans for the south-east Asian economies; and if he will make a statement. [27201]

The Chancellor of the Exchequer (Mr. Gordon Brown): Since last summer, four Asian countries have agreed International Monetary Fund programmes under the IMF's emergency financing mechanism, all with United Kingdom support. They are the Philippines, Thailand, Indonesia and Korea. Britain is also one of 13 bilateral contributors to Korea, with a potential contribution of $1.25 billion; no contribution has yet been disbursed. Help is also being given through the Asian Development bank and the World bank.

Mr. Corbyn: I am sure that the Chancellor of the Exchequer is aware of the terrible consequences for the poorest people in that region of last year's collapse of the financial institutions, of the terrifying poverty that many people there are facing and of the expulsion of many migrant workers. Malaysia, for example, is expelling almost 1 million people, and 20 million people in Indonesia are trying to survive on less than $1 a day. Will he assure the House that, in all the considerations of the IMF package, there will be an attempt to stop countries throwing migrant workers out, into even greater poverty in the countries that they have come from, and that the money will be used to support the poorest people in every one of those countries—rather than to bail out the financial institutions that got those countries into a mess in the first place, often decamping with large profits to safer havens elsewhere?

Mr. Brown: I can tell my hon. Friend two things. First, we are concerned about the social difficulties that have been caused by the problems in those countries. It is important that there is openness in the fiscal policies pursued by those countries. I am glad to say that some of the expensive programmes being pursued by some of the Governments have been cancelled. Secondly, we are following action in the area by the World bank, which is disbursing $16 billion. I shall meet the World bank governor soon to discuss those issues. We are as concerned as he is that the social difficulties caused by the rescue programmes are minimised as much as possible.

Trades Union Congress

Mr. Lilley: Does the Chancellor of the Exchequer agree with his friends in the Trades Union Congress that unemployment will start to rise before the end of this year, and that that has little to do with the crisis in Asia but is primarily to do with his policies of high interest rates, an excessive exchange rate and over-tight fiscal policy? Will he give the House an assurance that he will not further tighten taxation policies in the Budget?

Mr. Brown: The right hon. Gentleman is stretching his question far beyond the issue of what the Government are doing on the IMF. However, I shall answer him directly. He is saying, first, that fiscal policy is too tight. A few months ago, he was saying that it was too lax. The Conservative party had better make up its mind where it stands on the issues. Is it in favour of lower interest rates, the same interest rates or higher interest rates? Is it in favour of higher public spending or lower public spending? The Conservative party really must make up its mind on those issues.

Dr. Palmer: Is the Chancellor aware of the widespread concern that the IMF, the World bank and, in future, the multilateral agreement on investment will be giving advice to developing countries that is more in the interests of the multilateral companies that might wish to invest in those countries than in the interests of the countries themselves? Will he use his influence to support the new direction, which we begin to see in the World bank, of considering not only openness to world financial markets but the social impact of changes?

Mr. Brown: Yes, on the last point, we shall follow the social reform policies that are being examined by the World bank. Three issues arise from what has been happening in the Asian countries. First, there is a desperate need for banking reform in those countries to avoid the exposures that caused so many problems in the past few months. Secondly, there is a desperate need for openness in monetary and fiscal policy so that people know exactly where they stand. Some of the recent events could have been avoided had the IMF adopted a code of monetary and fiscal policy, as we have suggested. Thirdly, the IMF will have to look at its own practices and the lessons to be learnt. The G7 and the meeting of the Association of South-East Asian Nations in London will provide a chance to examine all the issues. The lessons will have to be learnt.

Tax Harmonisation

2. **Mr. Waterson:** What discussions he has had with his EU counterparts on tax harmonisation. [27202]

The Chief Secretary to the Treasury (Mr. Alistair Darling): There have been preliminary discussions in ECOFIN about aspects of tax harmonisation. The Government's view is that direct taxation is primarily a matter for national Governments. Decisions on European

tax issues are subject to unanimity. The Government would not agree to measures unless they were in the United Kingdom's interests.

Mr. Waterson: Will the right hon. Gentleman confirm that one of the topics for discussion at those meetings is measures to combat tax avoidance? Will he also confirm that the Belgian tax authorities are participating in the discussions and that he has been drawing on the undoubted and unparalleled experience of the Paymaster General in those matters?

Mr. Darling: If the hon. Gentleman were genuinely interested in the subject matter, he would realise that the discussions were in respect of tax harmonisation measures that will benefit British businesses. That is a matter to which the Government attach great importance and which was neglected by the previous Government.

Mr. Frank Cook: In the course of the discussions, will my right hon. Friend discuss with his European counterparts who have an interest in the North sea oil and gas industries the seriousness of the higher operating costs, the diminishing capacity of the fields and the need for further investment, with a view to ensuring that the industry does not suffer any adverse effects of tax changes?

Mr. Darling: I am not sure whether the discussions to which I referred will have a direct bearing on the matters that my hon. Friend raises but, as he knows, the North sea oil industry is of immense importance to the United Kingdom, particularly the north-east of England and the north-east of Scotland. The ECOFIN discussions are geared primarily at establishing a code of conduct on business taxation so that Britain and British businesses are not exposed to unfair competition by action in other parts of Europe.

Mr. Trimble: Without arguing for uniform tax rates, will the Minister bear in mind the distorting effect of wide differences between tax rates on businesses and the economy? I am thinking in particular of the tremendous difference between corporation tax rates in the United Kingdom and the Republic of Ireland which puts various parts of the United Kingdom at a serious disadvantage in terms of attracting inward investment.

Mr. Darling: As the right hon. Gentleman knows, in the Budget and in the pre-Budget report, my right hon. Friend the Chancellor of the Exchequer announced a major reduction in corporation tax, which will be beneficial to the United Kingdom. That is an example of the fair competition that we want to enhance. The code of conduct is geared to stopping unfair competition, whereby member states may be tempted to shelter some niche market in an unfair way. However, I am sure that the right hon. Gentleman will agree that the measures announced by my right hon. Friend last year, which mean that we have one of the lowest corporation tax rates of any of our major competitors anywhere in the world, will be immensely beneficial to the United Kingdom, in respect of investment from here and inward investment.

Windfall Levy

3. **Mr. Pond:** If he will make a statement on his expenditure plans for the windfall levy. [27203]

19. **Ms Julie Morgan:** What proposals he has to use the revenues accruing from the windfall tax. [27220]

Mr. Gordon Brown: The receipts of the windfall tax are being used to provide new work and training opportunities for young people, the long-term unemployed, lone parents and people who are sick and disabled and who want the right to work. We are also providing £1.2 billion of capital projects for schools and contributing to the development of a national child care strategy. I can tell the House that £2.6 billion has already been paid by the utilities.

Mr. Pond: I thank my right hon. Friend for that reply and I can assure him that, in Gravesham, the Employment Service is working very effectively with local businesses and organisations to make sure that the new deal is a success and that the money is well spent. Will he consider measures that may assist in giving hope and opportunity to another group—the older unemployed, who were written off by the previous Government but want to use their skills and ability?

Mr. Brown: Yes, indeed; my hon. Friend is right. We inherited a situation in which nearly 400,000 adult men and women had been unemployed for more than a year and nearly 250,000 had been unemployed for more than two years. Whereas the long-term unemployed make up only 10 per cent. of the unemployed in the United States, they make up nearly 40 per cent. in Britain. That is why, in addition to giving every young person the chance of a job or training from April in our nationwide strategy for the new deal, from July we shall be offering the £75-a-week subsidy to employers to take on men and women who have been unemployed for more than two years. We shall also announce soon other measures to help the long-term unemployed. I believe that that is right, for both adults and the young.

Ms Morgan: I welcome the £300 million that is to be spent on child care, which represents the first peacetime Government commitment to a comprehensive child care policy. Will my right hon. Friend consider using receipts from the windfall levy to fund pre-school provision as well, as lack of access to that is emerging as one of the barriers for mothers who want to work?

Mr. Brown: My hon. Friend is absolutely right. One of the scandals that we inherited was the absence of a national child care strategy. There are three elements to our strategy. First, we must make child care accessible, which is why the windfall tax, along with funds from the new opportunities lottery fund, is contributing to an increase in the number of child care places. We believe that there can be 30,000 after-school clubs and a million places after five years, and we are considering other ways in which to increase the number of places.

Secondly, the windfall tax is also contributing to the training of child carers. We believe that, over time, 50,000 new child carers can be trained partly using moneys from the windfall levy—about £100 million. Thirdly, in making

child care more accessible, we are examining the child care disregard. We have already dedicated £50 million from the windfall tax towards improving child care disregard, so that people can afford child care. We know that we shall have to do more, and we shall do more.

Mr. Forth: Can the Chancellor confirm that, along with the windfall tax, one of the main sources of revenue for the Government's programmes is the closing of tax loopholes? What moral and policy lead are he and other Treasury Ministers giving in that matter?

Mr. Brown: In my first Budget, I closed loopholes worth £1.5 billion—loopholes that the Tories had failed to close in 18 years. I have also said that we are examining all loopholes with a view to closing them. The difference between us and the Conservatives is that they talk about the matter, whereas we take action.

Mr. Ruffley: Given that the Government allege that the welfare-to-work scheme will, in the medium term, save the British taxpayer money, can the Chancellor tell us in what year he expects the savings from the scheme to exceed its costs?

Mr. Brown: The money that we have allocated through the windfall fund is £4 billion—£3 billion for the youth employment programme and another £1 billion to help lone parents, the disabled and the long-term unemployed. As people get back to work, there will be a reduction in the cost of social security benefits; as the programme works, that will happen. We believe that we shall then be able to redirect resources to education—another priority.

Young People

4. **Gillian Merron:** What his economic priorities are for the enhancement of opportunities for young people during the British presidency. [27204]

Mr. Gordon Brown: I shall be using the United Kingdom presidency of the European Union to advocate policies that ensure that all young people throughout the Community—5 million of whom are unemployed—are equipped with the skills that they need and given the job opportunities that they want. At the Cardiff summit, we shall consider action plans from each Government.

Gillian Merron: I thank my right hon. Friend for his reply, which shows that, if Britain takes a lead and the European Union countries follow, we shall at last ensure that the EU tackles the youth unemployment challenges that lie ahead. *[Interruption.]* Does he agree that the welfare-to-work programmes, such as the ones to which he has referred, must feature high-quality training, so that they can benefit the 272 unemployed people under 25 in my constituency of Lincoln and the other unemployed young people in the European Union?

Mr. Brown: I agree entirely, and it is interesting that, when my hon. Friend mentioned the problems of youth unemployment in her area, Conservative Members sneered at what she is doing. Every hon. Member should consider himself an ambassador for the new deal. It is the opportunity to end the social divisions that have characterised this country as regards youth employment. Most sensible people want that programme to succeed.

Mr. Blunt: Is the Chancellor aware that a number of young people in my constituency work in the duty-free trade, which is due to be abolished in 1999? They cannot understand why that trade should be abolished when duty rates throughout the European Union remain wildly divergent and there is not a single market in those goods.

Mr. Brown: I wonder whether the hon. Gentleman was told when he arrived in this place that the previous Government agreed to the abolition of duty free. We are now having to deal with the consequences and are considering those matters.

Mr. Derek Foster: I commend my right hon. Friend for the tremendous political drive that he has put behind the new deal for young people, which should prove an excellent model for our European partners. On flexible labour markets, does he agree that those have nothing to do with macho management, hire and fire and screwing down the wages and working conditions of the work force, and everything to do with superb management, recognising the unique contribution that labour has to make to productivity and the quality of the product and proper investment in training and development of staff?

Mr. Brown: I applaud the efforts of my right hon. Friend as Chairman of the Employment Sub-Committee of the Select Committee on Education and Employment and the work that he and his colleagues have done on those issues. He is right. The key to our future is: first, giving young people opportunities; secondly, as he rightly said, giving them the skills, both right across the board and for five to seven-year-olds, as our education announcement today begins to do; and thirdly, management working with the work force to ensure that we have a prosperous economy. Those are the ways forward for our economy.

Dr. Cable: Does the Chancellor accept that the Government's commitment to young people is weakened by the effect of today's announcement on class sizes, which excluded half all local authorities, including mine in Richmond? Does he also accept that the state of public finances is now sufficiently secure that he could afford to relax immediately the capping restrictions to allow local authorities to invest in education and reduce class sizes?

Mr. Brown: I thought that the hon. Gentleman would want to applaud the investment of £22 million, which was taken from the assisted places scheme by the Government's decision to redistribute resources to help five and seven-year-olds, and the fact that we are making available capital investment—£1.2 billion from the windfall levy—for schools to be refurbished. At the last election, I seem to remember the Liberal Democrat party proposing a £500 million programme. We have produced a £1.2 billion programme and that is the difference between us and the Liberal Democrats. We take action; they just talk.

Mr. Hutton: I welcome the priority that the Government attach to tackling youth unemployment

during the United Kingdom presidency of the European Union. Will my right hon. Friend take this opportunity to congratulate Wesley Morgan, the first of my constituents to benefit from a new job under the new deal, and his employers Cumbria Specialist Coaches? Is not the new deal good news for business and a great deal for the long-term unemployed?

Mr. Brown: I am grateful to my hon. Friend for mentioning one of the many people who have benefited from the new deal. I congratulate him and other hon. Members who have involved themselves directly in that programme. In the past four weeks, 8,000 young people in the 12 pilot areas have been interviewed, with new deal offers of jobs and training. Already, 4,000 have been matched up with jobs and that is a considerable achievement. I look forward, as does the House, I believe, to that programme becoming nationwide, and applying to every constituency.

Lawyers' Fees

5. **Mr. Llwyd:** How many representations he has received on the proposed changes in the taxation of lawyers' fees; and if he will make a statement. [27205]

Mr. Gordon Brown: The Inland Revenue press release issued on 22 December invited comments on the proposals to withdraw the cash basis practices available to professional businesses, not just to lawyers. The Inland Revenue has not only received a large number of responses but has had a number of meetings with representative bodies, including the Law Society, the Bar Council and accountancy bodies. The consultation period ends on 14 February. Thereafter, we shall consider the various points made.

Mr. Llwyd: I am obliged to the Chancellor for that response. It seems grossly unfair to expect barristers to pay income tax on fees delivered when typically they will not be paid for several years—many years if they are dealing with Government Departments. Will the Chancellor consider the fact that, if the regressive step that he is considering is adopted, it will be impossible for newcomers to gain entry to the profession? We shall inevitably go back to the old days, when only the well-heeled could enter the legal profession.

Mr. Brown: I understand the hon. Gentleman's comments. Our sensitivity to the needs of young lawyers entering the profession is clear from the responses that we have had and the indications that we have already given that we shall take the issue seriously. We are in a period of consultation about implementation.

The Government pay out £1.7 billion a year in legal fees. Some 80 per cent. of civil legal aid and 90 per cent. of criminal legal aid is paid within the year. The new proposals will allow a period during which they can be implemented with the sensitivity that I am talking about.

Mr. Gibb: Does not the Chancellor's answer show that the proposal was ill thought through? Is that not symptomatic of the Government's taxation policies? We have had an ill-thought-through decision to abolish advance corporation tax on dividend tax credits, leading to the wholesale change of the corporation tax system, an ill-thought-through proposal on quarterly corporation tax payments and an ill-thought-through proposal to abolish PEPs and TESSAs.

Mr. Brown: The proposal is that those in professional bodies should be taxed in the same way as everybody else. The hon. Gentleman should applaud the modernisation of the tax system. He should also congratulate us on reducing corporation tax from 33p to 31p, with a further proposal to reduce it to 30p—the lowest corporation tax rate in the industrialised world.

Pensions Mis-selling

6. **Ms Moran:** If he will make a statement on the progress of the Economic Secretary's discussions in respect of mis–selling of pensions. [27206]

Mr. Darling: Today, I have placed in the Library a table showing what progress has been made by the companies that we have been monitoring up to the end of January. It shows that they have made further progress. About 60 per cent. of the cases requiring review have been reviewed—which would never have happened but for the action taken by my hon. Friend the Economic Secretary.

Ms Moran: I warmly welcome the progress that my right hon. Friend has just described. Is he aware that, in some companies, the problem remains of temporary, untrained staff pyramid-selling pensions, which is the root cause of many of the mis-selling problems that we have had? Will he ensure that the views of responsible practitioners are taken on board so that the scandal of mis-selling, the legacy of which we inherited from the Conservatives, is not repeated?

Mr. Darling: My hon. Friend makes a good point. No one should doubt our intention that all the major pension companies, all the independent financial advisers and others who were involved should clear the problem up as quickly as possible. That is good for the industry and for the public. My hon. Friend may be interested to know that the Personal Investment Authority listens closely to what practitioners have to say, as will the Financial Services Authority, because such advice can be very helpful. The lessons to be learnt from the affair are that the old regulatory system was too lax, because self-regulation was incapable of ensuring high standards, and that clearing the matter up required firm Government action, which we have taken.

Mr. Heathcoat-Amory: The Chief Secretary will know that the Government report on the affairs of the Maxwell Group has not yet been published, but is awaited. Is he aware that the current edition of *Business Age Magazine* details how Robert Maxwell stole £450 million from pensioners in his companies and how the Paymaster General, who has not answered the question yet, made his fortune by buying and selling such companies to and from Robert Maxwell? The article describes how the transactions were carried out at non-commercial valuations. Should not any Minister of the Crown so implicated, subject to a possible investigation which the House is awaiting, resign?

Mr. Darling: It was entirely predictable that the shadow Chief Secretary would have nothing to say about

pensions mis-selling, which is what the question is about, because it was thanks to the Tory system of self-regulation that millions of people were cheated out of money—and the previous Government were prepared to do nothing about it.

Scottish Economy

7. **Mr. Swinney:** What analysis he has undertaken of the impact of the current level of interest rates on the Scottish economy. [27207]

Mr. Darling: Scottish business, as well as businesses in the whole of the United Kingdom, want stability and an end to boom and bust. Low inflation is an essential precondition for long-term sustainable growth.

Mr. Swinney: The Minister referred to boom and bust. Another Scottish company went bust this morning in the constituency of my hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Morgan). Many Scottish companies, exporters, manufacturers and people in the agricultural industry are being crippled by the Government's interest rate policy. When will they deliver an interest rate policy that is appropriate to Scotland and not just to the south-east of England?

Mr. Darling: The hon. Gentleman belongs to a party that wants independence in Europe, which would mean Europewide interest rates, never mind just for the United Kingdom. The important point is that, unless we get stability and an end to the boom and bust that has so characterised the British economy, difficulties will continue to face businesses in Scotland and elsewhere. The Government are determined to get inflation out of the system and to create a stable platform on which businesses can build. Unless we take that long-term view, we shall return to the days—not so very long ago—of high inflation, which destroys businesses and badly affects mortgage payers and savers. We are not prepared to do that. We are taking the necessary action to ensure that the capacity of the economy expands and that there is a platform on which businesses and individuals can prosper.

Mr. Chisholm: Has my right hon. Friend analysed what effect the high borrowing policies of the Scottish National party would have on interest rates? Is not the best way to achieve sustainable low interest rates by the supply-side and European policies of the Government?

Mr. Darling: I am grateful to my hon. Friend for his support on those matters. He is right; it is not only a question of the nationalists' policy on taxation, spending and everything else. Nationalists will remember that their parliamentary leader, at the end of the last Parliament, said that an independent Scottish currency would shadow the pound sterling, which makes nonsense of the question asked by the hon. Member for North Tayside (Mr. Swinney). The Government are committed to economic stability and providing the stable platform that is essential if we are to break away from the cycle that has been so destructive in the past.

Mr. Green: Given that the Chief Secretary is speaking the day after Scottish unemployment started rising again, he can congratulate himself on ending the boom phase of the boom and bust to which he objects. Does he agree with the TUC, which says that the main priority for the Government in the Budget should be to start a managed depreciation of sterling to help manufacturing industry in Scotland and elsewhere?

Mr. Darling: Stability is essential for the long-term good of this country. As the hon. Gentleman mentioned unemployment, I should point out that the Government's welfare-to-work programme is one of the many ways in which we can help give people who have been put out of work the skills and opportunities to get back into work. It is also a way of increasing the country's skills level because some parts of the country have low skills levels. The Government's overall strategy, which is long term, unlike that of the previous Government, is the key to getting the economic stability and expansion that we all want.

Mr. Blizzard: Will my right hon. Friend confirm that interest rates are not the only factor affecting the value of the pound, and that the current exchange rate against the deutschmark is not greatly different from the rate at which the previous Government thought fit to take Britain into the exchange rate mechanism, and from which the right hon. Member for Huntingdon (Mr. Major) said it would be fool's gold to devalue?

Mr. Darling: Of course, the exchange rate policy of the last Government has now been renounced by all those who took that decision. In contrast, our policy is to ensure that we have a low-inflation economy and conditions where we have a skilled and educated work force that will expand the capacity of our economy. Ours is a long-term policy designed to end the violent swings seen in the past, and ours is the only way to provide the stable platforms for businesses and individuals that everyone in the country wants.

Trusts (Taxation)

8. **Mr. Gray:** If he will make a statement on his policy towards the taxation of trusts. [27208]

Mr. Darling: We are committed to taking action to close any tax loopholes that may arise.

Mr. Gray: We are surprised that the Paymaster General has chosen not to answer that question, given his long and acknowledged expertise on the subject of trusts. Will the Chief Secretary comment on the article in *Business Age Magazine* this week, which is headed, "How Maxwell put his trust in Robinson" and states how the Paymaster General gave Mr. Maxwell particular advice with regard to losing his stolen billions? If that is ill informed and defamatory, as no doubt the Paymaster General believes it is, why is it that he has promised to sue *The Sunday Times* and *The Observer* for their ill-informed and defamatory remarks, but is not suing *Business Age Magazine*?

Mr. Darling: All I can say is that, unlike the Conservative party, we take action against tax loopholes. As my right hon. Friend the Chancellor has said, in the

last Budget, we closed £1.5 billion-worth of tax loopholes, whereas the last Government did absolutely nothing about it for 18 years.

Economic and Monetary Union

9. **Mr. Wilkinson:** If he will raise for discussion in ECOFIN the likely compliance by other countries in the EU with the Maastricht treaty conditions for entry into stage three of economic and monetary union. [27209]

Mr. Gordon Brown: In May this year, ECOFIN will assess, on the basis of reports by the Commission and the European Monetary Institute, whether each member state fulfils the necessary conditions for the adoption of the single currency. The Economic and Finance Ministers will then recommend their findings to the Council meeting in the form of the Heads of State or Government and decisions will then be made.

Mr. Wilkinson: Will the Chancellor of the Exchequer, as chairman of ECOFIN, recommend that all those countries which have the political aspiration to participate in the single currency should do so, in the interests of wider European unity; or will he insist that the strict stipulations of the treaty on European Union be met and thereby exclude Belgium and Italy, which have a level of national debt twice that permitted under the Maastricht treaty rules?

Mr. Brown: What we shall do is follow the procedures that have been laid down, which means that in March we shall receive reports from the Commission and the European Monetary Institute; those reports will then be discussed and a decision will be made on 1 May; and that will be reported to the European Parliament the next day for a final decision by the Council. We shall wait for the reports before making our recommendations and we shall chair the meetings in the orderly way that is required.

Mr. Sheldon: Is my right hon. Friend aware that, in any institution, it is the decisions taken in the first few months or year of that institution which determine much of what happens subsequently? Given that the decisions in question are so important and that we are out of many of them, how does he suggest we might reduce the problems of the danger to our economy?

Mr. Brown: We have set clear objectives for the British economy. Although we are in principle in favour of economic and monetary union, we have set five economic tests that must be met. Those tests involve looking at what is to happen to employment, financial services, industrial investment, convergence and flexibility and adaptability of labour markets to enable the single currency to work. Those are the tests that we shall apply in relation to Britain before we make a recommendation. That recommendation will have to be passed, not only by the House and by Parliament, but by a referendum of the British people.

Mr. Townend: Does the Chancellor agree that our European partners consider EMU a political, rather than an economic, issue—the great leap forward to political union? That is why they will proceed with EMU, regardless of the fact that some countries do not meet the economic convergence criteria. Is it not nonsense to say that economies have converged when one of the most important criteria—unemployment—is not being considered? How can economies be said to have converged when Spain has 22 per cent. unemployment, Germany has 12 per cent., France has 12 per cent. and we have 5 per cent.?

Mr. Brown: It is precisely because unemployment is high in Europe that we have taken our initiatives including the Luxembourg special conference on jobs; the action plans that will be set by member states; and the commitment given by countries to reduce youth and long-term unemployment.

As for Europe, I know that the hon. Gentleman has always been against a European monetary union and none of the facts either way will change his mind on the issue. He should note that, whereas in the first five years of the 1990s, inflation was nearly 6 per cent. on average in Europe, it is now just over 2 per cent.; and, where deficits were about 6 per cent. of GDP, they are now about 2 per cent. as well. Considerable progress has been made towards convergence in those European economies.

Mrs. Dunwoody: My right hon. Friend will of course accept that the price for that has often been high unemployment. [HON. MEMBERS: "Hear, hear."] Would he be kind enough to ensure that whatever happens in relation to the creation of the monetary system, a full discussion takes place with the British public so that they understand the disadvantages and not the supposed advantages alone?

Mr. Brown: We are not only committed to a referendum if that decision is recommended by the Government and the House: we are also committed to making sure that the British public are informed about economic and monetary union and all the issues referring to it. My hon. Friend should note that the issue of employment is uppermost in our mind and it is one of the five economic tests that we have set down. In order for monetary union to work, we will have to reduce substantially the amount of unemployment in Europe. The cheers of support for my hon. Friend from Conservative Members come a bit strange because it was their party which said that unemployment was a price worth paying.

Mr. David Heath: In the right hon. Gentleman's discussions in ECOFIN or elsewhere on monetary union, has any consideration been given to the future of the administrative currencies and will the advent of the euro mean the demise of the green pound?

Mr. Brown: Matters of agricultural reform are under discussion as a result of the Commission's proposals to reduce the amount of money spent on the agricultural budget. We are profoundly committed to such reform. The hon. Gentleman will see us pursue proposals during our presidency and afterwards that will attempt to reduce that agricultural budget. Of course there will be consequences for the agricultural pound as a result.

Fuel (VAT)

10. **Mr. Caplin:** If he will make a statement concerning his policy to reduce VAT on fuel. [27210]

12. **Mr. Barry Jones:** What representations he has received from pensioners' organisations on his reduction in VAT on fuel.

The Paymaster General (Mr. Geoffrey Robinson) *rose—*

Hon. Members: Hear, hear.

Mr. Robinson: I am pleased to tell my hon. Friends that we have reduced VAT on fuel to 5 per cent.—the lowest level permitted to us under European Community regulations. That reduction has been very well received throughout the country, in particular by pensioner communities.

Mr. Caplin: I was delighted to note that my hon. Friend was greeted so warmly by those on the Conservative Benches. The pensioners in my constituency of Hove greatly welcome the cut in VAT. Would he care to contrast the efforts made by the Government with those of the Opposition and the Liberal Democrats?

Mr. Robinson: In addition to the cut in VAT, other measures relating to the gas levy and the winter fuel payments paid by my right hon. Friend the Chancellor mean that pensioners are between £100 and £130 better off per year. All one can say about the Conservative party is that when in government it managed to introduce 22 tax increases. The only tax reduction was that introduced as a result of the actions of the Labour party in opposition and the Liberal Democrats, who fought against the Conservative Government increasing VAT on fuel to 17.5 per cent. What we need to know this afternoon is whether the Opposition are in favour of increasing it again to 17.5 per cent.—yes or no?

Mr. Barry Jones: Will my hon. Friend allow me to thank the Chancellor of the Exchequer for the action that he has taken in this sphere? He should know that pensioners in my constituency are glad of what he has done. Is it not a fact that the Labour Government keep their promises?

Mr. Robinson: The reduction in VAT on fuel was one of the five pledges in our manifesto, and it has been redeemed; we are in the course of fulfilling the other pledges. I am pleased to have my hon. Friend's confirmation that pensioners in his constituency appreciate that action while the Opposition hang their heads in shame at the fact that they took no action when in government.

Mr. Ian Bruce: Surely the hon. Gentleman will know that his Department has told me that the increases in VAT announced by the previous Government were fully or overcompensated to pensioner households. Surely what we need to do for pensioners is to keep tax rates down. Surely the best way to do so would be to make sure that rich business men pay their taxes and do not keep the money offshore.

Mr. Robinson: The best thing we did was to get rid of the Tory Government. That was the first step. Next, we reduced VAT on fuel. We then made the winter fuel payments and introduced the rebate on the gas levy. Those practical measures have helped people who live in the real world. The hon. Gentleman should be ashamed of his question.

Rev. Martin Smyth: Although the reduction of VAT on domestic fuel for pensioners is welcome, will the hon. Gentleman bear it in mind that increasing taxes on diesel and other transport fuels will have an adverse effect on the peripheral regions, and especially on firms engaged in export?

Mr. Robinson: I welcome the first part of the hon. Gentleman's question. All the other matters are being considered by my right hon. Friend the Chancellor in the context of the Budget.

Dr. George Turner: The pensioners who are visiting the House today from my constituency are extremely pleased about the reduction in VAT on fuel, but tomorrow concerns them as much as yesterday. Many of them count the buses that pass their door by the number per week, not the number per day. Can my hon. Friend assure them that when the Chancellor draws up his Budget, he will take fully into account the distinctive needs of those who live in rural constituencies, now represented mainly by those on the Labour Benches?

Mr. Robinson: I should be pleased to meet my hon. Friend's pensioners with him. I assure them that all those matters are under consideration. In particular, he will be aware that a major review of pensions is under way. We hope to answer positively to his pensioners and his other constituents in due course.

Housing (Capital Receipts)

11. **Mr. Sanders:** When he will announce his plans for the next phase of the housing capital receipts initiative. [27211]

Mr. Geoffrey Robinson: In line with our policy as stated in the manifesto, and in line with Liberal Democrat policy—we welcome the hon. Gentleman to an agreed policy—£900 million is to be released in the first phase of the release of capital receipts: £200 million this year and £700 million in 1998-99. That is a good start.

Mr. Sanders: I draw the Paymaster General's attention to the fact that, in the controlled spending targets for public sector housing this year, there is a £200 million reduction, which knocks out the £200 million made available under the Local Government Finance (Supplementary Credit Approvals) Act 1997. That is not the release of capital receipts; it means that local authorities will be allowed to borrow money against the value of the capital receipts. Furthermore, the hon.

Gentleman referred to £900 million. Can he clarify how that relates to the figure of £800 million given by the Prime Minister yesterday?

Mr. Robinson: We welcome the hon. Gentleman's agreement with our policies. The £200 million this year is a separate issue. Why does he not focus on the £700 million that will be genuinely additional next year? He is well aware that we went for supplementary credits because the receipts were not in those areas where housing need was greatest. That is the best mechanism that we could find to make sure that the receipts were released in those areas, rather than in areas of less need.

Mr. Coaker: Will my hon. Friend ensure that social housing receives its fair share of resources over the next few years? One of the greatest stigmas that we see is the plight of the homeless, and one does not have to go very far from the House to see that. Social housing is desperately needed in many parts of the country to rehouse the homeless and to ensure that everyone has a decent place to live.

Mr. Robinson: I entirely agree with my hon. Friend. He is aware that the new deal programme is specifically designed to help the young homeless, and that we have split up the housing receipts to take care of regeneration, as well as rehabilitation. Taken together, those measures will go a long way to meeting his genuine and justified concerns.

Mr. Sayeed: As the Minister could not answer the very good question from the hon. Member for Torbay (Mr. Sanders), perhaps I could ask him a simpler question. In Islington, one in 16 council-owned properties lies empty, while Islington councillors go around complaining about homelessness. How will the Minister make sure that giving those capital receipts to local authorities will ensure that they place homeless people in the homes that have been standing empty for many years?

Mr. Robinson: It is a terrible indictment of 18 years of Conservative rule and bashing of local councils that the hon. Gentleman admits that that is the case. What we are doing through the release of receipts will enable—*[Interruption.]* Many of those problems were caused by central Government through the Tories bashing local authorities and reducing them to a position where they could not take decisions, which was the point of Tory policy. One of the reasons why so many of the houses are unoccupied is that they need urgent rehabilitation. That is what the phased release of capital receipts will achieve.

Mr. Miller: Is my hon. Friend aware that, in my constituency, the waiting time in the local authority housing sector for a couple with one child increased from one month to nearly four years between 1986 and 1996? Is my hon. Friend aware that that waiting time is dropping under Labour policies? Will he ensure that the next phased release of capital receipts takes account of the actions taken by local authorities to bring about such reductions, and thus relieve the burden on housing benefit and other charges to the Exchequer?

Mr. Robinson: My hon. Friend is quite correct, and I entirely agree with him. In the context of the comprehensive spending review, we are looking at what the next phase of releases will be. It is too early to predict that yet. My hon. Friend makes precisely the point in respect of his council that I made a moment ago: the previous Government's housing and general local government policies caused a terrible situation, with deteriorating housing stock. We are grappling with that problem, and the phased programme of capital receipts release will contribute to solving it.

Corporate Taxation

13. **Mr. Jenkin:** When he expects the review of corporate taxation to be concluded. [27213]

Mr. Darling: The Inland Revenue has recently consulted business on proposed changes to the corporate taxation regime. That consultation period ended on 30 January. Any further announcements are, of course, a matter for my right hon. Friend.

Mr. Jenkin: Where is the Confederation of British Industry at fault in its analysis that the Government's announced corporation tax changes will amount to a £22 billion increase in tax in this Parliament?

Mr. Darling: The changes that we have made to the corporation tax regime will greatly help industry. The tax system will no longer be the determining factor as to whether profits are retained or distributed—that is properly a matter for managers. The tax changes have allowed us to reduce the rate of corporation tax, as has been said many times this afternoon, in order to ensure that we have one of the lowest rates of corporation tax of any of our major competitors.

Mr. Sheerman: Will my right hon. Friend ensure that any such review takes seriously the suggestions that Labour Members often make that corporations should be given certain incentives to invest in universities and university research that creates jobs? Is he aware that the Dearing report recommended that an extra £500 million—much of it coming from the corporate sector—be invested in universities? We have not seen much of that money yet.

Mr. Darling: My hon. Friend is correct: we want industry not just to invest in its own development but to co-operate with educational institutions. I am aware that the Dearing committee expressed a similar hope. I think that my hon. Friend will agree that the reduced level of corporation tax, together with the other steps that we are taking to encourage business, will prompt businesses not just to co-operate with educational institutions but to make the necessary investment that will benefit individual businesses as well as the wider economy.

Mr. Lilley: Should not the Chancellor have completed his review of corporation tax before he announced his ill-thought-out changes, which impose a hefty burden on pension funds and companies? Would he not then have avoided stumbling from announcing the abolition of tax credits in July—without realising that that would involve abolishing foreign income dividends—to abolishing advance corporation tax in the autumn, which then required him to introduce a new system of quarterly payments in his autumn statement, which he will now have to revise in his March Budget because of the

criticisms from the CBI? Will he confirm to the House that unless he does so, despite the change in the corporation tax rate, the changes so far announced will increase the burden on business by £22 billion?

Mr. Darling: As regards the consultation exercise, most of the responses have been very positive. I should have thought that the right hon. Gentleman would welcome that. I repeat that the changes we have made to the corporation tax regime will be to the long-term benefit of companies in this country and the economy. I think that most people recognise that.

Taxation and Welfare Systems

14. **Mr. McCabe:** What plans he has for merging the systems of personal taxation and welfare benefits. [27214]

Mr. Gordon Brown: As I stated in the pre-Budget report, we plan to build on our £4 billion welfare-to-work programme, and unveil in the Budget the second stage of our plan to modernise the welfare state. To encourage work and to help low-paid families, we are now considering in detail the introduction of a working families tax credit, paid through the tax system. That would also allow us to do more to help with the cost of child care.

Mr. McCabe: I am grateful to my right hon. Friend for that reply. Can he confirm that the working families tax credit will be of significant benefit to a great many women already in work and those who want to work? Will he further confirm that allegations that there will be a compulsory transfer of resources from women to men, or that there is a threat to independent taxation, are completely untrue?

Mr. Brown: I can reassure my hon. Friend. As I made clear in the pre-Budget statement, the Budget will include the next stage of the modernisation of the welfare state—reform of tax and benefits to make work pay, which will be of particular benefit to women. There is no threat to independent taxation from the working families tax credit, nor would there be a compulsory transfer of resources from women to men. If the working families tax credit replaced family credit, families would have the right to elect to whom the tax credit was paid, the man or the woman.

Mrs. Lait: I offer my commiserations at the fact that Treasury Question Time this afternoon has been a woman-free zone.

I appreciate hearing that independent married women's tax will not be affected after the heavy leaking that there has been of the Budget plans, but will the Chancellor please assure us that every married woman, whatever her level of earnings, will not lose by the changes that he is promising?

Mr. Brown: The compulsory transfer of resources from women to men is not proposed in any of the detail that has been examined by the Treasury. The existing system of family credit, for which the Conservative party was responsible, has only a 69 per cent. take-up; 645,000 people have a marginal tax rate above 70 per cent.; 500,000 people are paying tax as they receive benefit; and only 31,000 have been able to receive the child care disregard. That is not a system that is working in favour of women or children, and we shall reform it and make it better.

Mrs. Anne Campbell: Will my right hon. Friend ensure that in the forthcoming Budget he does whatever possible to remove the poverty trap for lone parents, and thus give a welcome boost to the new deal for lone parents which has helped so many women in my constituency and elsewhere in the United Kingdom?

Mr. Brown: It is a symbol of what the Conservative party was about in government that it took care to deal with the disincentives for people on high tax rates, but left people with high marginal tax rates if they were low paid. As a result of Conservative policy, 360,000 families have an 80 per cent. marginal tax rate and more than 100,000 have a 90 per cent. marginal tax rate. That is unacceptable. It is a disincentive to work, it is unfair to mothers and their children, and Britain can do better. That is why we are modernising the British welfare state.

Mr. Fallon: Will the Chancellor confirm the Financial Secretary's apologies for bunking off this afternoon to discuss more of the Budget with the sisters of the Fawcett Society following her Budget leak to *The Daily Telegraph* this morning? Could not women still be pressurised by their husbands into not applying for direct payment of the working families tax credit and, even if they do apply, will not their husbands still know what they earn?

Mr. Brown: Under the present system, the woman and the man have to sign the family credit form. The hon. Gentleman should consider that before he makes such allegations. The hon. Gentleman has to face up to the fact that thousands of women—even in work—and children are left in poverty as a result of the policies that we have inherited from the previous Government. That is why we must begin to reform the welfare state.

The Financial Secretary is addressing a conference this afternoon, the Economic Secretary is ill, and both have sent their apologies to the House.

Windfall Tax

15. **Ms Keeble:** What is the current level of receipts from the windfall tax. [27216]

Mr. Geoffrey Robinson: The first tranche of the windfall tax was paid on 1 December, in full and on time, and we are grateful to the companies for their co-operation in this matter.

Ms Keeble: Will my hon. Friend confirm that the £2.6 billion that has been raised is exactly what was expected? Does not that give the lie to the previous criticisms that the tax was unworkable? Will he also confirm that the amount raised already is more than the £2.2 billion that the Liberal Democrats would have raised through their 1p in the pound on income tax?

Mr. Robinson: My hon. Friend is correct. Now that we have the money, we can ensure that we spend it wisely. We note that the Opposition agreed with the ends, but would have denied us the means. I am pleased to tell the House that the pathfinder programmes are doing extremely well and the whole country is looking forward to the overall national deal beginning on 4 April.

Mr. Clifton-Brown: Will the Paymaster General now answer the question that was ably put by my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley): when will the cost of the welfare-to-work programme reduce?

Mr. Robinson: It is an odd question. I heard it earlier—[HON. MEMBERS: "Well, answer."] Exactly, I will. We have not begun the national programme for welfare to work. It does not begin on a national level until 4 April, so how can anybody ask us to show results now? That programme will yield results. The Opposition should have implemented such a programme when in government instead of letting youth unemployment build up. Instead of scoffing and trying to point ridicule at a sincere programme to deliver the goods, Conservative Members should be out in their constituencies, as we are, trying to make the programme a success.

Business of the House

3.30 pm

Mrs. Gillian Shephard (South-West Norfolk): May I ask the Leader of the House to make a statement on the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): The business for next week is as follows:

MONDAY 16 FEBRUARY—Second Reading of the Human Rights Bill *[Lords]*.

TUESDAY 17 FEBRUARY—Debate on Iraq, on a Government motion.

WEDNESDAY 18 FEBRUARY—Until 12.30 pm, debate on the first report from the International Development Committee on Montserrat, followed by a debate on the first report from the Education and Employment Committee on teacher supply. Followed by debates on the motion for the Adjournment of the House.

Motions on the Social Security Benefits Up-Rating Order, the Social Security (Contributions) (Re-Rating and National Insurance Fund Payments) Order, the Guaranteed Minimum Pensions Increase Order, and the Social Security (Incapacity for Work) (General) Amendment Regulations.

THURSDAY 19 FEBRUARY—Until 7 pm, motions on the Scottish Revenue Support Grant Reports, the Housing Support Grant (Scotland) Variation Order and the Housing Support Grant (Scotland) Order. Details will be given in the *Official Report*.

FRIDAY 20 FEBRUARY—The House will not be sitting.

The provisional business for the following week is as follows:

MONDAY 23 FEBRUARY—Consideration in Committee of the Scotland Bill (Fifth Day).

TUESDAY 24 FEBRUARY—Consideration in Committee of the European Parliamentary Elections Bill (First Day).

WEDNESDAY 25 FEBRUARY—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Consideration in Committee of the Government of Wales Bill (Sixth Day).

THURSDAY 26 FEBRUARY—Consideration in Committee of the European Parliamentary Elections Bill (Second Day).

FRIDAY 27 FEBRUARY—Debate on the Government's priorities for women on a motion for the Adjournment of the House.

The House will also wish to know that on Wednesday 18 February there will be a debate on the Court of Auditors report for 1996, and sound financial management, in European Standing Committee B.

Details of the relevant documents will be given in the *Official Report*.

[*Wednesday 18 February:*

European Standing Committee B—Relevant European Community Document: (a) OJ No. C348, Court of Auditors Report for 1996; (b) SEM 2000/3, Sound Financial Management. Relevant European Legislation Committee report: (a) HC 155-xiv (1997-98); (b) HC 155-xvi.

Thursday 19 February:

Relevant Reports—The Local Government Finance (Scotland) Order 1998; The Revenue Support Grant (Scotland) Order 1998; The Special Grant Report (98/1) (Scotland): Local Taxation Collection Grant Scheme 1997-99 (House of Commons Paper No. 530); The Special Grant Report (98/2) (Scotland): Grant in Aid of Local Authority Revenue Costs and Reinstatement Works at Dunblane Cemetery Resulting from the Dunblane Tragedy (House of Commons Paper No. 531); The Housing Support Grant (Scotland) Variation Order 1998; the Housing Support Grant (Scotland) Order 1998.]

Mrs. Shephard: I thank the Leader of the House for her statement and for giving us the provisional business for the week after next, which is always helpful to the House. We welcome the debate on Iraq. As I said last week, it is also very helpful to have debates on Select Committee reports.

Following the Prime Minister's answer yesterday, which was a rare event in itself, will the Leader of the House now arrange for an early clarification to the House of the Government's position on the impact of the Human Rights Bill on religious freedom in this country? Will she confirm that the Government's view on this matter is not the same as that of the Lord Chancellor, who, like his self-nominated predecessor, Cardinal Wolsey, seems likely to run into trouble with the Church? We know how that ended.

Are we right to assume that there will be a special guest appearance in the Chamber of the Minister without Portfolio next week, to enable him to explain to the House what he expects to be the contents of the dome, before he embarks on the glitzy press launch that he has already planned for 24 February? It would be nice for the House to know first.

Does the right hon. Lady plan to have the Secretary of State for Social Security come to the House to give further details of her benefits integrity project? Next Wednesday's debate may give an opportunity for that. The bare bones of the project were laid out in a written answer last Monday, but, given the Government's customary disregard for parliamentary procedure—I am sorry to have to say that—the media and, I think, a hand-picked audience in Middlesbrough may be more knowledgeable than the House about the Secretary of State's plans.

How would the right hon. Lady describe the details of the tax changes for women that were mentioned in *The Times* and *The Daily Telegraph* today? Would she describe them as a leak, as a briefing or pure speculation?

Will the right hon. Lady arrange for the Minister of Agriculture to come to the House and explain why on Tuesday night he was to be seen lolling about in the Smoking Room instead of being in the Chamber defending his ban on beef on the bone? The Government have a profound contempt for Parliament, but the Minister of Agriculture, even by his Government's standards, showed on Tuesday that power has gone to his head. His utter disregard for his responsibilities will not have gone unnoticed either by farmers or by consumers.

Mrs. Taylor: Several of the questions asked by the right hon. Member for South-West Norfolk (Mrs. Shephard) have already been answered by

Ministers today or by the Prime Minister yesterday. I shall comment on whether some of the issues she mentioned are suitable for debate next week.

Yesterday, the Prime Minister said that he would consider the issue of religious freedom, which was raised by the right hon. Member for South–West Surrey (Mrs. Bottomley). It would be unreasonable to expect me to say anything further just 24 hours later.

The Minister without Portfolio will answer questions on Monday. He does not select the questions to be asked, so who gets a chance to ask him questions will depend on who catches Madam Speaker's eye. I am sure that his answers will be of their usual high quality.

I am sure that the right hon. Member for South–West Norfolk accepts that we should ensure that claimants receive the right benefit, and that as the money comes from public funds, benefits are paid only to those who are entitled to them. The benefits integrity project is sensible, and I am surprised that any hon. Member would criticise it.

The right hon. Lady asked me to speculate about possible tax changes for women in the Budget. That matter was dealt with by my right hon. Friends during Treasury questions, and I do not think that anything should be said before the Budget.

On the last matter that the right hon. Lady raised, I am glad that my right hon. Friend the Minister of Agriculture has so much confidence in his junior Ministers.

Mr. Harry Barnes (North-East Derbyshire): It has been decided not to extend the waiting period for entitlement to jobseeker's allowance from three to seven days. May we have a debate about tackling another gap: the pensions gap? People who are entitled to pensions often have to wait six days before they receive them.

Mrs. Taylor: I know that this is an issue in which my hon. Friend has taken an interest. There is a long-standing arrangement for entitlement to benefits and pensions. I do not think that this matter can be equated with the changes that were proposed for jobseeker's allowance, and I am afraid that I see no prospect of an early debate on it.

Mr. A. J. Beith (Berwick-upon-Tweed): May I thank the Leader of the House for her helpful response to our request for a debate on the Government's proposed changes in the jobseeker's allowance? We referred to those changes in our early-day motion 689.

[*That an Humble Address be presented to Her Majesty, praying that the Jobseeker's Allowance (Amendment) Regulations 1998, (S.I., 1998, No. 71), dated 15th January 1998, a copy of which was laid before this House on 23rd January, be annulled.*]

The right hon. Lady has now withdrawn the order, and we regard that as a satisfactory response. While I am on a winning streak, may I express our view that consideration of the Human Rights Bill would be much more effective if the general principle were tackled in a Committee of the whole House, and the detail were scrutinised in Standing Committee?

Mrs. Taylor: I have nothing to add to what I said about jobseekers, except that the Government's approach was very reasonable, given that the changes were not due to come into force for two years, and given that a full-scale examination of welfare reform was to take place in the interim. It would have been silly to anticipate the outcome of that.

I know that there are differing views in different parties in the House about the way in which the Human Rights Bill should be handled. Some believe that splitting consideration of significant legislation often benefits the House, enabling hon. Members to scrutinise it properly and to achieve the right balance between decisions made on the Floor of the House and decisions made in Committee. No final decision has been made, but we are listening to representations.

Mr. Jim Marshall (Leicester, South): I congratulate my right hon. Friend on arranging a debate on Iraq for next Tuesday. I am particularly pleased that the motion will be amendable, so that hon. Members can express different views and, if necessary, vote in support of those views.

Can my right hon. Friend give us some idea of when the Government are likely to introduce measures that will transpose the European works council directive into British law, so that British workers can enjoy the same rights as their counterparts in other European Union countries?

Mrs. Taylor: I am glad that my hon. Friend appreciates the fact that we are to have a debate on Iraq. I think that members of all parties will agree with him. The debate will indeed provide an opportunity for different views to be expressed, although I think that the overall view of the House is very clear. My hon. Friend is right to point out that the motion will be amendable, and that a vote on it is possible.

As for the social chapter and the European works council directive, my hon. Friend will know that the Government have undertaken to implement the measure within two years of the formal extension to the United Kingdom. I think that we shall make progress in the near future.

Sir Raymond Whitney (Wycombe): Yesterday, my hon. Friends the Members for Chesham and Amersham (Mrs. Gillan), for Beaconsfield (Mr. Grieve) and for Aylesbury (Mr. Lidington) and I received written communications from more than 1,400 of our constituents, expressing deep concern about the impact of the local government financial settlement on services provided by our county council. Will the Leader of the House provide time for the House to debate the serious effect that the settlement is having not only on Buckinghamshire but on other counties?

Mrs. Taylor: I am sure that the hon. Gentleman knows the constraints under which the Government are operating in respect of the previous Government's spending plans. He will also know that we have had a debate on the settlement, in which many hon. Members on both sides of the House were able to participate.

Mr. Dennis Skinner (Bolsover): Does the Leader of the House recall that, last week, I called on the energy Minister to make a statement about the possibility that 55,000 retired miners and widows of retired miners would

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lose up to 16 cwt of concessionary coal? Now that the Prime Minister has made it clear that consultation is to be extended, will the Leader of the House convey to the energy Minister that, if he makes a statement to the House saying that the circular concerned has been withdrawn and that the concessionaires will receive their benefit, I will promise not to duff him up? Indeed, I will thank him.

Mrs. Taylor: It might be worth arranging that in order to see my hon. Friend pouring praise on a colleague. As he knows, I wrote to Ministers last week following his representations, because I was aware that there was a great deal of concern about the issue. I think that my hon. Friend was expressing the concern of many people. However, he heard what my right hon. Friend the Prime Minister said yesterday, and I am sure that he is pleased that some progress has been made—although we must, of course, await the final outcome.

Mrs. Virginia Bottomley (South–West Surrey): The right hon. Lady may be aware that, on every occasion that the Government have been asked about their intentions on the Mental Health Act 1983, they have denied intending to have a review. There has been a series of briefs, leaks, spins and denials, but the House has never been given information on the Act.

Yet again today, the BBC was informed that the Government were about to announce a review. It is becoming extremely tedious for Members that information is always given to the media before it is given to the House. I would strongly welcome a review of the Act—I think that the pendulum has swung too far—but I should be most grateful if the right hon. Lady would convey to Ministers that it would be courteous to inform the House first.

Mrs. Taylor: I must first say to the right hon. Lady that no one has been informed of any intentions on this matter. If a document that has not been agreed by Ministers is leaked, it is difficult to present that as a deliberate leak by the Government. However, I am glad that she would welcome a review in this sector. During the term of the previous Government, many people said that change should be made because—as she now acknowledges—the pendulum had swung too far. It is an important issue. I am not sure that we can have a debate in the near future, but when proposals come from my right hon. Friend the Secretary of State for Health, I am sure that he will welcome widespread discussion.

Mr. James Wray (Glasgow, Baillieston): Will the Leader of the House provide time for a debate on the case of T. C. Campbell and Joseph Steele? I have been asked by their families to make inquiries into the interpretation by the three judges of the Crime and Punishment (Scotland) Act 1997 and their subsequent decision. On 1 May 1996, I asked the then Secretary of State for Scotland, Michael Forsyth, to review the Steele and Campbell case under section 124 of the Criminal Procedure (Scotland) Act 1995. As Scotland will not have a criminal review commission until April 1999—England and Wales have one—will my right hon. Friend arrange a debate urgently?

Mrs. Taylor: I am not aware of all the details of the case that my hon. Friend mentions. I will bring his remarks to the notice of my right hon. Friends. Perhaps it would be possible for him to raise the case at Scottish Question Time on Tuesday.

Mr. Dafydd Wigley (Caernarfon): Will the Leader of the House arrange for an early statement on how the Government intend to fund the long-awaited and much-needed compensation for coal miners—and their dependants—suffering from emphysema and chronic bronchitis? Will she arrange for that statement to say how comprehensive such a settlement will be—will it cover other industrial workers—and to give an assurance that the funding of those payments will in no way come from coal miners' pensions, which the Government apparently intend raiding to the extent of £400 million?

Mrs. Taylor: Again, I cannot see time for an early debate, but I will draw the right hon. Gentleman's remarks to my colleagues' attention.

Mrs. Theresa May (Maidenhead): Will the Leader of the House reconsider her response to the request of the shadow Leader of the House, my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard), that the Secretary of State for Social Security make a statement in the House on the operation of the benefits integrity project? It is a question not of whether fraudulent activity should be cut out—I am sure that everyone agrees that it should—but of how the project is being operated and the hardship cases that are being brought to the attention of hon. Members: benefits are being cut, in some cases retrospectively, and, in some cases, benefits are being taken away altogether. Will the Leader of the House reconsider and ask the Secretary of State to make a statement about the changes that we understand she made to that project's operation?

Mrs. Taylor: As I understand it, the changes made the situation better, so that fairer decisions could be made and there was transparency. It is rich for Conservative Members, who did all in their power to cut benefits, now to complain about a system that is designed to introduce as much fairness as possible and to ensure that people who are entitled to benefits receive them and that those who make fraudulent claims are dealt with. I cannot see the prospect of an early debate on that specific matter, but I am sure that it is relevant to other issues that will be debated in the near future.

Mr. Bill O'Brien (Normanton): Does my right hon. Friend recall that, a few weeks ago, I raised the issue of three deaths in my constituency following a fire in a private care home, and the fact that fire precautions should be considered by Parliament? My right hon. Friend suggested that I raise the matter in an Adjournment debate, but, given the difficulties in that, will she consider having a debate?

May I draw my right hon. Friend's attention to the fact that I have received a number of representations from constituents on the future of opencast coal mining? May we have a debate on that important matter which is causing great concern to many people who have opencast proposals in their communities?

Mrs. Taylor: I recall my hon. Friend raising the issue of fire regulations and the need for further precautions,

and the case he mentioned. I recommended an Adjournment debate, but my recommendation is not a guarantee that an Adjournment debate will take place. Perhaps he might persist in that course of action, although I will look at other ways in which I might be able to assist him.

As for opencast mining, my hon. Friend will be aware that Ministers have been looking at the matter. The consultation period has ended recently, and Ministers will make the position clear in the near future.

Mr. John Wilkinson (Ruislip-Northwood): Can the Leader of the House grant us next week—unlike last night—an unclosured debate on local government in London? Is she aware of the real concerns that exist about the conduct within social services departments in Labour-controlled local authorities—particularly Hackney, but now Hillingdon—as evidenced by early day motion 777?

[*That this House notes with deep concern the thorough report of the Social Services Inspectorate into the Social Services Department of Labour-controlled Hillingdon Borough Council which is highly critical of the failure of the Department to ensure the implementation of child protection regulations thereby putting children in care greatly at risk leading in two disturbing cases to unacceptable levels of abuse; further notes that the Chairman of the Social Services Committee has resigned from Hillingdon Borough Council; and urges the Council as a whole to take responsibility for the Department's culture of chaos and helplessness and to initiate immediate remedial action within the Department.*]

The motion is signed by my hon. Friend the Member for Uxbridge (Mr. Randall), other London Members and me. Serious scandals involving the care of children have occurred which ought to come before the House.

Mrs. Taylor: If the hon. Gentleman has specific concerns, he can bring them to the attention of Ministers in other ways. His examples are not relevant to last night's debate, and I do not see the prospect of the overall debate he is asking for.

Mr. Tam Dalyell (Linlithgow): Before Tuesday's debate or, better still, before my Adjournment debate tomorrow on the military situation in Iraq, could two documents be put in the Library? The first is an assessment by the Foreign Office of the situation between Iran and Iraq, which is mentioned on page 1 of *The Times* today.

Secondly, could there be a Ministry of Defence document outlining its sources of information and the validity of those sources, in the light of the fact that, in 1990-91, emotional appeals concerning babies that supposedly had been thrown out of incubators were made in the United States by a supposed nurse from a hospital in Kuwait? She turned out some months later to be the daughter of the Kuwaiti ambassador in Washington and had nothing whatever to do with the hospital. Sources of information become very suspect in these fraught situations.

Mrs. Taylor: I cannot guarantee to provide the two documents to which my hon. Friend refers. I hope that he welcomes the fact that we are having a debate on Tuesday, as he is one of those who have pressed for it. He will be able to make the points he has raised with me in his Adjournment debate and, if he is fortunate enough to be called, next Tuesday.

Sir Sydney Chapman (Chipping Barnet): I am confident that, as a member of the Cabinet, the right hon. Lady will be aware of the importance of design and innovation not only to our exporters, but to our environment. May I draw to her attention the Design Council's special week, the week after next? I pay tribute to the hon. Member for Huddersfield (Mr. Sheerman), who has arranged an exhibition in the precincts of the Palace. Could the right hon. Lady put the icing on the cake—I say this as a permanently struggling, but non-practising architect, so I have nothing to declare, Madam Speaker—by promising us an albeit short debate on this critical subject?

Mrs. Taylor: The hon. Gentleman's tactics were somewhat different from those of other Conservative Members in trying to lure me into acknowledging the need for a debate. I am very pleased that such an exhibition will be held, and, like many hon. Members, I shall of course try to visit it. Despite his very channing suggestions and his reasons for a debate, I cannot guarantee the debate that he requires. I shall bear his points in mind. If there are other occasions on which those issues can be raised, I am sure that he will use every opportunity.

Helen Jones (Warrington, North): As the Government have today announced the first allocation of money from the assisted places scheme to cut class sizes at key stage one, will my right hon. Friend arrange for an early debate on the policy of cutting classes sizes—so that constituencies such as mine can hear from Conservative Members exactly why they fought for so long to prevent them from benefiting from that money?

Mrs. Taylor: I should very much like to be able to find time for a debate of the type suggested by my hon. Friend, not least because my local authority is one of those to benefit from the new money to reduce class sizes—which is on top of the £1,000 that each school will receive for books. A debate would allow us also to expose the divisions among Conservative Members on whether they still believe that class size does not matter, or whether the view being adopted by some Conservative Members—that our approach is better—is now their official line. It is a good news story, but, in such a crowded programme, we do not always have time to debate all the good stories that the Government would wish.

Mr. Owen Paterson (North Shropshire): Yesterday was market day in Oswestry and Market Drayton, and the beef on the bone regulations and the absence from the debate of the Minister of Agriculture were described in terms that I would not describe as parliamentary. If the Leader of the House had any feel for those in the livestock and meat industries, she would not have dreamt of dismissing the request of the shadow Leader of the House in the terms that she did.

No measure that the Government have taken since 1 May has been more mocked by my constituents. In local newspapers, it is openly stated that butchers are

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offering beef on the bone. The regulations are unenforceable, and, in the debate, it was revealed that the Prime Minister himself was actively involved in the final decision. Will he or his Agriculture Minister come to the House to make a statement?

Mrs. Taylor: We have had a debate on that matter, and the House reached a decision.

Mr. Andrew Mackinlay (Thurrock): Within the next two weeks, it is reasonable to expect that the Deputy Prime Minister will make a statement in the House on the channel tunnel high-speed rail link. Will the Leader of the House use her good offices to draw to his attention my amendment to early-day motion 770?

[*That this House expresses concern over the announcement by London and Continental Railways that it is unable to fulfil its contract to build the Channel Tunnel Rail Link without further subsidy; welcomes the Deputy Prime Minister's preparedness to discuss any revised proposal from London and Continental Railways, his commitment to the House that Eurostar services will operate as normal, and his assurance of his wish to see the completion of the high speed rail link; believes that the agreed route through Kent to stations at Ebbsfleet, Stratford and St. Pancras, which was fully debated and scrutinised by Parliament, is environmentally designed and essential to the economic and social regeneration of East London and the Thames Gateway area which covers some of the most deprived communities in the United Kingdom; and furthermore believes that the sustainable transport improvements associated with the rail link, will, in addition to benefiting commuters, improve the mobility and employment prospects for residents in these areas and is equally essential for facilitating improved communications to mainland Europe for all the regions of England and Wales and via the West Coast Main Line to Scotland.*]

My amendment draws attention to the great plight of some of those operating medium and small businesses in Kent, in my constituency of Thurrock and elsewhere in Essex, who—as we speak—are losing their businesses because of London and Continental's failure to agree reasonable terms and time scales for the purchase of properties. Jobs are being lost and family businesses are being destroyed because of that enormous hiatus and a scheme that is absurd as it stands. I make a plea to the Deputy Prime Minister to ensure that, whatever else happens, those businesses will not be allowed to founder because they are victims of the hiatus in constructing the route.

Mrs. Taylor: My hon. Friend raises serious issues which I realise must be a great concern to his constituents. I think that he will acknowledge that, as soon as possible, my right hon. Friend the Deputy Prime Minister informed the House of the difficulties. He has undertaken to keep the House informed. We are still not at the end of the 30-day period in which decisions have to be made. I am sure that the Deputy Prime Minister will be keeping the House informed, and that the concerns of hon. Members representing that area will be taken fully into account.

Mr. John Bercow (Buckingham): Will the Leader of the House find time next week for a statement by the President of the Board of Trade in which she can explain to the House the whereabouts of the profit from the sale of shares in British Petroleum by the Minister for Trade and Competitiveness in Europe, Lord Simon? I hope that the right hon. Lady is aware that, last summer, the noble Lord publicly undertook that the profit on the sale would go to charity, but, in a letter to me dated 9 February 1998, he refused to confirm that he had made that donation. In the public interest, should not the President of the Board of Trade come to the House and clear up the confusion? If she will not, will the Leader of the House, in the name of decency and integrity, ask the noble Lord to do the right and proper thing for once?

Mrs. Taylor: It has been made clear from the Dispatch Box on several occasions that the noble Lord has done the right thing.

Ms Beverley Hughes (Stretford and Urmston): Has my right hon. Friend been made aware of reports of a sixfold increase in the use or misuse of drugs while driving? Does she share my concern that it is as yet a hidden, but potentially serious, issue in terms of reducing road traffic accidents and injury? I welcome the Government's recently announced drug-screening trials, but can my right hon. Friend assure the House that the information from those trials will be fed into the analysis that the anti-drugs co-ordinator is undertaking to identify priorities for the Government in terms of tackling the wide-ranging problem of drugs?

Madam Speaker: And could the Leader of the House arrange a debate?

Mrs. Taylor: I think that was the essence of my hon. Friend's question, Madam Speaker. I acknowledge that it is an important problem in which I take a particular interest. The information that came to light this week was important, but not definitive. As we have said, we will trial the testing procedure to see whether it is workable and how good the resulting information is. I shall bear in mind my hon. Friend's request for a debate and I shall certainly ensure that the anti-drugs co-ordinator is kept fully informed. He was party to the press conference where the information was given.

Mr. Andrew Lansley (South Cambridgeshire): Will the Leader of the House remind us on what occasions since May the House has had the opportunity to debate the national health service in Government time? In the light of that, will she find time in the next fortnight for a debate on the NHS White Paper, now that more than two months have elapsed since its publication? If not, will she give the House a commitment that she will seek to find time for a debate before health action zones or primary care group pilots are initiated at the beginning of April?

Mrs. Taylor: As I said last week, my right hon. Friend the Secretary of State for Health has made seven statements and has shown himself very keen to keep the House informed of all developments. As for debates, as I said to my hon. Friend the Member for Warrington, North (Helen Jones), who asked for a debate on education, it is not always possible for the Government to find time to debate all the good news stories—and that applies to health as well as education.

Mr. Bill Rammell (Harlow): Will my right hon. Friend consider an early debate on university vice-chancellors' pay? I am sure that all hon. Members welcome the fact that the Government have given an additional £165 million to higher education this year, but they will be equally concerned at the news at the weekend that, in the past year, university vice-chancellors' pay has increased by double the rate of increase of lecturers' pay, and, in some cases, by as much as 28 per cent.? In my view, that constitutes a completely warped sense of priorities. I hope and believe that Education Ministers will make the concerns of hon. Members clear to university institutions and I would welcome an early debate.

Mrs. Taylor: I did not see the report to which my hon. Friend referred, but I shall draw the attention of Ministers to his comments. My only other suggestion is that he applies for an Adjournment debate on the subject, because I am afraid that I cannot find Government time for the debate that he requests.

Mr. Bernard Jenkin (North Essex): May I draw the right hon. Lady's attention to the very crowded timetable of events leading up to the decision to be taken in May on which countries will participate in economic and monetary union and move to the third stage? Does she agree that the House is entitled to know and debate exactly how Her Majesty's Government will deploy their votes in the Council of Ministers on that decision? The 11 countries that are likely to participate are, on average, in excess of the debt and annual borrowing criteria, so this is an important issue, regardless of whether Britain decides to participate.

Mrs. Taylor: I cannot promise the hon. Gentleman a debate in the near future. I shall, of course, bring his remarks to Ministers' attention.

Mr. David Drew (Stroud): In liaison with the Secretary of State for Health, will my right hon. Friend consider holding an urgent debate on the implications of bed blocking in hospitals? Much as we welcome the winter pressures money and the announcement that there will be a royal commission on community care, we are aware that hospitals currently face urgent problems, which is a matter that we would do well to air in the House.

Mrs. Taylor: My hon. Friend will have heard my earlier remarks. If he wants to draw a particular constituency problem to Ministers' attention, he can do so in the usual way or apply for an Adjournment debate. For the reasons that I outlined, there is not time in the immediate future for a debate on the Floor of the House.

Dr. Liam Fox (Woodspring): May I take the Leader of the House back to her comments to my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) on the millennium dome? I do not think that it is acceptable to the House to hope that the Minister without Portfolio will be asked the correct questions. If the contents of the dome are to be unveiled, they should be unveiled to the House first. When Ministers give information to the House, they are not doing hon. Members a favour—they are doing their constitutional duty. That applies especially to a Government who say that they cannot afford to give money to county councils, but who can spend £750 million of public money on this project.

Mrs. Taylor: I remind the hon. Gentleman how the project started. I did not hear his dissenting voice when the Conservative party was in government. On Monday, my hon. Friend the Minister without Portfolio will be here to answer questions and we have doubled the amount of time available for hon. Members to ask him questions.

Mr. Norman Baker (Lewes): May I ask the Leader of the House, as I have previously, whether she can find time for a short debate on animal experimentation? I remind her that, according to Home Office figures, 2.7 million experiments, many of which are deeply unpleasant, are carried out on animals each year. Moreover, the number of experiments carried out by the Ministry of Defence at Porton Down has trebled. That is a matter of great concern to hon. Members of all parties, as has been reflected in early-day motions, oral questions and attempts—sadly unsuccessful—to secure Adjournment debates.

Mrs. Taylor: I am sorry that attempts to secure Adjournment debates have been unsuccessful. There are far more applications for Adjournment debates than can be granted—it is right that there should be so many—and hon. Members may have to be persistent in their requests. Many hon. Members on both sides of the House are extremely concerned about animal experimentation and I believe that, in the agreements that have been arrived at—on cosmetics testing, for example—the Government have moved in the right direction, which has been widely welcomed. I can only advise the hon. Gentleman and his colleagues to be persistent; perhaps, finally, someone will secure an Adjournment debate.

Sir Patrick Cormack (South Staffordshire): Is the right hon. Lady aware that, next Wednesday, one of the most remarkable—indeed, one of the greatest—parliamentarians of modern times, the right hon. Enoch Powell, will be laid to rest? Does she agree that it is rather unfortunate, although it is no one's fault, that the procedures of the House do not allow us to pay even brief tribute to notable parliamentarians unless they have held the highest office of state?

Will the right hon. Lady do two things? First, when the Modernisation Committee meets next week, will she raise the matter of how we can pay adequate tribute to those who have served Parliament and the country with great distinction? Secondly, will she consider allowing the briefest Adjournment—lasting two or five minutes—at 11 am next Wednesday, when the funeral service for Enoch Powell begins?

Mrs. Taylor: There have been many people who have served the House well whose deaths have not been acknowledged because they were not serving Members at the time. It is difficult to make special arrangements for one person. The hon. Gentleman will be aware that much has been said about Enoch Powell and, no doubt, much more will be said. Opportunities are open to hon. Members, such as early-day motions, but that is up to the individual. As the hon. Gentleman asked me to do so, I will take his views back to the Modernisation Committee, but it is extremely difficult to make arrangements that would be fair to everyone.

Points of Order

4.9 pm

Mr. Mike Hall (Weaver Vale): On a point of order, Madam Speaker. During the statement on the resignation of the Director-General of the Office of the National Lottery, Oflot, I advised the House that he had taken trips in a jet around the United States of America before the lottery was awarded to Camelot. I should have said that it was after the lottery was awarded, but before it was up and running. I am grateful for this opportunity to put the record straight.

Madam Speaker: Thank you.

Dr. Liam Fox (Woodspring): On a point of order, Madam Speaker. This is a matter of some concern to the House. Given the exchanges today about the release of information to the House, will you make it clear—in line with your previous statements on the subject—that if information on the contents of the millennium dome is released to the public before it is released to the House, that would be contemptuous of this House and against the spirit of your previous rulings?

Madam Speaker: The entire House knows that I always want major decisions and such information to be given to the House first. I am glad to have been given this public opportunity to make it known that, whether it is the millennium dome or any other policy statement from the Government, it comes to the House first before going to the media.

Orders of the Day

Scotland Bill

[4TH ALLOTTED DAY]

Considered in Committee [Progress, 10 February].

[MR. MICHAEL LORD *in the Chair*]

Clause 61

SCOTTISH CONSOLIDATED FUND

4.11 pm

Mr. Michael Ancram (Devizes): I beg to move amendment No. 309, in page 26, line 4, after 'State', insert

', having first taken into account the needs of Scotland in relation to the needs of the United Kingdom as a whole,'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following: Amendment No. 77, in page 26, line 4, leave out from 'shall' to end of line 6 and insert

'in respect of each financial year make payments into the Fund equalling the revenue raised by the Exchequer in Scotland and in the Scottish sector of the United Kingdom continental shelf.'.

Amendment No. 292, in page 26, line 4, after second 'time', insert

'and at least once in every financial year'.

Amendment No. 111, in page 26, line 5, leave out from 'Parliament' to end of line 6.

Amendment No. 78, in page 26, line 6, at end insert—

'(2A) The Scottish Ministers shall in respect of each financial year make payments to the Secretary of State equal to an amount agreed with the Treasury for the Scottish share of United Kingdom expenditure in relation to reserved matters.'.

Amendment No. 86, in page 26, line 6, at end insert—

'(2A) The total sum to be paid under subsection (2) in respect of any financial year shall be assessed at a figure which takes account of the respective needs of each part of the United Kingdom.'.

Amendment No. 112, in page 26, line 6, at end insert—

'(2A) The payment referred to in subsection (2), shall consist of the block grant in force at the passing of this Act, as determined on the basis of the Barnett Formula, for the first full year of the Parliament's operation commencing on 1st April 2000.

(2B) Adjustments to the Barnett Formula to take account of population changes shall be made following the publication of census and mid–census population figures.

(2C) In this Act "Barnett Formula" means the non–statutory mechanism for calculating, on the basis of proportions of population, the equivalent changes to the budgets of the territorial departments following changes to programmes and budgets in England.'.

And the following amendment thereto: (a), at end add—

'(2D) Any review of the operation of the Barnett Formula shall be carried out jointly by the Scottish Parliament and the Parliament of the United Kingdom.'.

Amendment No. 293, in page 26, line 6, at end insert—

'(2A) No payment may be made under this section until the Secretary of State has laid before the House of Commons a statement certifying that the payment is based on the needs of Scotland in relation to the United Kingdom as a whole.'.

Amendment No. 294, in page 26, leave out lines 15 to 18.

Amendment No. 295, in page 26, line 22, at end add—

'(9) Before making any payment into the Fund, the Secretary of State shall consult and invite representations from interested parties, including the Scottish Parliament.'.

New clause 12—*Review of the funding formula*—

'.—A joint review of the funding formula for the Parliament shall be completed for implementation in the tenth year following the establishment of the Parliament, with the review being based on the principles of—

(a) increasing the proportion of the revenue provided to the Parliament and, under the control of the Parliament, from the Scottish tax base, and

(b) reducing the dependency of the Parliament on United Kingdom Treasury grants.'

Mr. Ancram: I shall begin by speaking to amendments Nos. 294 and 295, to clear them out of the way. The former, to leave out clause 61(6), is a probing amendment. I am interested in the provision in the clause, and it would be useful to ascertain the manner and circumstances in which it is envisaged that such a provision will operate. That would demonstrate to the Committee the balance of what is proposed in the clause. I hope that the Minister will be able to help us on that.

Amendment No. 295, in simple terms, requires the Secretary of State to consult before he makes payments into the fund. I am always told in the House that Secretaries of State do consult. However, when I try to take a consultation clause out of any Bill, I am told that if I do so, the Secretary of State will not consult. Therefore, I have yet to be convinced that the absence of a consultation requirement forces, or allows, a Secretary of State to consult.

In this case, that is important. As the provision stands, the Secretary of State is required to consult no one but himself and, obviously, to obtain the consent of Parliament. When he comes to a decision on payments to be made, he should consult the Scottish Parliament, which will certainly have a view as to the level of the payments, as well as other interested parties in Scotland. They may include business groups, trade unions and many others with views on the resourcing requirements. Those interested groups should form part of the process by which the Secretary of State makes his determination.

It is surprising that amendment No. 292 should be necessary. It is a simple amendment that would insert the requirement that a payment shall be made

"at least once in every financial year".

The Minister may say that there will be an annual payment, but that is not specified in the Bill. The amendment would insert a simple and innocuous provision. I hope that adding the words "at least" might make it even more attractive to the hon. Member for Dundee, East (Mr. McAllion), who is sitting at the back. He might want to press the Minister to support the amendment.

The main amendments are Nos. 309 and 293. I argue for them with the utmost seriousness. Amendment No. 309 would introduce a general and deliberately non-formulaic point of reference for the funding of the Scottish Parliament. The Bill sets out no basis for that. I shall explain later why I am not seeking a formula. Amendment No. 293 would strengthen that by requiring the Secretary of State to certify to the House of Commons, whose consent he will have had to gain to make the payment, that the provision was the basis of the payment.

The clause is one of the central elements of the Bill. The project, if I can still call it that, was sold to the Scottish people on the basis that financial provision from the United Kingdom would not change. We have heard that time and again during the referendum campaign and since. That claim was made in the White Paper and has been repeated many times since by the Secretary of State.

We are talking about the future funding and well-being of Scotland. No other source of funding is made available in the Bill, apart from the £450 million that can be raised by adjusting the standard rate of income tax. We may test that when we come to debate taxation. It is not good enough to leave the issue hanging in the air.

I am surprised that the Bill gives no statutory formulation of the Government's assurances. Instead, clause 61(2) says:

"The Secretary of State shall from time to time make payments into the Fund out of money provided by Parliament of such amounts as he may determine."

There is no definition of what "time to time" means. I am sure that the Minister will tell us what he intends, but good intentions in statute are not enough. The phrase could mean anything from several times a year to once every 10 years or beyond.

There is no description of the amounts that will be paid, or any indication of what they are likely to be. There are no criteria for calculating the amounts. Assurances do not answer those points.

Surprisingly, there is also no identification of which Secretary of State the provision applies to. I know that that is not specified anywhere in the Bill, but in this case I imagine that the reference is to the Secretary of State for Scotland, if that office continues after the Scottish Parliament comes into being. However, it could be any Secretary of State in the Westminster Government. The determination of the amount is left to the discretion of the Secretary of State and is not bound around in any way. Nowhere is it specified whether the payment will be annual or what it will relate to, and there is no assurance that it will not be entirely at the whim of the Westminster Government of the day.

We shall be told that such details are not usually put in Bills, but they have not needed to be before. I agree that detailed formulas should not be included in legislation because circumstances and definitions might change. Formula by primary legislation is an inflexible tool, but that does not mean that there should be no criteria in the Bill at all. That is why our amendment advances a basis in the most general terms.

We shall be told that what has gone before will continue and that nothing has changed. That has been the tenor of the comments of the Minister for Home Affairs and Devolution and the Secretary of State for a long time; but a lot will have changed. This is no longer about making financial arrangements and provisions between Ministers and Departments in the same Government; it is about doing so between two different Administrations and sets of politicians, who sometimes might not see eye to eye. There is a substantial difference from what happens now.

We might be told—I suspect that we shall, because we were told it in respect of a similar provision in the Government of Wales Bill—that everything will be

[Mr. Ancram]

agreed in concordats. The more I look at concordats, the more concerned I become. They appear to be becoming a tool of domestic government, although as far as I know, their existence and future have never been debated or agreed anywhere in Parliament. Until I heard about them in this context, I had thought that they were part of the diplomatic mechanisms of the Foreign Office or of papal intromissions from the Vatican. We are now told that they are to become part of our procedures.

Mr. Tam Dalyell (Linlithgow): Is the right hon. Gentleman sure that he is right to lay such emphasis on the problem of different parties? The pressures from politicians in two different institutions, albeit that they are nominally from the same party, might be very great. Such pressures would put a strain on the concordat.

Mr. Ancram: I shall come to that. Concordats might not matter in instances of little political or economic significance such as cultural or sporting affairs. Indeed, they might be an appropriate way to proceed. In this instance, we are talking not about insignificant matters but about an issue of the greatest importance to the future well-being of the people of Scotland and of the United Kingdom as a whole.

Up to now, my gut reaction has been to condemn concordats as not worth the paper they are written on. Nothing has happened to make me change my mind, but because of the regularity of their appearance in our debates, we must examine them more closely. I start with much scepticism, because when I questioned the Secretary of State's Welsh colleagues, who were purveying the same fare, I got some interesting if disconcerting answers. We are told that concordats, which by their nature must be negotiated and agreed with the Scottish Parliament or Welsh assembly, are already being discussed and drafted. Is that the case in Scotland, too? If so, we are being given reassurances on the basis of concordats or agreements that are being reached by members of this Administration but which will have to be operated and endorsed by the Administration of a Scottish Parliament and of this Parliament. Those two situations could be very different, as the hon. Member for Linlithgow (Mr. Dalyell) pointed out. In competitive language, that might politely be described as taking a flier; in more down-to-earth terminology, it is a false prospectus.

Nevertheless, we are asked to risk Scotland's future financial provision on so-called concordats or informal agreements; we need to dig a little deeper. Who will the concordats or agreements be between: the Westminster Parliament and the Scottish Parliament, or the First Minister or Executive of the Scottish Parliament and the Westminster Government? There is a substantial difference in how things might operate. Will they be laid before the respective Parliaments and ratified or remain as private agreements? Will they be enforceable? That is of great importance to the people of Scotland if they are being asked to rely for their funding on them. If so, how and in what jurisdiction? What protection will there be against unilateral breaching of them? What long-term guarantee can they provide to the people of Scotland that the Government's firm undertakings as to the assured nature of their future funding arrangements will be realised?

Those are all crucial questions and on the answer to them hangs the future financial security of a devolved Scotland. It would be one thing to have a binding contract to underpin Barnett and the historic costs and needs base on which it operates; it would be the same if there was some firm parliamentary ratification and endorsement of the agreement, which had the force of law in both parts of the United Kingdom; but it would be something frighteningly different if the agreement or concordat was nothing more than a private agreement between Governments, with nothing to give it legal or parliamentary status. It would be unilaterally breachable and, as I said earlier, it would not be worth the paper it was written on.

There is a more sinister aspect. Opposition Members and Back Benchers on both sides of the House often complain when provision is made in legislation for a plethora of secondary legislation. We all know the arguments—we say that it is time-limited and unamendable, and describe it as the heavy hand of the Executive being brought to bear on parliamentary procedure—but at least it forms part of the parliamentary process. Concordats, on the other hand, avoid Parliament, and if they have effect—I have already expressed doubt about that—it will be effect without benefit of Parliament. They will be the Executive bypassing Parliament, which will be the first step on a road to sideline Parliament altogether. If we allow concordats to develop in that way and to be slipped into the Scottish and Welsh legislation by sleight of hand, we may well come to regret that we have allowed a process to develop that is no longer subject to scrutiny by the House.

We all rather casually refer to this debate as the debate on the Barnett formula, but, on closer examination, it is not. Barnett is not, as is sometimes thought, the whole mechanism for determining levels of spending in Scotland; it is only the determinant of changes to the total. To use a drinking analogy: it is not the beer, but the head on the beer. We must be careful to take that into account. Barnett does not affect the baseline provision; it provides that, where comparable, changes to programmes in England result in equivalent changes in the budget of Scotland, calculated on the basis of population shares.

When in government, we operated both Barnett and the block, occasionally generously, but generally accepting that the two elements reflected the level of need. Since the referendum, and as we warned during the referendum campaign, the principle and practice of the Barnett formula and the whole basis of funding within the component parts of the United Kingdom have come into question. It is interesting that, to a large extent, those questions have come not from my right hon. and hon. Friends and Conservatives in the country, but from Labour sources. We have heard from Labour Members of Parliament demands from the north-east for the formula to be reviewed, because, in the light of devolution, they feel that they are unfairly treated by the way in which the formula operates. The Select Committee on the Treasury called for a needs assessment, to show whether Barnett remained the best way of allocating increases. Lord Barnett himself argued before the Committee that there was a case for a review of the formula.

The fact is that devolution has rubbed the lamp, and the genie of questioning needs has been let out. It will not be easily put back into the lamp, despite the Treasury's bold attempt to do so in its document published on

8 December, because all that it said was that the formula would continue, but would be amended to meet the requirements of devolution. It went on to say that there would be a future annual update of Barnett to take account of mid-year population estimates. I noted with interest that that was to start in 1999-2000, which I calculate is safely after the first assembly elections are out of the way.

Mr. Dalyell: The right hon. Gentleman has forgotten to give credit to those who love the Bill most—the Liberal Democrat party. It was the hon. and learned Member for North–East Fife (Mr. Campbell) who, on 20 December, coined the phrase—he may have used it before:

"the ever-escalating size of the block demanded from Westminster".

That comes from someone who is a mad enthusiast for the Bill.

Mr. Ancram: I am grateful to the hon. Gentleman for reminding the Committee of the words of the hon. and learned Member for North–East Fife (Mr. Campbell). I think that what the hon. and learned Gentleman said is correct. However, he was talking about the block as a whole. As I said earlier, two elements are involved—the Barnett formula, which adjusts the top of the block in terms of comparable changes, and the block itself.

We were told in the publication, "A guide to the Scotland Bill" that the formula is regarded as an "administrative arrangement". It will not be prescribed in legislation. It is only an administrative formula, nothing lasting, and certainly nothing in enforceable form, let alone in tablets of stone. That is why I am concerned that the issue should not be left hanging as it is according to the present provisions of the Bill.

At paragraph 12 of its report, the Treasury Committee said:

"all Governments would subscribe to the fact that spending should broadly reflect need."

We suddenly find that certain questions are being asked about that. The Government will have to face up to the fact that most of those questions will be asked by Labour Members and that they will be about not just the Barnett formula, but the basis of the core block. In the end, I believe that we would all agree that where one has such blocks within a state, as is the United Kingdom, those blocks must broadly reflect need.

4.30 pm

Mr. John Swinney (North Tayside): The right hon. Gentleman is laying great emphasis on the report of the Treasury Committee into the Barnett formula. I am a new Member, and I am not familiar with the frequency with which individual members of a Select Committee find it necessary to dissociate themselves from their Committee's report, but the hon. Member for Gordon (Mr. Bruce) found it necessary to do so. He made that decision because he considered that the Treasury Committee report was unrepresentative of the subject that had been originally tackled by it. Much store has been put on a document that does not have a great deal of credibility.

Mr. Ancram: I hope that I am not putting store on it, but certain questions are now being asked. When we consider how the core block will be calculated in the future, we must note that it will not be calculated according to the Barnett formula, which is the assurance given, because there is nothing in the Bill to say how that core block will be calculated.

The fairest way in which such blocks can be calculated—I suspect that it was the basis of the core block in the first place—is by making some reference to relevant need. We have tabled our amendment because the Bill is silent about the calculation.

If someone came to me and asked whether it would be wise to sell his birthright on the basis of an assurance that could not be written in contract—which is what is essentially provided for in the Bill—I should have to advise that person that it would be distinctly unwise to do so. All that we are trying to do is to use the Bill as the contract between the Scottish people and Westminster so that something more concrete is offered than a bland assurance that cannot be put in statute.

Mr. James Wallace (Orkney and Shetland): Does the right hon. Gentleman recall that, in June 1995, when he was in government, the then Secretary of State for Scotland, now his noble Friend Lord Lang, was asked in the Select Committee on Scottish Affairs about the need to reappraise the formula used to calculate the block, to guarantee its fairness? He said:

"I do not see the need for it at the moment because I am confident that expenditure per head reflects fairly well the relative differences between Scotland and the United Kingdom."

What, if anything, does the right hon. Gentleman believe has changed with regard to the relative need of Scotland and the United Kingdom since the former Secretary of State, who obviously had all the inside information, was able to provide such an answer to the Scottish Affairs Committee?

Mr. Ancram: I am not saying that anything has changed, but if that is correct, let us make sure that that fact is used as a basis in the legislation for making the necessary calculations. That is the only purpose of the amendment.

At the moment, after the Bill has been passed, the hon. and learned Member for Orkney and Shetland (Mr. Wallace) could cite that quotation until he was blue in the face, but if a Government did not want to follow that particular formula, they could say that they were not required to do so by the legislation. We believe that there should be some reference to precisely what the hon. and learned Gentleman has quoted from my noble Friend Lord Lang, in 1995. On that basis, I should have thought that he would want to support the amendment, and I look forward to seeing him doing so when we conclude the debate.

It is important to ask the Government whether they intend to reformulate Barnett, as Lord Barnett has proposed. I know that they will make reformulations on the population basis, but is there an intention to go further than that? The comprehensive spending review that the Government are carrying out is not a needs-based assessment, but it will provide indications of need in various areas. Alongside that, do they intend to examine the relative needs in the United Kingdom? I noticed in note 12 of the Treasury note of 8 December on the Barnett formula that that was not ruled out as a prospect. It was said there that that could be carried out only in consultation with the Scottish Parliament. Will that be considered in the longer term?

[Mr. Ancram]

Do not those questions underline the fact that the Bill is so silent? It offers no comfort, reassurance or stability—just the transient whim of a Westminster Government and the Secretary of State of the time. Our amendment deliberately does not prescribe, but it provides a hook of reassurance and comfort for people in Scotland that the Westminster Government must have regard to the relative needs of Scotland within the United Kingdom. It creates a discipline that does not currently exist.

Given the assurances that we received during the debates in the autumn, I find it astounding that the Bill leaves Scotland hanging out to dry. Scotland is fobbed off with talk of unenforceable agreements. It is asked to put its faith in all things being perfect in a perfect world. I hope that Scottish Members are too canny to be bought so easily. The Conservative Opposition will not be bought by bland assurances. I ask the Committee to support the amendments, for the reasons that I have given.

Mr. Dalyell: Lord Barnett—Joel Barnett as he then was—was one of my closest friends over 30 years in the House of Commons, when he was the right hon. Member for Heywood and Royton. It must be put on record that it never occurred to Lord Barnett that the so-called Barnett formula to which he gave his name would have any kind of permanency. It was an ephemeral and convenient formula, but no one would have been more astonished than he to have thought that it would be a lasting formula into eternity.

I want to ask, as is my wont, some fairly concise questions. First, what additional taxes can be raised by the Parliament, over and above the specified income tax power, in circumstances in which the Treasury restricts the amount of additional revenue available to the Scottish Parliament as a result of possible future changes to the UK tax structure? There is a lack of clarity on that point. Unless those matters are clarified before the Bill becomes law, businesses and individual taxpayers will be condemned to perpetual uncertainty.

My second question goes back to the civil service. I will be excused if it refers to clause 47, but it particularly refers to any discussions that may take place in relation to tax. I find it hard to see how continued membership of the home civil service will work, when it comes to civil servants arguing about money. Does the United Kingdom head of the service—at present Sir Richard Wilson—have the right of recommendation or any other say in senior appointments? Is there still to be a right of approach to him? Are terms and conditions of service still to be Whitehall-controlled? Depending on the answer to those questions, we can get some idea of how the delicate and doubtless sometimes fraught negotiations on money will take place.

My third question goes back to the reference by the hon. and learned Member for North–East Fife (Mr. Campbell) to

"the ever-escalating size of the block demanded from Westminster".

There will be such demands, because expectations have been aroused in Scotland. They will not be fulfilled by new laws, let alone speeches in Holyrood. Our constituents' expectations will be fulfilled by the provision of money. Therefore, heaven help the Members of the Scottish Parliament if they cannot deliver on some of the expectations that have been aroused. They will ask for more and more—I would be part of that chorus if I were elected a Member of the Scottish Parliament. Members from all parties will be part of the chorus; they will have no other choice. That is what they are for: their purpose is supposedly to improve the lot—the health, education and housing—of the Scottish people. That can be achieved only through money.

So we come to the nub of the argument. The question is: how long can Members of Parliament who represent English constituencies be expected to vote 24.3 per cent. or 19 per cent.—as some say it is now—more identifiable public expenditure per capita to a part of the United Kingdom where they have no control over the money? That flies in the face of all the laws of human nature, and certainly against the laws of political nature. Do not pretend that those negotiations can be settled by some sort of concordat. There is no chance of achieving amiable solutions—it does not work like that. There will be hard bargaining.

Therefore, it is imperative to establish clarity as to how the formula will work. It is true that, throughout the referendum campaign, it was said as a matter of course that the Barnett formula would continue to apply into the foreseeable future. I wonder how many weeks it will be—and it will be weeks rather than months—before tensions surface. When Holyrood is set up, Members of the Scottish Parliament will realise that many goodies—improved health, housing and education and more resources for local government—are expected of them. However, they will then find that they cannot produce them. This is a vital discussion, and I hope that the Minister will address those very important matters.

Mr. John MacGregor (South Norfolk): I follow the general drift of the speech by the hon. Member for Linlithgow (Mr. Dalyell). I must confess that, when I was Chief Secretary from 1985 to 1987, I had my doubts as to whether the Barnett formula would constitute a fair way of settling future expenditure issues in Scotland. Like the hon. Gentleman, I note that Lord Barnett now questions whether it is right to use the formula in that context. My right hon. Friend the Member for Devizes (Mr. Ancram) was entirely right when he described how it operated: we took the Scottish block as a block and, when the negotiations had been completed with the equivalent English Departments, the formula was applied automatically to add to the Scottish block.

That may have been right for the 1970s, but several questions now arise for the 1990s and beyond. The first is whether the formula will assess Scotland's needs properly. I have grave doubts about that. I believe that the need in many regions of England is as great, if not greater, than in Scotland in light of the growth and development of the Scottish economy. Above and beyond that is the question as to whether it is right to take as the base a block that was settled in the 1970s when conditions were very different.

Although I appreciated the convenience of using the Barnett formula in complex public expenditure negotiations, I always wondered whether it was a fair way of approaching the matter. The Labour Government have initiated a new fundamental expenditure review. Such a review should look at the needs and demands of all Departments, assess whether the current expenditure levels are correct, and then make adjustments. If we

cannot do that to the full Scottish block, we will not achieve a proper fundamental expenditure review for Scotland.

Let us take roads expenditure, for example. The present Government are decimating roads expenditure in England. However, let us suppose that they decided, like the previous Government, to spend more on roads in line with the needs in particular English regions. It is well known to people who travel frequently around the United Kingdom that the roads in Scotland are very much better than those in England. *[Interruption.]* I have travelled around the whole of the United Kingdom and I would love to take Scottish Members to several parts of England where it can take hours to travel six miles. I know many Scots who say that the biggest bottlenecks for the Scottish haulage industry are the M6, the M1 and the M25. I am happy to argue that point for ever because the road system in Scotland is unquestionably better than that in many parts of England.

Ms Roseanna Cunningham (Perth): Will the right hon. Gentleman confirm whether he is talking about traffic conditions in England compared with Scotland or the physical state of the roads?

4.45 pm

Mr. MacGregor: I am talking about both. I well recall the time that I addressed 200 business men at a business breakfast in Aberdeen. In his introduction, the chairman said that those business men were very glad that I was there, as the Secretary of State for Transport, because it gave them a chance to complain about the state of the roads from Aberdeen to the south of England. The chairman castigated me on the ground that a small number of miles of single-carriageway roads remained between Aberdeen and Paris. I told him that he could promote Aberdeen by highlighting the fact that the roads communications between Paris and Aberdeen were very much better than those in many parts of England, which did not have dual carriageways. There is no doubt that the roads are better in Scotland, but I could use any example. I must come to my point, which has a general application.

When decisions were taken in England to expand substantially the roads programme or any other aspect of departmental expenditure and the conditions were entirely different in Scotland, things would have been different if the Chief Secretary had had the freedom to examine underneath the Scottish budget and point out the relevant differences between roads expenditure in England and Scotland. We could then have argued for that part of the block to be scaled down. There are problems with the block. I suspect that, if there were no prospect of a Scottish Parliament and the current Chief Secretary undertook the fundamental expenditure review properly, he would have to go underneath the Scottish block to examine such issues.

In my day, we talked about zero-based budgeting, which meant that we looked at every aspect of budgeting and then started from scratch. It was never possible to begin to do that with the Scottish block because we could not even look at it. The Barnett formula applied automatically on top of that. I do not think that the present situation is ideal or even satisfactory. I believe that the Barnett formula is out of date and should be re-examined. I agree entirely that the Scottish block should be distributed more on the basis of need according to a proper calculation.

That is the position that I start from: I do not believe that the Barnett formula will provide the correct basis for allocating funding to the Scottish Parliament from the United Kingdom Budget in the years ahead. Like the hon. Member for Linlithgow, I can go even further. There can be no doubt that, even if the same party is in power in Westminster and in Edinburgh, that will be one of the biggest sources of future friction. People will demand to know that the allocation has been calculated fairly on the basis of need. I shall leave aside the points that we will come to later regarding the Public Accounts Committee. There will be great political tension.

My right hon. Friend the Member for Devizes is correct when he says that it is not only the Opposition party in Westminster that will query the formula—many Labour Members, if there is a Labour Government, will draw attention to the disparities to which I refer.

The distribution must be based on a fair assessment of needs. If it is not, and different political parties are in power in Westminster and Edinburgh, the tensions will increase. We will have to move to a system which it is transparently obvious to everyone is based on a fair assessment of need and is properly audited. At the moment, we are long way from achieving that.

Mr. Dalyell: Who will undertake the assessment of needs? In a unified civil service there would be the difficulty of divided loyalties, some civil servants being loyal to the Scottish First Minister. We come back to my question about the home civil service. Does the right hon. Gentleman, with his experience as Chief Secretary to the Treasury—I used to ask the right hon. Gentleman many hostile questions when he was a member of the Treasury Bench—have any comment on the home civil service problem?

Mr. MacGregor: I do not. Nor do I recall all that many hostile questions. Such issues—leaving aside the question of the block—were resolved within a unified Cabinet, reporting to the House and based on a majority party in government. I do not recall the kind of issues that the hon. Gentleman is talking about arising. Of course there were disputes between Ministers with the relevant Departments arguing their case, but I do not think that that is quite what the hon. Gentleman has in mind.

In the new situation, with the Scottish Parliament, given that there will be endless pressures on public expenditure—the hon. Gentleman is right about that—and all sorts of problems being raised by hon. Members here, from their own English regions, we must find a system for the allocation of the budget that both Parliaments consider to be fair. In addition, it should be audited by those in the Westminster Parliament who, at the end of the day, are fundamentally agreeing the sum of money that goes to the Scottish Parliament.

That is a difficult issue and will give rise to great tension. But it is clear that, at present, we do not know how the matter will proceed. If it is to be on the basis of the Barnett formula, that will be questioned and will have to be changed. Somehow or other, if we are not to have precisely the sort of difficulties that the hon. Member for Linlithgow raised, how the allocation is made must be much more transparent. I have been worrying about that for some time, so I am grateful to be able to make this short contribution today. I can imagine a lot of analysis

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being done in my constituency and, once there is a separate Scottish Parliament and English Members cannot vote or speak on issues concerning the Scottish Parliament, this matter will be raised time and again.

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): Like many hon. Members, I respect the right hon. Gentleman's long experience in the House. He said that he had been reflecting on the matter for some time, but has he been reflecting on it for the past 20 years? The key question is: why is the right hon. Gentleman raising the matter now in terms of the devolution settlement? We have had 20 years of Conservative government and the system seemed to work well. Comments throughout the ages could be quoted. The right hon. Gentleman held a pivotal position in that Government, in the Treasury.

Mr. MacGregor: I gave away my position in my opening remarks. When I was Chief Secretary, I queried the Barnett formula, although not on the Floor of the House, for obvious reasons. However, I worried about the Barnett formula even then. As I have said, it is interesting that Lord Barnett himself now feels that the basis of the allocation needs to be updated and reviewed.

It is the introduction of the Scottish Parliament that adds a different dimension and tension to this, and that is why the matter should be considered openly and transparently so that we know on what basis the allocation will be made.

Mr. Wallace: Yet again, Lord Barnett's own querying of the formula has been brought into play. But does the right hon. Gentleman accept that Lord Barnett said that national income per head in Scotland compared with the rest of the United Kingdom was such that he questioned the justification for keeping the present formula? As someone who has had to apply the formula, does the right hon. Gentleman accept that national income per head has nothing to do with the formula, and basically, Lord Barnett forgot what he set up?

Mr. MacGregor: That is probably correct in that the formula was based on other things, but Lord Barnett is right in his general point. The principle of the formula was established in the 1970s and, since then, there has been a substantial change in the relative position of the Scottish economy and the levels of income per head of many Scots compared with a number of English regions. There have been substantial improvements. I argue that, as a result of having a block grant, which at that time was favourable to Scotland, plus the Barnett formula ever since, there has been much higher public expenditure per head in Scotland than in England. That, too, has made a difference to the position in Scotland. Therefore, not just the formula but the size of the grant in the 1970s needs to be reassessed. That is why I say that the assessment should be made on the basis of need. We shall have to consider the allocation to Scotland based on need as a whole, not just the Barnett formula, in the years ahead.

Mr. Swinney: The right hon. Gentleman referred to per capita expenditure in Scotland. There is understandable concern in many quarters, as has been quoted in various submissions to the House and to the Select Committee on the Treasury, that to carry out such a needs analysis one must consider both sides of the equation, examining some of the expenditure that is defined as unidentified expenditure in the United Kingdom which is often channelled into one part of the United Kingdom—the area around the House and the south-east of England. To get to the nub of the distribution of public expenditure, it must be a transparent exercise to consider expenditure in Scotland and the rest of the United Kingdom.

Mr. MacGregor: I would not disagree with that. That must be considered not only as between England and Scotland, but as between the various English regions. That is where many of the pressures will come from. The English regions will feel themselves disadvantaged. We have already seen examples of that in the House. We must also consider individual departmental expenditure, not just the block as a whole.

That will be one of the crucial areas where we will need changes and greater transparency in future if we are to avoid immense friction. I am still not clear how the Government intend to move ahead during the next few years in deciding the block grant that goes to the Scottish Parliament, and I look forward to hearing what the Minister has to say about that.

However, future Governments will not feel bound by anything this Government do, hence another area of friction and another reason why we need to think carefully about how, rather more transparently and based on need, these allocations are made.

Mr. John McAllion (Dundee, East): I sat up and began to take notice when the right hon. Member for South Norfolk (Mr. MacGregor) began his remarks by saying that he was a former Chief Secretary to the Treasury. I thought that surely his contribution would be worth listening to and taking note of. Then he made the ludicrous statement that the road system in Scotland is infinitely superior to that in England. On occasion, I have driven from Scotland to England using both road systems. One knows that one is leaving Scotland and entering England when one leaves the dual carriageway behind and joins a three-lane motorway. That is how we recognise that we are in England. We see little of three-lane motorways in Scotland. Unfortunately, at that point, the right hon. Gentleman lost me, and I suspect, many others listening to the debate.

I do not want to be completely anti-Tory—

Mr. MacGregor: How often has the hon. Gentleman driven down the M74 on to the M6 coming here to the House and found himself constantly held up on the M6 and the M1?

Mr. Dennis Canavan (Falkirk, West): That is because there are too many cars down here.

Mr. MacGregor: I hope that the hon. Gentleman will not add to them. But that is a sign that the roads in Scotland are much better than in England. There are some good roads in Scotland with few cars on them and there are not many of those in England.

Mr. McAllion: The right hon. Gentleman is mistaken. He is confusing the roads system with the number of

cars on them. My hon. Friend the Member for Falkirk, West (Mr. Canavan) got it in one. There are far too many cars in England because England is infinitely richer than Scotland. That should be considered as part of the background to the debate on Scotland's share of expenditure compared with the rest of the United Kingdom.

One thing I am prepared to agree with—

Mr. Bernard Jenkin (North Essex) *rose*—

Mr. McAllion: I was about to agree with something, but there is no chance that I will be able to agree to any intervention by the hon. Gentleman.

Mr. Jenkin: Has the hon. Gentleman ever driven from London to Colchester on the A12? However few cars there may be in Scotland, the road system has been built to enable people to get from A to B efficiently, particularly between the major population centres. For example, the A9 is a superb road. However many cars we have on the A12, or on the A11 to Norwich, the same quality of roads do not seem to be built in East Anglia.

5 pm

Mr. McAllion: Nothing would persuade me to drive from London to Colchester, so I shall never discover the quality of the A12.

Mr. Swinney: Both the hon. Gentleman and I have appeared in Dundee's *The Courier and Advertiser* this week complaining about parts of the A90 around our respective constituencies, and the Minister will be aware of my complaints about the A9 and other roads in my constituency. The point is therefore well made about the difficulties of the road network in Scotland. Perhaps a real debate about the financial position of Scotland would benefit the House.

Mr. McAllion: The hon. Gentleman is absolutely right. Ten years ago the Tory Government set out to put central barriers on the A90 between Dundee and Perth. They said that the work would be completed within 10 years, but it has still not been completed because money has not been spent on roads in Scotland to anything like the extent that it has been spent in England.

I want to agree with something that the Conservative party said in this debate, which is what I have been trying to get to for the last few minutes. I agree with what the right hon. Member for Devizes (Mr. Ancram) suggested in amendment No. 292. The Bill says:

"The Secretary of State shall from time to time make payments into the"

Consolidated Fund, and the amendment seeks to add the words:

"and at least once in every financial year".

I hope that it would be at least once in every financial year. If my hon. Friend the Minister confirms that "from time to time" means that the Scottish fund gets two £14 billion lots in a single year, I shall certainly settle for that and would not oppose my hon. Friend if he chose to accept the amendment.

My purpose in speaking in this debate is to support my amendment (a), to amendment No. 112 tabled by the Liberal Democrats. They have not yet had the chance to discuss their amendment, which seeks to preserve the Barnett formula. My amendment seeks to honour the commitment that the Labour party made within the Scottish Constitutional Convention that any review of the Barnett formula will be a joint review conducted by the Westminster and Scottish Parliaments.

The final document of the Scottish Constitutional Convention entitled "Scotland's Parliament, Scotland's Right" was agreed to by all members of the convention. Under the heading, "Secure and Stable Finances" on page 27, it says:

"We recognise that any formula will need to be jointly reviewed from time to time."

I hope that when my hon. Friend the Minister replies to this debate he will make it clear that any future review of the funding mechanism for a Scottish Parliament will be conducted jointly between the Westminster and Scottish Parliaments, not purely by the Westminster Parliament and then imposed on the Scottish Parliament.

Mr. Wallace: In the spirit of the convention document, may I inform the hon. Gentleman that his amendment distinctly improves ours?

Mr. McAllion: I am grateful to the hon. and learned Gentleman for saying that. Actually, I tabled the amendment on the advice of one of the Clerks, so he should take the credit for it. I provided the purpose of the amendment and he framed it for me.

What lies behind this debate is the perception, particularly among Conservative Members, that Scotland gets an unfair share of public expenditure. We must tackle that argument head on. The right hon. Member for Devizes said that the Barnett formula is really the head on the beer. He is absolutely right, because it can work only at the margin of public expenditure in Scotland. It is a way of allocating increases in identifiable public expenditure; it does not affect the core budget.

The Barnett formula is designed to ensure that Scotland gets less public expenditure in the future. The only reason that it does not work to that effect is that Scotland is losing its population. Had Scotland maintained or increased its population, it would have received less of the share of public expenditure year on year. The Barnett formula is therefore designed to meet what many of its English critics now say.

Under the Barnett formula, Scotland receives 10.66 per cent. of any increase in departmental spending in the UK, whereas Wales gets 6.2 per cent., Northern Ireland 2.9 per cent. and England 80 per cent. If England thinks that Scotland is getting more than its fair share under the Barnett formula, I would be happy to exchange our 10.66 per cent. of the increase in spending for its 80 per cent. When one looks at the figures in the stark, cold light of day, one realises that England is getting a very fair deal under the Barnett formula, and Conservative Members should stop complaining about it.

The real purpose of amendment No. 309 is to complain that no mechanism in the Bill relates public spending to relative need, not only in Scotland but in the rest of the UK. The Opposition want such a mechanism in the Bill because they believe that Scotland receives an unfair share of public expenditure. The right hon. Member for Devizes referred to the Treasury Select Committee report, which implied that Scotland receives an unfair share of

[Mr. McAllion]

public expenditure within the UK. I warn him that if the Treasury Select Committee report continues to be used to batter the Scottish Parliament proposals, I shall suggest that the Scottish Affairs Select Committee, of which I am a member, conducts its own inquiry into relative spending between Scotland and the rest of the UK. I suspect that we would come up with a very different report from that of the Treasury Select Committee.

Mr. Oliver Heald (North–East Hertfordshire): Is not the hon. Gentleman prepared to concede that the Treasury Select Committee is dominated by Labour Members, that Lord Barnett is a Labour peer and that the cries of, "Oh, this is unfair to England" come from Labour Members from northern England? Will he acknowledge that Labour Members, not Opposition Members, are raising the issue?

Mr. McAllion: Yes, certain Labour Members have been making that complaint, but neither the Labour Government, to their credit, nor the vast majority of Labour Members who support the Government, are raising the issue. Scottish Members of Parliament are certainly not raising it. Indeed, the only Scottish Member on the Treasury Select Committee dissociated himself from the tone of the report and from its findings—and he is not a Labour Member.

If we are to have such a mechanism, it should look not only at identifiable public expenditure in Scotland and the rest of the United Kingdom but at all public expenditure. The Barnett formula does not deal with spending on agriculture, social security, defence or public administration. The £200 million building being constructed across the road is not included in the formula that compares public spending in Scotland with that in the rest of the UK. We could build four Scottish Parliaments for the price of that block of offices, yet people complain that the Scottish Parliament is wasting money in constructing a new building. It is a ridiculous argument that I hear from Opposition Members.

If we take into consideration all public spending, a different ratio appears, particularly between the south-east of England and the rest of the United Kingdom, including Scotland. If that is the kind of review that the Conservative party wants, I should be happy to support it.

This Saturday sees the establishment of a constitutional convention for the north. The cross-party campaign for a northern assembly is setting up its own constitutional convention along the lines of the Scottish Constitutional Convention, and I hope that it will lead to the same successful conclusion. Campaign members have suggested working with Members of Parliament to expose the notorious hidden subsidies to the south-east of England, such as the uneven allocation of defence contracts to the south-east of England, which goes on all the time. Conservative Members never say that that should be looked into. Another example is the uneven gain from income tax. For the past 18 years, very rich people, the majority of whom live in the south, have enjoyed massive income tax cuts handed out to them by the Government. Those hidden subsidies should be debated, but they rarely are.

I remind hon. Members that, when the Barnett formula was set up, it was meant as a fix to avoid the rows that took place every year within the Cabinet between the Secretary of State for Scotland and all his colleagues about the spending share that Scotland should get within the Budget. Those rows take place in Cabinet behind closed doors between members of the same party, all of whom were appointed by the same Prime Minister and therefore loyal to that Prime Minister.

Conservative Members may want an annual, open, public and bitter row between the Scottish Parliament in Edinburgh and the Westminster Parliament about Scotland's share of public expenditure, but that would create constant friction between the two Parliaments, and would lead to the Scottish Parliament being distanced from the rest of the United Kingdom. The crazy mechanism that they are trying to establish would achieve the very end that they claim they do not want.

Mr. Eric Forth (Bromley and Chislehurst): Let us accept for a moment the hon. Gentleman's argument that the formula was designed to eliminate such annual squabbles. Does he concede that the establishment of the Scottish Parliament has opened up this issue? It is surely not only legitimate but essential that all of us, north and south of the border, face the issue squarely in the context of the Scottish Parliament and try to produce a new and proper financial basis. Perhaps we should have another formula to eliminate annual squabbles; we cannot assume that the Barnett formula will continue unchanged after the establishment of a Scottish Parliament.

Mr. McAllion: No one is assuming anything. We are dealing with the immediate aftermath of a Scottish Parliament coming into power in 2000. It is not sensible for the Scottish Parliament to be locked into conflict with the Westminster Parliament over its share of the Scottish Office block grant before it has a chance to get its feet under the table and start providing the services for which it is responsible. We are trying to get the Parliament up and running.

In due course, both Parliaments may come to the conclusion that they should review the allocation of public expenditure between Scotland and the rest of the United Kingdom and within Scotland. It should be a joint review, which is the purpose of my amendment. It should also examine all public spending and all subsidies to every corner of the United Kingdom, not just identifiable public expenditure. I do not hear Opposition Members making such points.

Mrs. Eleanor Laing (Epping Forest): The hon. Gentleman will not be pleased to hear that I agree with his general argument about the inherent conflict in the Bill. He said that the conflict will continue to get worse. If it is not resolved by the adoption of our amendment, the logical conclusion of his argument is that instead of a devolved Parliament there will be a separate Scotland. Is that what the hon. Gentleman wants?

Mr. McAllion: Nothing in this world is inevitable: I have discovered that after living in it for a very long time. Of course, there will be conflict if the Westminster Parliament tries to take money away from Scotland. If Westminster takes the attitude that Scotland should be punished for having its own Parliament and should have a smaller share of public expenditure, it will pull Scotland down the separatist path. Luckily, the Government do not have that attitude towards Scotland or towards public

expenditure. I have every confidence that under a Labour Government we will have increased public spending in Scotland. I say that with gusto and enthusiasm.

Mr. Wallace: And with a straight face!

Mr. McAllion: I really mean it. I have great hopes that the Government will loosen up expenditure after two years. I am not convinced of the honesty or integrity of Opposition Members when they say that they want public spending to be related to need. They want Scotland to receive a smaller share of public expenditure, and to be punished for daring to have its own Parliament. I shall not support their amendments. I hope that my hon. Friends support my amendment to the amendment tabled by the Liberal Democrats, and that they also support that amendment.

Mr. Wallace: I welcome the fact that the hon. Member for Dundee, East (Mr. McAllion) tabled an amendment to amendment No. 112, because it improves our amendment. He listed a number of items that are not included in the Barnett formula. He omitted the glorified wigwam that is the dome in Greenwich. I do not think that Scotland is getting its percentage Barnett formula share of that venture.

Mr. Ancram: Would the hon. and learned Gentleman tell us how he knows that, whereas we have not managed to get any information about the dome out of the Minister without Portfolio?

Mr. Wallace: That is 1:0 to the right hon. Gentleman; it is a fair point.

When additional expenditure for the health service was announced in October last year, we discovered that the increase for England was not matched by a Barnett formula 10.66 per cent. increase for Scotland. Mid-term increases in expenditure for England do not necessarily trigger off an equivalent increase for Scotland. So the formula is not always strictly applied.

The debate is useful, because it was inevitable that this issue would be raised. I am glad that the comments of the right hon. Member for Devizes (Mr. Ancram) when introducing his amendments were more rational and conciliatory than were the utterings of his party in the period up to the election. It is not right for the right hon. Member for Bromley and Chislehurst (Mr. Forth) to say that devolution has brought this issue to the fore. Under the Conservative Government, plenty of Tory Back Benchers whinged about the amount of money spent in Scotland, and that was not in a devolutionary context, because the Tories were opposed to devolution.

5.15 pm

I found the Conservative party's attitude in the run-up to the election, during the election campaign, and at times during the referendum campaign, distasteful. The Conservative party behaved like the school bully saying, "If you vote for a Scottish Parliament, we will take some of your money away." That was not a particularly helpful approach from a party that prides itself on its commitment to the Union. Surely, it recognises the principle of equalisation not just for Scotland but for all parts of the Union.

I take the point made by the hon. Member for North Essex (Mr. Jenkin). Perhaps the A11 and A12 roads in East Anglia are not particularly good: I do not know, because I have not driven on them for a long time. That perhaps says more about differential spending within England than it does about spending in one part of England compared with Scotland. Expenditure on roads also varies greatly in different parts of Scotland. Local government settlements, which account for a substantial part of public expenditure, show vast differences in England. Under the previous Government, spending per head in Westminster or Wandsworth was massively greater than spending in many places in the north of England. If they were trying to apply the principle of equalisation, they did not succeed.

It is important to emphasise the substantial variations in expenditure within England. It is not always fair or accurate to give an overall picture of spending in England compared with spending in Scotland.

Mr. Dalyell: May I say that I was in no position to bully anyone? There was no bullying. The issue was put in the form of the Bury, North question, which is very serious. Given the new circumstances, how can my hon. Friend the Member for Bury, North (Mr. Chaytor), in that not over-rich Lancashire constituency, justify to his voters for eternity—because that is what we are talking about—the fact that Scotland gets more public expenditure per head than England? In candour, we must at least face up to that issue.

Mr. Wallace: I would never accuse the hon. Gentleman of bullying: that is not his approach. He fairly posed the question, but some Conservative voices were raised that were much more threatening and hectoring. The previous Secretary of State for Scotland used regularly to raise the spectre of what would happen after devolution.

The hon. Gentleman asked how I would explain the position to the hon. Member for Bury, North (Mr. Chaytor). Let me refer perhaps not to Bury but to Barnsley. In the last financial year, the local government settlement was £1,244 per head for Tower Hamlets, £864 per head for Westminster, and £368 per head for Barnsley. That is a greater differential in spending per head than the differential between Scotland and England.

When making an accurate and fair assessment of spending per head in Scotland compared with England, we should take account of the huge geographical differences between Scotland and the rest of the United Kingdom. *[Interruption.]* The right hon. Member for Bromley and Chislehurst groans, but he cannot run away from the fact that Scotland contains 59 per cent. of the surface area of the United Kingdom and has 10.6 per cent. of the population. *[Interruption.]* The right hon. Member for Bromley and Chislehurst is making sedentary remarks in a very childish way. He must know that it is more expensive to build a mile of road in the highlands than to build a mile of road in Kent, and that a mile of road in the highlands will inevitably serve fewer people.

Moreover—regrettably—people's health is worse in Scotland than in the rest of the United Kingdom. There are more long-term problems such as heart disease and cancer in Scotland than in England. There are far more pupils in state schools than there are in England, and a higher post-16 staying-on rate. There is less take-up of

[Mr. Wallace]

private provision, and transport costs are higher. A police car belonging to, for example, the Northern constabulary must travel many more miles to cover its patch than the equivalent in parts of England. All those factors must be taken into account, but there is more to it than that.

Mr. Swinney: There is another aspect of the argument, which the hon. and learned Gentleman may come on to. I am talking about the way in which money is spent in the rest of the United Kingdom, and the fact that Scotland does not receive its fair share—especially in relation to some of the substantial write-offs that followed water privatisation in England and Wales.

Mr. Wallace: There is also consumer expenditure on defence contracts in the south of England, and mortgage interest tax relief benefits England more than Scotland.

The so-called excess has been calculated at about £3.7 billion, but that does not take into account the fact that spending on such matters as agriculture and social security is demand led: the money will be spent, regardless of where the people are. In fact, Scotland has a larger agricultural population than England. I believe that it has been estimated that one of the main contributors to the difference in expenditure per capita between now and the late 1970s, when the Barnett formula was agreed, is the increase in agricultural expenditure, some of which has been European Union driven.

Scotland also has higher local taxation. The average band D council tax in Scotland is £783 in the current financial year, compared with £689 in England. Once we have taken demand-led expenditure and higher local taxation into account, the difference drops from £3.7 billion to £2.7 billion—about £1.45 per person per day. When we take account of Scotland's greater demand for health services, and its related greater demand for social services, the figure falls to £1.9 billion. If that were distributed among everyone else in the United Kingdom, there would be an extra 10p per person per day. That, I think, is a relatively small amount to take account of all the factors, such as geography and weather, that I mentioned earlier.

As I said when I read a quotation to the right hon. Member for Devizes, as recently as June 1995 the former Secretary of State for Scotland—now Lord Lang—thought that the funding formula was pretty fair. I do not think that much has changed since then in terms of relative need. The right hon. Member for South Norfolk (Mr. MacGregor) said that when he was Chief Secretary to the Treasury he had his doubts, but his doubts never prevailed. I suspect that the majority of Cabinet Ministers thought that the formula was fair; if they had not, they would surely have done something about it, but the same arrangement obtained year after year.

The right hon. Member for Devizes asked us to back his amendment, but it does not take matters much further than the Government's proposals. It states that the Government should take need into account, but not that they should do anything about it. Nevertheless, the right hon. Gentleman has a point. I fear—and our amendment addresses this—that, as it stands, the Bill will leave a blank cheque. It could be a cheque for only a fiver: the clause refers to a sum that the Secretary of State

"may from time to time determine".

The Minister owes it to us to explain why the proposal is couched in such open terms. There is neither a basis for the original funding formula, nor a basis for any annual variation of it. Our amendment improves on that of the right hon. Member for Devizes by taking the existing grant formula—which already embodies the consideration of need that Lord Lang recently found acceptable—and applies the Barnett formula to it, on an annual basis. If the amendment were accepted, the Bill would establish the way in which the Scottish Parliament should be funded.

We think that any change in the population formula should not be made on an annual basis—on the basis of figures that, at best, can be described as guesstimates—but should follow the census that takes place once every five years. That would provide accurate material on the basis of which to change the formula. In new clause 12, we propose a joint review of the funding formula involving the Scottish Parliament and the House of Commons, to be

"completed for implementation in the tenth year following the establishment of the Parliament".

Mr. Swinney: Is that proposal in any way inspired by the hon. and learned Gentleman's concern about the Government's refusal to take on board some of the reasonable arguments about the Scottish Parliament's ability to interview members of the Westminster Government in cross-border discussions about issues of mutual interest?

Mr. Wallace: I think that the new clause was tabled before those debates took place; at any rate, it was quite separate from them. It can, in fact, be directly attributed to the passage from the Scottish Constitutional Convention agreement which was quoted by the hon. Member for Dundee, East. It accepts that the present block grant, the Barnett formula and the tax-varying powers that we shall discuss another day provide a secure and stable basis for the Parliament. That was certainly the arrangement struck between us in the constitutional convention. The convention said:

"We recognise that any formula will need to be jointly reviewed from time to time. In time such discussions will undoubtedly lead to a greater transparency in, and understanding of, the economic situation across the different parts of the United Kingdom."

I think that I am supported on that.

We propose that more revenue should come from the tax that is raised in Scotland. We believe that a Treasury grant will still be needed, but if more can be seen to be coming from Scotland itself, so much the better. That, I believe, will lead to transparency and to more accountability. If the Scottish Parliament is to receive a share of the revenue, it will have an incentive to introduce policies in relation to its economic and industrial powers that will increase buoyancy in the Scottish economy. If the amount is to be shared, the United Kingdom Treasury will also benefit. I think that that will lead to a better rapport between Westminster and the Scottish Parliament.

In its publication "Scotland's Parliament", the constitution unit says:

"Tax sharing could well come to play a larger part in the financial arrangements if devolution is established throughout the UK. But that is not the case now, and nor is there sufficient confidence yet in the reliability of the figures for tax yields in the territories and

regions to allow it to deliver the benefits in 'fiscal psychology' described. Nevertheless the option of incorporating some element of tax sharing in the financial settlement should be kept open for the future."

We are saying that it should be recognised that, at some stage in the future, a reassessment will be needed. If we move further towards a federal solution, as I think we inevitably will, we shall need some kind of federal exchequer board—a far more transparent mechanism, of the sort that exists in countries where a federal settlement has been reached. This will not necessarily be the last word, but, as things currently stand, it is a good starting point for the Scottish Parliament. Our worry is that nothing in the Bill reflects either the Government's commitment in the White Paper or the commitment in the constitutional convention agreement. I do not accuse the Government of wanting to back off or of bad faith, but, as I asked in a debate on Tuesday: how will these powers stand when they are being exercised by an opponent? There is too much flexibility and opportunity for someone with a much more malevolent will towards the Scottish Parliament to create conflict and tension. Therefore, I hope that tight parameters that will ensure that money is delivered to the Scottish Parliament can be introduced into the Bill.

Mr. Canavan: During the debates in the Scottish Constitutional Convention, I argued for complete fiscal autonomy for the Scottish Parliament, whereby a Scottish Treasury, accountable to the Parliament, would be responsible for the raising of all revenue within Scotland and for paying a certain amount to the United Kingdom Treasury for shared services such as defence and overseas representation. However, I accept that I lost that argument in the convention.

5.30 pm

The White Paper proposal, which was put to the people of Scotland in the referendum, is for the Scottish Parliament to be financed by means of a block grant and of the limited power of raising, or lowering, the basic rate of income tax by up to 3p in the pound. The size of the block grant will presumably be affected by the Barnett formula, which has been around for a long time, as has its author. I recently spoke to Joel—now Lord—Barnett across the road in the gym. I assure the Committee that the good Lord is in good shape, but some concern has been expressed as to whether the Barnett formula is as robust as its maker. The Treasury Committee recently had some things to say about it.

We have to remember that there is no mention of the Barnett formula in the Bill. In fact, there is no specific mention of the formula in any statute and, unless the Liberal Democrat amendment or amendment (a) in my name and that of my hon. Friend the Member for Dundee, East (Mr. McAllion) is accepted, that will remain the case.

The Select Committee said:

"The Committee was disappointed that no Government studies have been made in relation to the appropriateness of the Barnett Formula and how it relates to needs . . . it is time to bring the needs assessment up to date".

The last official needs assessment was made about two decades ago in an interdepartmental study led by the Treasury. The exercise examined the six main services that were, at that time, to be devolved to the proposed Scottish assembly and Welsh assembly. As a matter of interest, those services were health and personal social services, education, excluding universities, housing, other environmental services, roads and transport, excluding the railways, and law and order and protection services, excluding the police.

The people conducting the study used a large range of "objective factors", including the age distribution of the population, the length of roads, recorded crimes and the number of substandard dwellings, to estimate the cost of providing equivalent service levels in Scotland; they did the same exercise for Wales and Northern Ireland. The overall result was that per capita spending in Scotland would need to be some 16 per cent. higher than in England to provide comparable service levels.

Since then, the definition of public expenditure has evolved considerably and it is difficult to apply those conclusions to the current situation. According to recent reports, per capita spending in some regions of England is considerably higher than that in Scotland. However, do the Government have any plans to update the needs assessment and/or the Barnett formula? If there is any review of the Barnett formula—and I think that Lord Barnett has said that it is not going to survive for ever—it should be a matter for the Scottish Parliament as well as for this Parliament: it should be a matter for negotiation between the Scottish Executive and the UK Government.

That is what amendment (a) tries to ensure. If there is failure to reach agreement, the Scottish Parliament may demand and achieve the sort of fiscal autonomy that I argued for in the Scottish Constitutional Convention.

Mr. Swinney: The financing of the Scottish Parliament is obviously a controversial issue; we have had some controversy already tonight. The hon. and learned Member for Orkney and Shetland (Mr. Wallace) referred to the Scottish Constitutional Convention proposal on assigned revenues. That proposal was formulated in the early days of the convention and goes some way towards the proposals on fiscal autonomy that form the heart of amendments Nos. 77 and 78.

I listened with interest to the hon. Member for Falkirk, West (Mr. Canavan), who made a rational case for fiscal autonomy, which would be in the interests of achieving clarity in the public finances not only of Scotland, but of the UK; fiscal autonomy would address some of the issues about transparency that were raised by the right hon. Member for South Norfolk (Mr. MacGregor). Unless there is a stable solution in the Bill, the issues that we have been discussing will come back time and again.

I concede that, in this debate, the comments of Conservative Members about funding have been more measured; they could not be less measured than the comments of the hon. Member for Billericay (Mrs. Gorman), who has been saying some pretty outrageous things about Scottish public finances in the past few weeks. In the run-up to various elections in recent years, comments have been made about subsidy junkies in Scotland and the Scottish community being heavily subsidised by the rest of the UK. As I have listened to this debate, I have been intrigued by the fact that more and more of those myths are beginning to be tackled by not only people who represent the politics that I support, but Labour and Liberal Democrat Members. They are prepared to challenge some of those myths, which have been presented as the holy grail.

[Mr. Swinney]

Government expenditure and revenue estimates have also been used to examine the public finances of Scotland. Those estimates are produced annually now and were first introduced as a party political exercise by the former Secretary of State for Scotland, now Lord Lang. Their original purpose was to try to use the Scottish Office and its instruments to show how subsidised Scotland was; it was the most curious piece of political suicide one could find. Those figures are now in the public domain annually.

Some of the details have been rehearsed in the past. The most recent assessment by the Scottish Office suggested a headline deficit for Scotland of more than £7 billion. As with all such analyses, it conveniently ignores the fact that the statistics include a certain share of the general United Kingdom deficit, foisted on Scotland not by decisions by Ministers in Scotland but by the incompetence of various Chancellors of the Exchequer in the past. Additional factors missed from the statistics are the share of oil and privatisation proceeds to which Scotland would undoubtedly be entitled.

The hon. Member for Dundee, East (Mr. McAllion) referred to the assessment of income tax; other aspects of the statistics question whether the lack of transparency in the debate allows us to get to the truth of the public finances of Scotland. That must surely be the basis on which any long-term judgments are made. In that respect, I can comprehend the amendment tabled by the right hon. Member for Devizes (Mr. Ancram), but I do not understand how far forward it takes us. It assesses the issue of need—which we all acknowledge should drive the analysis—but puts no solution in place.

We have had extensive contributions about the Barnett formula. I do not intend to rehearse the issues; nor do I intend to claim any intimate understanding of the origins of Lord Barnett's formula, the intimacies of the Cabinet's discussions or Lord Barnett's current thinking on the issue. I wish to quote from a submission made to the Treasury Select Committee by Professor Arthur Midwinter of the university of Strathclyde. I see an expression on the Secretary of State's face—I am not sure what it means.

The Secretary of State for Scotland (Mr. Donald Dewar): It is one of pleasure.

Mr. Swinney: An expression of pleasure from the Secretary of State? I hope he finds the following words to be of comfort. Professor Midwinter made a number of important remarks. He said:

"The Barnett formula remains a simple pragmatic and defensible means of determining Scottish public expenditure."

His next remark relates to the comments made by the right hon. Member for South Norfolk:

"Needs assessment models in the public domain are imprecise and rest on political acceptability and judgment more than technical feasibility."

In this analysis, there has to be some acceptance that, however much digging one does through national and regional statistics, some political judgment will ultimately be applied. That is the nature of this debate.

Mr. Dalyell: Political judgment by whom, could we be clear?

Mr. Swinney: I quoted Professor Midwinter's remarks and I would not venture to put words into his mouth. I think it means that, ultimately, there will be debates and a process of negotiation which some believe can be extracted from the process, but which I do not believe is practical from what we have heard tonight.

Professor Midwinter added:

"There is no compelling evidence to suggest that the present levels of public expenditure in Scotland are excessive relative to the rest of the UK.

In the UK context, the sums available for redistribution through any attempt to reduce the Scottish 'excess over needs' as calculated by HM Treasury would be small."

That is a piece of informed analysis which it would be wise for the Committee to remember.

The debate on public finances has to be driven by transparency; that is the why we tabled amendments Nos. 77 and 78. We want the Scottish Parliament to be accountable and responsible for the raising and spending of public finances. No Member of this House could desire anything other than that. However, the Scottish Parliament is being established with very limited flexibility and responsibility. Local authorities in Scotland, by and large, have the power to raise about 15 per cent. of their revenue, whereas the Scottish Parliament will have some degree of discretion in relation to the raising of only 3 per cent. of its revenue. To me, that puts in context the limitations applied by the Government in the Bill.

5.45 pm

A system of financial autonomy for the Scottish Parliament would operate in a simple way, and the hon. Member for Falkirk, West referred to that. Revenues raised in Scotland would be placed under the control of the Scottish Parliament. The last estimate by me and my colleagues of the total revenues raised in Scotland was something like £28 billion in the fiscal year 1996–97. The Scottish Parliament would thereafter be responsible for meeting the costs and agreeing the expenditure of public services within its responsibilities in Scotland, and then for agreeing with Westminster to pay a sum of money in relation to the exercise of reserved powers.

Mr. Wallace: Will the hon. Gentleman give a breakdown of that £28 billion?

Mr. Swinney: The breakdown of the £28 billion was published in a document in advance of the last general election. I have the document, which contains a formidable amount of detail, and I suspect that it is already in the Library. I suspect also that it is in the filing cabinet of the Liberal Democrats in Edinburgh, as I can remember fending off a savage attack—if one can have such a thing from a Liberal Democrat—on this very subject. The information is in the public domain, assumptions and all. Many of the assumptions are provided by the Library, which provides a certain amount of independence to the analysis.

Mr. Ancram: Is it still the hon. Gentleman's assumption that a separate Scotland would receive 90 per cent. of North sea revenue, despite the fact that Professor Neil MacCormick—who, I understand, is a supporter of his party—has questioned that?

Mr. Swinney: The right hon. Gentleman can provide me with the reference. If one applied the principles of

the Geneva convention to the demarcation of boundaries between Scotland and England—a very common assumption which, I suspect, has been debated on many occasions in the House—one would find that the 90 per cent. figure was sustainable.

Mr. Ancram: The hon. Gentleman invited me to provide him with the reference. It comes from a review of a book called "Independence and Devolution: The Legal Implications for Scotland", edited by J. P. Grant, in the *Scots Law Times* in 1976. Professor MacCormick wrote:

"A much needed shaft of light upon the vexed question of present rights and future allocations of rights to exploit the resources of the Continental Shelf is cast by the editor Mr Grant himself.

He wholly demolishes the view, which I for one once held, that the present demarcation of the 'Scottish Area' in the North Sea north of the 55 degrees 50 minutes parallel would continue in the event of Scottish Independence."

Mr. Swinney: That is one legal opinion and, as the right hon. Gentleman will know, one legal opinion is as good as the next until the matter is settled by the courts of the land. I expect Professor MacCormick, as always, to exercise his wise judgment over all the issues.

Mr. Andrew Welsh (Angus): Is it not interesting that the Conservatives are willing to give away Scottish assets which are clearly laid out in the Continental Shelf (Jurisdictional) Order 1968—signed by the British Government—which clearly shows where Scottish territorial waters are?

Mr. Swinney: That is a clear explanation from my hon. Friend and a welcome intervention in the debate.

In relation to financial autonomy, the Scottish Parliament would be responsible for paying to Westminster a sum in relation to the reserved powers and the services provided under the reserved powers to Scotland. The result of all this would be to force transparency on the Scottish and Westminster Parliaments—which is where transparency is sadly lacking. Our amendments would advance the debate in a way that the Conservative amendments would not.

Let us consider, as the hon. Member for Dundee, East did, some aspects of hidden public expenditure in south-east England, which contradict the contention that Scotland somehow benefits from formidable additional per capita public expenditure. The millennium dome, for example, will cost more than £700 million; the Jubilee line extension will cost £2.1 billion; the British library has cost £511 million; and the Heathrow to Paddington rail link will cost £440 million. Consider those enormous capital projects in the heart of London and the south-east of England against the background of our debate on financing Scotland.

Our amendments would enable the Scottish Parliament to engage Westminster in a debate on paying for reserved powers and on the amount of resources that will truly be allocated to Scotland. Transparency would undoubtedly benefit if our amendments were made.

The hon. Members for Dundee, East and for Falkirk, West have tabled amendment (a) to amendment No. 112, which would require the Scottish Parliament and the Westminster Parliament to undertake a joint review of Barnett, if that is the future mechanism of financing the Scottish Parliament. Their amendment would deal with the concern—which I suggested to the hon. and learned Member for Orkney and Shetland—that the dice that are loaded in favour of Westminster in deciding many financial issues will simply be entrenched in the legislation.

There is a very strong case for financial autonomy, to give responsibility and accountability to the Scottish Parliament. I hope that the Minister will have something positive to say about the strong arguments that have been made by hon. Members on both sides of the Committee in favour of financial autonomy, not only in this debate but on many occasions.

Mr. Forth: I began listening to this fascinating debate feeling somewhat depressed, but I have cheered up considerably. I felt depressed because—although such debates are, perhaps inevitably, dominated by hon. Members from north of the border—those who will undoubtedly study the debate will be in danger of getting an entirely wrong slant on the issue.

To set the matter in context, I repeat what I said in an earlier intervention: the tragedy is surely that, for as long as any of us can remember, the issue has only rarely before broken the surface in the United Kingdom. Although we can disagree about or debate the amounts of the transfers or differentials north and south of the border—there is little doubt that they exist—the people of England have largely been content for that to happen because the issue has not been raised and thrust in their face.

Now, with the referendum and legislation to establish a Scottish Parliament, the issue has had to be confronted. Surely we cannot have the possibility of a Scottish Parliament, with all that means, grafted on to long-standing financial arrangements that have gone unchallenged—because they were seen to be a part of a United Kingdom dispensation with which all the people of the United Kingdom were broadly content.

Mr. McAllion: The right hon. Gentleman, probably unintentionally, is misleading the Committee. In the previous Parliament, the convention of using the Barnett formula was seriously challenged by the Conservative party. Michael Forsyth, the then Secretary of State for Scotland, publicly said that the Barnett formula would be changed over his dead body—which is now politically dead. The Conservative Government and the Conservative party challenged the Barnett formula, and the Scottish Conservatives defended it.

Mr. Forth: I must bow to the hon. Gentleman's superior knowledge of what happened inside the Conservative Government. I seem to recall that I spent about nine years in that Government—albeit in the foothills and in a very humble role—but I do not recall a debate on the formula, which I wish had been held and resolved in the way that I should have preferred. However, perhaps that is history; we are now, properly, faced with a debate on allocating funds in the United Kingdom in the context of an imminent Scottish Parliament. That debate is being held against the background of the generally acknowledged fact that there is a difference in the moneys available from the Exchequer to people in Scotland and to people in England.

[Mr. Forth]

The common ground that has emerged in this very encouraging debate is on transparency. The hon. Member for Dundee, East (Mr. McAllion) and the hon. and learned Member for Orkney and Shetland (Mr. Wallace) have argued—I agree with them—that it is essential that we have a much better understanding of the origins and expenditure of funds in the United Kingdom, so that, regardless of what we decide to do in the future, our decisions will be based on an appreciation of, and broad agreement on, what is happening.

I support the belief expressed in the debate by hon. Members that the calculation should not necessarily be based on the rather narrow Barnett formulation but should be as wide as possible, and include matters such as agriculture and social security. I have no fear of that happening. As a London Member, I am very conscious that, for example, unemployment in London is now, regretiably, considerably higher than it is in Scotland. Therefore, the impression made in the debate of a deprived and exploited Scotland, which so desperately requires all that extra money, must be balanced with other realities.

I could make some very interesting comparisons between Greater London and Scotland—which have broadly similar populations—and between, for example, their expenditure and generation of tax revenues. You, Mr. Lord, and the Committee will be pleased to hear that I will not go into them now. The hon. Member for North Tayside (Mr. Swinney), however, mentioned capital projects. We all have thoughts one way or the other on those, but they are a reality and should also be factored into our analysis. Those matters form the context of the debate.

My spirits have been raised because of the concept of financial autonomy that was mentioned by the hon. Member for Falkirk, West (Mr. Canavan) and repeated by other hon. Members. If I properly understand the idea, I think that it is very attractive and may well form the basis of the way forward, and that it would receive surprisingly broad agreement. If the hon. Gentleman is proposing that a Scotland with its own Parliament, with all that that means in political and decision-making autonomy, is prepared to countenance raising and being responsible for spending its own revenues within the Scottish context, I welcome the proposal. It would be a very significant step forward.

I made a modest speech in our recent debate on an English Parliament—a matter on which I think that I can extend a hand of friendship to the Liberal Democrats. I believe that the debate that has been initiated on the Scottish Parliament and the Welsh assembly will inevitably have to be extended to resolving representation also in England, perhaps in a federal context.

I draw into the debate on an English Parliament and the developing constitutional arrangements—I am now very much availing myself of your generosity, Mr. Lord—the issue of what we should do with the other place. Although I will not say any more about that, because that is not what the Committee is considering, I believe that all those issues should be combined. The difficulty is that, until now, we have been asked to consider only purely and very narrowly the constitutional implications of a Scottish Parliament, without considering the other implications.

Sir Robert Smith (West Aberdeenshire and Kincardine): I think that the right hon. Gentleman's argument should lead him to support our amendments—which would create a temporary sense of stability while we sort out the other structures that he realises have to be changed, and propose how subsequently to make progress consensually.

Mr. Forth: I understand what the hon. Gentleman is saying and I hope that he does not want to divert me from this rarest of rare moments—I am in a conciliatory mood trying to hold out a hand of friendship to hon. Members on both sides of the Committee. My right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) appears alarmed at my new persona, but I can assure him that it will not last long.

I cannot accept the hon. Gentleman's suggestion, as I do not believe that it would be right to accept the Scottish Parliament on the basis that we accept one part of it and we will deal with the other problems later. If we do not take the opportunity to address the problems now, the moment will pass and we will find them difficult to resolve in the context of a new constitutional arrangement.

Mr. Dalyell: The right hon. Gentleman, who is extending a hand of friendship, also has the hand of friendship of *The Scotsman* leader writers. He and I attended the debate on the Friday when the hon. Member for Billericay (Mrs. Gorman) raised the issue. How would he propose that the revenue should be raised? Would it be on a purely Scottish basis?

6 pm

Mr. Forth: I must admit that my thinking on the matter is not fully developed, although the hon. Gentleman, as ever, raises an extremely important issue.

If we are to contemplate a federal approach—and we are discussing the establishment of regional Parliaments within a United Kingdom federal context—I assume that we will look to either the German or the United States model, where some revenues are raised for federal purposes and allocated to that, and others are raised within different areas and allocated to expenditure on that basis. That would be my starting point, and I assume that it is the basis on which we would seek to proceed. It would fit in well with what I understand to be the proposal by the hon. Member for Falkirk, West for what he described as financial autonomy.

I have described the basis of a way forward that would make the people of England feel much more content with the way in which matters are developing. I fear that, at present, there is a risk that when the people of England realise fully what is happening, and when the issue becomes more developed in their minds, there may be what could be described as an English backlash with English people saying, "Hold on a moment—the Scots seem to be getting everything their own way. They are getting a Parliament and the continuation of existing financial arrangements. Where do the English come into it?" I am trying to use the debate to move the argument forward in a more structured and positive way, broadening it out so that we can address the wider constitutional and financial contexts.

It would appear from what has been said today that that is more possible than ever it seemed in the past. That is why I feel more positive than I did just an hour or two ago. Obviously, I will support the amendments in the name of my right hon. Friend the Member for Devizes

(Mr. Ancram) and I hope that we will move the debate forward in that context. I hope that, having listened to the positive speeches that have been made, the Minister will respond in like terms and see whether he and the Government can find ways forward that will allow us to stay together on the issue and make progress without the dissent that otherwise might arise.

Mrs. Laing: I do not understand how any hon. Member on either side of the Committee can object to the insertion into clause 61 of the words:

"having first taken into account the needs of Scotland in relation to the needs of the United Kingdom as a whole".

It must be one of the most benign amendments ever proposed.

Throughout the debate on the Bill and previous debates on devolution during the past several months, the Government have assured us that devolution, the effect of the Bill and the formation of the new Scottish Parliament will benefit the entire United Kingdom. They have said that repeatedly, so why are they resisting the amendment, which clearly and simply states what they have suggested is already inherent in the proposed system of devolution—to take into consideration the needs of the United Kingdom as a whole?

Either the Bill and its consequences are good for the United Kingdom as a whole, in which case the amendment must be acceptable, or they are not, in which case the Government have been misleading those of us who represent parts of the United Kingdom other than Scotland.

I was not in favour of the Bill in the first place. Nor was I in favour of devolution. I was not in favour of a Scottish Parliament being founded in Edinburgh, but, as the Scottish people have spoken through last summer's referendum, I accept—as we all do—that what happens in the House must reflect the will of the people. I want the new Parliament to work. Perhaps it is special pleading—I do not want my constituents in Essex set apart from my friends and family in Scotland. I do not want the House to pass legislation that creates inherent conflicts between different parts of our United Kingdom.

However, the fact is that the proposed system of devolution will not work unless the inherent conflicts are at least reduced—if they cannot be obliterated. I do not believe that that is possible, but at least we can work in a sensible way to try to reduce the conflicts.

I agreed with the hon. Member for Dundee, West (Mr. Ross) when he described the conflict—

Mr. McAllion: It is Dundee, East.

Mrs. Laing: I am sorry. I am quite certain that I have never agreed with the hon. Member for Dundee, West and I am sure that he is delighted about that. However, today I agreed with the hon. Member for Dundee, East (Mr. McAllion) and I am sorry to insult him by saying that. What he said about the conflicts inherent in the system was absolutely correct.

Mr. McAllion: Just for the sake of my own record, the hon. Lady has obviously misunderstood me, as I certainly do not agree with what she has just said. I was arguing that the Barnett formula would prevent the conflict from taking place. It is the hon. Lady who is arguing that it should be removed.

Mrs. Laing: I appreciate that the hon. Gentleman wants to protect his reputation from my agreeing with him, but I was not saying that. I was saying that if the Committee is acting in the best interests of the entire United Kingdom, no one can possibly object to the amendment.

The hon. Member for Linlithgow (Mr. Dalyell) will be less concerned by the fact that I agree with him. He said quite clearly that when the two Parliaments are up and running and try to decide the annual allocation of taxpayers' money, there will be no chance of their reaching an amiable solution. Of course that must be correct. We know already that Government Departments do not reach amiable solutions, even though they are headed by Secretaries of State who are all colleagues in the Cabinet. They do not reach amiable solutions; they spend weeks arguing about which Department should have the greater part of the available public spending. As that is already inherent in the system, how much more will it be the case between the Parliament here in Westminster and the Parliament in Edinburgh?

We have already referred to the report issued by the Treasury Select Committee after it discussed the Barnett formula. It stated:

"There may be good reasons why this formula should continue to be used in the future as it has for the last 20 years, but it is an argument that cannot finally be settled until it is clear that total expenditure, not just the increase, is still being allocated according to relative need. It is important that there should be maximum possible agreement on this in all parts of the UK."

As almost everyone agrees with that, why are the Government resisting an amendment which would simply require the needs of Scotland to be considered in relation to the needs of the United Kingdom as a whole?

As a Member of Parliament, I consider myself a representative of the United Kingdom as a whole. Whatever our allegiances to Scotland, to Essex or to anywhere else, we should all act in the best interests of the United Kingdom as a whole. The dangers of not doing so are considerable.

The Government have said time and again that devolution will safeguard and strengthen the Union. They have used that argument against the Scottish National party Members, who do not want the United Kingdom as a whole to be strengthened. That is fair enough; it is the position on which they were elected. However, the rest of us were elected to safeguard the United Kingdom.

As the Government say that devolution will strengthen and safeguard the Union, they must believe that an amendment that would require the Secretary of State to consider the needs of the whole of the United Kingdom can only be right. By rejecting the amendment, they risk creating the conflicts that the hon. Members for Linlithgow and for Dundee, East so eloquently outlined. As the Government are taking no action today to iron out some of those conflicts, the danger is that the proposed system of devolution will not work and the conflicts that are inherent from the start will increase.

If the system does not work, we shall slide further down the slippery slope to self-government for Scotland. Neither I nor other Conservative Members want that to

[Mrs. Laing]

happen. If the Government do not want it to happen, they can have no reason for rejecting an amendment which would be in the best interests of the United Kingdom as a whole. If they want to protect the Union, they cannot argue against the amendment.

Mr. Desmond Swayne (New Forest, West): I shall reflect briefly on what I regard as the inadequacy of the debate. I wanted to explore some of the ideas of the hon. Members for Falkirk, West (Mr. Canavan) and for North Tayside (Mr. Swinney), but we are precluded from doing so by the limitations imposed by the pre-legislative referendum that both hon. Members supported. The Scottish people were told that financial autonomy was not on offer, so it would be improper to introduce it—although amendments Nos. 77 and 78 represent a manful attempt to do so.

I refer briefly to amendments Nos. 304, 291, 309 and 293. I support the view of my hon. Friend the Member for Epping Forest (Mrs. Laing) that these are elementary questions, although I intend to take rather less time in saying so. I disagree with her in one small respect—her belief that, as Members of Parliament, we should be ambassadors. Our role is not as ambassadors. If she were to refer to Edmund Burke, she would realise that the House of Commons is a deliberative assembly, and not a mere congress of ambassadors.

It is outrageous to be told by the hon. Member for Falkirk, West that the question of financial autonomy was settled by the Scottish Constitutional Convention. That is an insult to my constituents, who were not involved in that process at all.

The clause states:

"The Secretary of State shall from time to time make payments"

of such amounts as he may determine. That is ridiculous. Given that we are creating a democratically elected institution which will be responsible for disbursing funds, it is vital that we accept amendments Nos. 292 and 295, which would ensure that such payments were made at least once a year and that the Secretary of State could not unilaterally, without reference to the Scottish Parliament, change the amounts to be paid.

6.15 pm

Mr. Robert Syms (Poole): In a unitary state—as the United Kingdom has been until now—it is inevitable that some areas will be winners and some will be losers in the distribution of resources. Most hon. Members will accept that. They can look across the Chamber and see other hon. Members whose constituencies perhaps receive a different deal, but who have been elected to the House on an equal basis.

The Bill will change the relationships within the United Kingdom; it would have little point if it did not. However, it is silent on the question of money. It presumes that the Barnett formula will continue to apply in some fossilised form. As my right hon. Friend the Member for Devizes (Mr. Ancram) said, we cannot debate devolution without debating resources. Money will be an issue in Scotland and, as time goes by, in England.

From what I have heard in the Committee's consideration of this Bill and of the Government of Wales Bill, I believe that expectations of what the new constitutional arrangements will bring are unrealistically high. All hon. Members have their favourite cause, believe that there is a pot of gold or have a shopping list but, as the Bill stands, they will be let down.

Money is a critical question. In the years to come, it will be a major subject of debate, and perhaps disagreement, between parts of the United Kingdom. It is not unreasonable to require, as amendment No. 304 would, the Government to use a needs-based formula. No one is presuming an outcome from such a formula.

I am sure that it will be recognised that, as the hon. and learned Member for Orkney and Shetland (Mr. Wallace) said, many of the communities north of the border, especially in the far north and in the central belt, have real needs. We must deal with the matter of money. The Bill is silent about it, but I believe that we shall have to debate it for many years to come.

Another critical point will be the relationship between Westminster and the Scottish Parliament. We have heard much about concordats but, as my right hon. Friend the Member for Devizes said, we do not know whether they will be between Westminster and the Scottish Parliament or between the Government and the Scottish Executive, whether they will be public or private, or whether the House of Commons will debate them. To make any constitutional arrangement work—we do not want disagreement—the worst case scenario has to be tested, but I do not believe that the Bill does that in terms of the relationships within the United Kingdom.

Money will be critical. There are high expectations north of the border. As we shall debate later, the Parliament will be limited to raising income tax by 3p in the pound, which may raise £400 million or £450 million. Local government will be affected, as it is a major area of expenditure, and there may be a great temptation to top-slice. Under the Bill, the levying of business rates will be wholly within the competence of the Scottish Parliament.

I do not believe that the arrangements under the Bill would provide a sound basis for the future. There will be great disagreement north of the border, particularly as local government is squeezed, and there will be debates in this Chamber between England, Scotland, Wales and Northern Ireland over the way in which resources are farmed out. It is critical to debate these matters and I wish that the Government would tackle them now. If they are not dealt with now, they will come back throughout this and future Parliaments.

In the past, it would often have been best if we had reformed local government—I know that we are talking of a different animal today—and local government finance at the same time. All previous Governments have tried to avoid doing so, which has caused great difficulties. The Bill sets up a new constitution and, if we do not tackle the questions of money, needs and grants, they will be a running sore for many years to come.

Mr. Dominic Grieve (Beaconsfield): It is abundantly clear from the range of amendments tabled that, irrespective of which positions parties or hon. Members have adopted, there is anxiety over the way in which the Bill will operate in practice. Clearly, the matter can be approached in a number of different ways. For once, the way proposed by the Scottish National party has a

certain logic, albeit that if it were introduced, it would effectively mean financial separation and it would cause a ratchet of further problems.

As a Unionist, I believe that we stand and fall together financially. I have always supported the notion that those parts of the United Kingdom that need more financial support should receive it. It really does not matter a bean whether that is the north of Scotland or Wales. As I see myself as a citizen of the United Kingdom, it is right and proper that that should be done.

The difficulty with the Government's approach is that they are burying their head in the sand in terms of the changes that will come about when the Scottish Parliament is set up and in terms of the aging of the Barnett formula in any event. Irrespective of whether a Scottish Parliament is set up, in years to come, that formula is bound to come in for further scrutiny in view of the way in which the United Kingdom is developing.

The amendment simply asserts the principle that all funding should take place on the basis of considering need throughout the United Kingdom. If the relationship between the Scottish Parliament and the Parliament here is to work—it has been my intention to further that relationship during this debate, whatever my anxieties about whether it can be made to work—it will have to set out on the basic premise that on each occasion in the coming funding year, the needs of the United Kingdom as a whole will have to be considered. The idea that that is a device by which Scotland is to be hammered over its financial settlement seems wrong.

Mr. Dalyell: We come back to the question: looked at by whom?

Mr. Grieve: That is a good question. The matter will have to be considered by the Secretary of State and the Government at Westminster in co-operation with Scottish Ministers. Co-operation is implied. As the hon. Gentleman has said on so many occasions, this Bill depends entirely on good will and co-operation. Our anxiety about the legislation, which I know he shares, is that although co-operation and good will are delightful abstracts, in practice, they are often absent. The success of our constitution hitherto has been that it has never catered too much to good will, but it has catered to the realities of power in its distribution.

Mr. Alex Salmond (Banff and Buchan): I see the logic of the hon. Gentleman's position, but if we want to avoid that conflict either we should all accept the Barnett formula, as the two Front-Bench spokesmen have done, or we should accept the argument for fiscal autonomy put forward by the Scottish National party. The hon. Gentleman's argument will not resolve tensions. As soon as the issue is decided—whoever decides it—it will cause argument.

Mr. Grieve: Perhaps I expressed myself badly. If the Barnett formula is providing adequately for needs, let it continue. However, every time we discuss how much money should go to the block grant to Scotland, we should take into account the needs of Scotland in relation to those of the United Kingdom as a whole. We cannot get away from the principle, so it would be wise to restate it in the Bill. It might not help, but it would at least be a step in the right direction to set out what should be considered as the years go by.

The idea that there will not be discussion between Scottish Ministers and Westminster about funding seems unrealistic. Clearly, it is desirable that that should happen, as I am sure the hon. Member for Banff and Buchan (Mr. Salmond) would agree, even if he would prefer a system of fiscal autonomy.

If we are not to have fiscal autonomy, I endorse the amendment. At least it goes some way to spelling out the principles on which people should approach the problem as they will come across it year in and year out.

Mr. McLeish: We have heard some thoughtful and good contributions from both sides of the Committee but, in characteristically robust fashion, the right hon. Member for Bromley and Chislehurst (Mr. Forth) interjected the question of the English backlash. That may be some people's perception, but it is no context for a mature Parliament to discuss a major constitutional change. If we end up with a Scotland-England debate, we shall all lose out. For the benefit of the Committee, we should approach all these issues as most hon. Members have done. Let us not recreate a situation in which, perceived or real, an anti-English or anti-Scottish backlash is being fomented in the Committee. That simply is not useful.

Mr. Wallace: Does the Minister agree that as 15 English Members at most have been present out of 530 or so, that does not suggest that there is much of a backlash?

Mr. McLeish: Hon. Members on both sides who have attended have contributed and that is important.

The amendments focus on the funding arrangements for the Scottish Parliament. They break down into five groups, which I will consider in turn. The first group comprises amendments Nos. 309, 293, 295 and 86 and is concerned with relating the size of grant that Scotland gets from the UK Government to the country's needs.

The argument of the right hon. Member for Devizes (Mr. Ancram) seems to be that only by linking the grant to need will some kind of protection be offered which will prevent the future erosion of Scotland's level of funding. Amendments Nos. 309 and 86 would make it a statutory obligation for the amount of grant paid over by the UK Government to the Scottish Consolidated Fund to be based on Scotland's needs relative to the rest of the UK. I have no argument with that principle. However, the amendments are unnecessary because in practice, under the long-standing system of public expenditure distribution that operates throughout the UK, resources are already allocated on the basis of relative need. That principle applies not only to money allocated to Scotland, Wales and Northern Ireland, but across the whole spectrum of public spending. We have no plans to depart from that fundamental public expenditure principle.

It follows that amendment No. 293, which would place an obligation on the Secretary of State to report to the House that the grant that he was proposing to make was based on relative need, is also unnecessary. Furthermore, the House will already have had the opportunity to consider the level of any proposed grant in the context of its scrutiny of the annual estimates.

[Mr. McLeish]

Amendment No. 295, which would impose on the Secretary of State an obligation to consult the Scottish Parliament and various bodies before deciding the amount of grant, is also unnecessary and inappropriate. The grant figure will be derived from the assigned budget, which will in turn be calculated in accordance with the block and formula rules. Those will have been published and so the process will be both public and essentially mechanistic. It is precisely to minimise the need for potentially controversial annual negotiations that we have decided to continue with the block and formula arrangements. A requirement to consult at this stage in the process would be at odds with that general approach, although I would fully expect the Scottish Parliament to consult widely about its proposals for allocating the resources available to it.

The second group, amendments Nos. 77 and 78, would change the funding arrangement for the Scottish Parliament and Scottish Administration from one based on current arrangements and involving payment of grant by the UK Government into the Scottish Consolidated Fund to one based on assigned revenues. These amendments propose that Scottish Ministers should be responsible for making payments from the assigned revenues to central Government for provision of services in Scotland relating to reserved matters. A system based on these amendments would involve a significant move away from one of the main principles underlying public finance in the United Kingdom—that Government expenditure should be based not on where taxes are raised, but on where the demand for services is.

Another reason for opposing amendments Nos. 77 and 78 is that, based on the figures for 1995–96—the latest year for which data are available—they would result in Scotland receiving substantially less than under the existing system. Such a settlement would be unfair, because it would not properly reflect Scotland's relative needs. Given the scale of the discrepancy, I do not foresee the situation changing significantly. To ensure the level of funding needed for the provision of services in Scotland, a system would be required to top up Exchequer revenues with a grant from the Westminster Parliament. That would be a retrograde step in comparison with the arrangements proposed in the Bill, introducing complication and uncertainty, and moving away from a tried and tested system. It would be the worst of all worlds.

6.30 pm

The third group of amendments in this selection is amendments Nos. 111 and 112—with amendment (a)—and new clause 12. They would give statutory effect to the Barnett formula and make provision for its review. I fully appreciate the sentiment that lies behind the amendments, so I shall not point out their weaknesses. However, they are misdirected in principle. I hope that I can persuade those who have tabled them not to press them. The aim is to reinforce the Government's commitment to continuing with essentially the same funding arrangements for the Scottish Parliament and Administration as currently apply to the funding of the functions of the Secretary of State for Scotland.

The funding arrangements proposed in the White Paper are intended as a continuation of the existing administrative arrangements, which have served successive Governments well for almost 20 years. As I have said, we are committed to publishing the detailed rules that will continue to govern the allocation of resources to the Scottish Consolidated Fund. We have already published the principles underlying those rules. Any Government wanting to change the rules will have to do so openly and justify their position. We shall publish the rules.

Mr. Wallace: As I said in my speech, I do not question the good faith of this Government. Does the Minister accept that a key test is how such provisions might be exercised by a Government less well disposed to the success of a Scottish Parliament? He says that they would have to publish details of any changes and take the political flak. Amendment No. 112 would involve the Scottish Parliament before any change was made. Why does he not insert some parameters that would prevent a Government with less commitment to a Scottish Parliament from having a blank cheque?

Mr. McLeish: We have seen different Governments over the past 20 years with different views about the allocation of the block and the formula. We feel that the current arrangement will endure. We hope that it is in the best interests of the Scottish Executive and the Westminster Government to come to sensible agreements. It is an enduring and successful arrangement that has worked for 20 years. It offers the best prospects for moving forward.

Mr. Dalyell: Before my hon. Friend leaves the issue of sensible arrangements, may I return to a question that I have asked previously? I find it hard to understand how continued membership of the home civil service would work. Will the head of the United Kingdom civil service, Sir Richard Wilson, have the right of recommendation, or any other say, in senior appointments? Is there still to be a right of approach to him? Are the terms and conditions of service still to be Whitehall-controlled? I know that those questions relate partly to clause 47, but in Treasury negotiations, they are of central importance.

Mr. McLeish: My hon. Friend may recall that when the issue was raised previously, I said that I would write to him. The central issue is that there will be a unified civil service. The current situation will endure into the new settlement.

An administrative arrangement offers significant advantages over statutory provision, particularly in flexibility and adaptability. Those advantages significantly outweigh any theoretical protection that might be provided by giving statutory backing to the Barnett formula or any other aspects of the Scottish Parliament's funding arrangements.

I offer my hon. Friends the Members for Dundee, East (Mr. McAllion) and for Falkirk, West (Mr. Canavan), who tabled amendment (a) to amendment No. 112, the assurance that, as we said in the White Paper, any review of the funding arrangements would need the full involvement of the Scottish Executive and the United Kingdom Government. We are committed to a fair, acceptable, efficient and effective system for funding the

Scottish Parliament. We have made it clear that the Barnett formula is to continue, subject to annual updates to reflect shifts in relative populations—an appropriate arrangement given that the Barnett formula is population based. Population estimates are produced annually.

On a more technical level, amendment No. 292—which constitutes the fourth group of amendments—appears to be aimed at imposing a timetable on the payment of grant by the Secretary of State. It seems reasonable, but it is unnecessary. The detailed arrangements on the timing of payments into the fund by the Secretary of State out of money provided by Parliament will be for agreement between the Secretary of State and Scottish Ministers. There is no need for prescription in the Bill. I hope that the right hon. Member for Devizes will not press the amendment.

Mr. Ancram: I am grateful to the Minister for giving way. I know that he is rushing through his speech to finish in time. He is talking about agreement. I asked him several questions about concordats and agreements. Will the agreement that he is talking about be subject to concordat? Will he answer some of my questions about concordats? This is an important issue.

Mr. McLeish: The grant will not be covered by any concordat. We believe that the principles and the rules surrounding Barnett will be sufficient. We want to ensure that any concordats—I am going wide of the issue—are non-statutory and as public as possible. Such arrangements will be between the Scottish Executive and the UK Government, when the Scottish Executive is established.

The final amendment—No. 294—is difficult to fathom. It would strike out subsection (6), which requires Scottish Ministers to make payments to the Secretary of State in respect of certain receipts. It should be resisted.

I suggest that the lead amendment should be withdrawn and that the others should not be pressed. If not, I ask the Committee to vote them down.

Mr. Ancram: We have had an important and far-reaching debate on an important and far-reaching subject. I welcome the fact that so many hon. Members have spoken. I found the Minister's answers disappointing. I said that amendment No. 294 was probing, tabled so that he could explain a provision that I did not understand. He said that he found the amendment difficult to understand. I hope that we can return to that, because it is important.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) was right to try to set the issue in a broader context. One of the difficulties that we have on constitutional reform is that the Government are approaching it piecemeal. I agree with my right hon. Friend that we should have a more comprehensive approach.

I am also grateful to my hon. Friends the Members for Epping Forest (Mrs. Laing), for New Forest, West (Mr. Swayne), for Poole (Mr. Syms) and for Beaconsfield (Mr. Grieve). They strongly supported our amendment and reinforced my initial arguments. Our amendment is constructive. The principle was accepted by almost everyone who spoke except the Minister. I am disappointed that, once again, his reaction to a constructive amendment was resist, resist, resist because it looks weak to do otherwise. I had hoped that such a constructive amendment would be given greater consideration—if only a promise by the Minister to go away and look at it and perhaps come back with an alternative. I am sorry that he did not.

It is depressing that so few Scottish Labour Members felt that the issue was of sufficient importance to attend the debate. One or two faithful Scottish Labour Members have been present, but the majority of them were nowhere to be seen. The issue will affect all their constituents.

Mr. Canavan: What about the Scottish Tory Members?

Mr. Ancram: If there were Scottish Tories, they would have contributed to the debate. They would know that their constituents' prosperity depended on the issue. We have learnt from the empty Labour Benches what Scottish Labour Members think about the future funding of their constituencies. Labour Members from the north-east were not even seen. I suspect that the Whips were working hard to keep them away in case they embarrassed the Minister.

The Minister's argument is difficult to accept. He says that the current administrative arrangements have worked well for the past 20 years, so we should keep them in place. It is not as if things were not changing. The Secretary of State tells us that the whole devolutionary project is historic, fundamental and exciting, yet the Minister says that we need not put anything into the Bill because nothing will have changed. A lot will have changed. The main thing will be that instead of a partnership within the United Kingdom, under one unitary Government whose members can get together and share problems and the resources to solve them, we shall have two separate Administrations who will not necessarily see eye to eye. That situation is totally different from the present one and the Minister has failed to address that.

The Minister said that we should not move away from a tried and tested system, but we are moving away from a tried and tested constitutional system in the Bill by setting up a Scottish Parliament. Nothing on the financial side recognises that fact. Listening to him, I found no comfort on the points that I raised.

The hon. and learned Member for Orkney and Shetland (Mr. Wallace) underlined my case when he said that Scotland has special needs. If it does, let us have a needs relationship built into the statute so that it can be tested year on year to ensure that funds and resources are fairly produced. My right hon. Friend the Member for South Norfolk (Mr. MacGregor), with his enormous experience, was right. We are looking for a fair, transparent system which will avoid constant friction between a Scottish Parliament and the Westminster Parliament. That is the key to what we are discussing.

I do not expect the Scottish National party to join us in the Lobby tonight. It will not support any amendment likely to make the Scottish Parliament work. The nationalists want it to fail because that is how they can achieve their ultimate goal of an independent Scotland. If the amendment is constructive, they will not be with us.

If we wanted proof of future confrontations, we had only to listen to the speech of the hon. Member for

[Mr. Ancram]

Dundee, East (Mr. McAllion). He gave us an example, if we needed one, of what matters will be like unless something more is written into the Bill. He abused English Members; he was rude about them and insulted them. He told us that we did not understand Scotland. We heard the authentic voice of the confrontation that is going to come unless some safeguard is built into the Bill. I have heard nothing to justify withdrawing the amendment. On that basis, I ask my hon. Friends to support it.

Question put, That the amendment be made:—

The Committee divided: Ayes 113, Noes 304.

Division No. 169] **[6.41 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hayes, John
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Townend, John
Tredinnick, David
Tyrie, Andrew
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and Sir David Madel.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Ms Roseanna *(Perth)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Efford, Clive
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Fitzpatrick, Jim
Fitzsimons, Lorna
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Illsley, Eric
Ingram, Adam

Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr George *(NW Norfolk)*
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and Ms Bridget Prentice.

Question accordingly negatived.

Amendment proposed: No. 77, in page 26, line 4, leave out from 'shall' to end of line 6 and insert

'in respect of each financial year make payments into the Fund equalling the revenue raised by the Exchequer in Scotland and in the Scottish sector of the United Kingdom continental shelf.'.—*[Mr. Swinney.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 4, Noes 276.

Division No. 170] **[6.53 pm**

AYES

Cunningham, Ms Roseanna *(Perth)*
Ewing, Mrs Margaret
Salmond, Alex
Swinney, John

Tellers for the Ayes:
Mr. Andrew Welsh and Mr. Alasdair Morgan.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Begg, Miss Anne
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Caplin, Ivor
Cassale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cryer, John *(Hornchurch)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Efford, Clive
Ennis, Jeff

Etherington, Bill
Fearn, Ronnie
Fitzpatrick, Jim
Fitzsimons, Lorna
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Truswell, Paul
Turner, Dr George *(NW Norfolk)*
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Winnick, David
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Ms Bridget Prentice and
Mr. David Jamieson.

Question accordingly negatived.

Mr. Dalyell: I beg to move amendment No. 81, in page 26, line 6, at end insert—

'(2A) No such payment as is mentioned in subsection (2) shall be made in respect of any financial year unless prior to the commencement of that financial year—

(a) the Scottish Executive has submitted to the Secretary of State a report containing the Executive's detailed expenditure plans for the financial year in question, and—

(b) the Secretary of State has laid the report before the House of Commons at least ten sitting days before any motion is made in that House for the approval of a grant of Supply authorising the payment.'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following: Amendment No. 83, in page 26, line 6, at end insert—

'(2A) The Secretary of State shall not make a payment under subsection (2) if at any time when such a payment would otherwise fall due he is not satisfied that the Scottish Executive has established, or is maintaining, proper arrangements for financial scrutiny and auditing of accounts in accordance with sections (*Financial control, account and audit*), (*Accounting officers*) and (*Arrangements for independent audit of accounts of Scottish Executive*).'.

Amendment No. 242, in page 26, line 6, at end insert—

'(2A) No payment shall be made under subsection (2) unless the Secretary of State is satisfied that appropriate rules have been made under section 66(1) for each of the purposes described in that provision.

(2B) No payment shall be made under subsection (2) unless—

(a) the Scottish Executive has submitted to the Secretary of State a report containing particulars of the expenditure proposals to which the payment relates, and

(b) the Secretary of State had laid the report before the House of Commons at least ten sitting days before any motion is made in that House for the approval of a grant of supply out of which the payment is to be made.'.

Amendment No. 296, in clause 62, page 26, leave out lines 33 and 34.

Amendment No. 297, in page 26, line 36, at end add—

'(4) The total sums which the Scottish Parliament proposes to pay out of the Fund in any financial year shall not exceed the sums expected to be paid into that fund for the same financial year.'.

Amendment No. 257, in clause 66, page 28, leave out lines 13 and 14 and insert—

'(3) Standing orders made under Paragraph 4 of Schedule 3 shall provide that a committee shall be appointed with the function of considering accounts and reports laid before the Parliament in pursuance of subsection (1)(e) and that—

(a) that committee may not delegate its functions to another committee or sub-committee,

(b) no member of the Scottish Executive may be a member of that committee, and

(c) the person chairing that committee may not be—

(i) a person representing a party of which any of the Scottish Ministers are members, or

(ii) if each of the parties in the Parliament have one or more of the Scottish Ministers as a member, a person representing the party of which the First Minister is a member.'.

Amendment No. 244, in page 28, line 17, at end add—

'(5) Rules made for the purposes of subsection (1) shall provide for—

(a) accounts prepared under paragraphs (a) and (b) of that subsection to comply with any directions from time to time given by the Treasury as to the form of the accounts, the information to be provided in them and the general practices and principles to be observed in their preparation, and

(b) the designation of accounting officers accountable to the Parliament for the expenditure to which the accounts relate and the specification of their responsibilities.

(6) The Act of the Scottish Parliament by or under which the rules referred to in subsection (1) are made shall make provision that, if the Treasury so direct, those rules and the functions under subsection (2) shall, to such extent and with such modifications as the direction concerned may provide, apply to any body established by an enactment or subordinate legislation and specified in the direction in relation to which it is within the legislative competence of the Parliament to make such provision.

(7) The Act of the Scottish Parliament by or under which the rules referred to in subsection (1) are made shall make provision for the independent person referred to in subsection (1)(c)—

(a) to be appointed by Her Majesty on an address presented by the Parliament, and

(b) to be removed by Her Majesty before the end of the period for which he was appointed only on an address presented by the Parliament approved by a resolution passed by at least two thirds of the whole number of its members.

(8) The Act of the Scottish Parliament by or under which the rules referred to in subsection (1) are made shall make provision for the independent person referred to in subsection (1)(c) to prepare for each financial year estimates of the income and expenditure of his office and for those estimates to be considered by the Parliament or one of its committees or subcommittees.'.

Clause 66 stand part.

New clause 3—*Financial control, accounts and audit*—

'(1) The Scottish Executive shall, for each financial year, prepare accounts in accordance with directions given to it by the Treasury.

(2) The directions which the Treasury may give under subsection (1) include directions to prepare accounts relating to the financial affairs and transactions of persons other than the Scottish Executive.

(3) The directions which the Treasury may give under subsection (1) include, in particular, directions as to—

(a) the financial affairs and transactions to which the accounts are to relate,

(b) the information to be contained in the accounts and the manner in which it is to be presented,

(c) the methods and principles in accordance with which the accounts are to be prepared, and

(d) the additional information (if any) that is to accompany the accounts.

(4) Any accounts which the Executive is directed under this section to prepare for any financial year shall be submitted by the Executive to the Comptroller and Auditor General no later than five months after the end of that financial year.

(5) The Comptroller and Auditor General shall—

(a) examine and certify any accounts submitted to him under this section, and

(b) no later than four months after the accounts are submitted to him, lay before both the Parliament and the House of Commons a copy of them as certified by him together with his report on them.

(6) In examining any accounts submitted to him under this section, the Comptroller and Auditor General shall, in particular, satisfy himself—

(a) that no expenditure to which the accounts relate has been incurred unlawfully or otherwise than in accordance with the authority which governs it, and

(b) that money received by the Executive for a particular purpose or particular purposes has not been expended otherwise than on that purpose or those purposes.

(7) Where—

(a) by virtue of any enactment other than this section the Executive is under an obligation to prepare accounts dealing with any matters, and

(b) it appears to the Treasury that those matters fall to be dealt with in accounts directed to be prepared under this section,

the Treasury may relieve the Executive of that obligation for or in respect of such periods as they may direct.

(8) A reference in this section to the Comptroller and Auditor General may be construed as a reference to such person as he may appoint to exercise on his behalf the specific functions in relation to the accounts of the Scottish Executive which are set out in this section.'.

New clause 4—*Arrangements for independent audit of accounts of Scottish Executive*—

'.—(1) The Standing Orders of the Parliament shall provide for the establishment of arrangements, supervised by an independent person, for—

(a) the scrutiny of the accounts of the Scottish Executive,

(b) the carrying out of examinations into the economy, efficiency and effectiveness with which the Scottish Ministers and the Lord Advocate have used their resources in discharging their functions, and

(c) the carrying out of examinations into the economy, efficiency and effectiveness with which other persons determined under rules approved by the Parliament to whom sums are paid out of the Fund or by the Scottish Ministers have used those sums in discharging their functions.

(2) Standing orders shall also provide for the consideration by the Parliament, including by any Committee appointed for that purpose, of accounts laid before it in pursuance of section (*Financial control, accounts and audit*).

(3) For the purposes of this section, a person is independent if he is not subject to the direction or control of any member of the Scottish Executive or of the Parliament in exercising that function.'.

New clause 5—*Accounting officers*—

'.—(1) The Treasury shall designate a member of the staff of the Scottish Executive as the Executive's principal accounting officer.

(2) The Executive's principal accounting officer shall have in relation to the Executive's accounts and finances the responsibilities which are from time to time specified by the Treasury.

(3) The Treasury may designate other members of the Executive's staff as additional accounting officers.

(4) An additional accounting officer shall have in relation to the Executive's accounts and finances such responsibilities as may be specified in the instrument by which he is designated.

(5) The responsibilities that may be specified under this section in relation to the Executive's accounts and finances (or any of them) include in particular—

(a) responsibilities in relation to the signing of accounts,

(b) responsibilities for the propriety and regularity of the Executive's finances, and

(c) responsibilities for the economy, efficiency and effectiveness with which the Executive uses its resources.

(6) The responsibilities which may be specified under this section include responsibilities owed to—

(a) the Parliament or any committee appointed by it to scrutinise the accounts of the Executive, or

(b) the House of Commons or its Committee of Public Accounts,

and in the case of an additional accounting officer include responsibilities owed to the Executive's principal accounting officer.'.

Amendment No. 80, in schedule 7, page 85, leave out lines 16 to 21.

Amendment No. 246, in page 85, leave out lines 17 to 21 and insert—

'10. In section 6 of the National Audit Act 1983 (value for money studies)—

(a) after paragraph (c) of subsection (3) there is inserted—
"(ca) the Scottish Executive and any other persons to whom sums are paid out of the Scottish Consolidated Fund; and", and

(b) after subsection (4) there is inserted—

"(4A) No examinations should be carried out under this section by the Comptroller and Auditor General pursuant to subsection (3)(ca) unless he has consulted the independent person referred to in section 66(1)(c) of the Scotland Act 1998 and he has taken into account any relevant work done or being done by that person".'.

Mr. Dalyell: Amendment Nos. 81 and 83, which I have also tabled, could be called the reduction of girning amendments, although I do not know whether that is a parliamentary term.

The reality is that in 1999, when my right hon. Friend the Secretary of State for Scotland goes off to Holyrood, accompanied by the hon. Member for Banff and Buchan (Mr. Salmond), they and the Ministers at Holyrood, indeed every Member of the Holyrood Parliament, will soon come to regard the main function of those of us, their former colleagues, who are left at Westminster, to be to pursue one purpose above all others. In their eyes, that purpose will inevitably be to get more lolly, more money, from the Treasury. In the eyes of all Holyrood Members of Parliament, any other function that those of us who are left here may have will be minuscule compared with that one basic task. That is the reality of the matter.

Mr. Salmond: I am sure that the hon. Gentleman will concede that I would have another task in mind that went beyond getting more lolly, as he put it, out of the Treasury. From his remarks, I assume that he does not intend to stand for the Holyrood Parliament. The *Linlithgowshire Journal and Gazette* asked me about his intentions just last week and I was unable to answer that question. Can he confirm that he will not be a candidate for the Scottish Parliament?

Mr. Dalyell: The *Linlithgowshire Journal and Gazette* has been told 15 times that there is no question of that. In the first place, no one is going to select me, so there is a certain finality about that.

The serious point about the amendments is that they represent an attempt—frankly, Sir Alan, I admit to you that it is a futile attempt—to limit the consequences of girning. In case there is any difficulty about that word, it means to complain, complain and complain. That will be our function. A difficult and potentially dangerous and divisive situation could be created when one has a block of people whose function above all others is to complain and ask for more and more and more—a begging bowl in excelsis.

I note that the hon. Member for Banff and Buchan, who is the leader of the Scottish National party, is smiling. He is in the position of the cat that swallowed the cream; I am in the position of the skunk that farted at the garden party.

The probing amendments have been tabled to ask what will be done about the unsatisfactory situation that could create a division, according to which those Scottish Members of Parliament who are left at Westminster will be expected to get money and play a reduced part at this Parliament. That will be a difficult situation. If they do not get that money, they will be blamed for everything that goes wrong. It is in the nature of politicians that we do not like to blame ourselves—rather we find someone else, a scapegoat. In this case, the scapegoat will certainly be the ineffective Westminster Members who fail to produce the money with which Holyrood Members of Parliament can build roads, repair schools, build houses and fund local authorities. In that, there is a difficult, divisive situation.

I promised that I would be succinct, and so I shall be. I shall leave it at that.

Dr. Liam Fox (Woodspring): I shall speak to amendments Nos. 296 and 297. Amendment No. 296 is purely a probing amendment. By seeking to delete subsection (2)(b), we want to find out what expenditure would be covered by this provision that is not included in subsection (2)(a). Can the Minister give us specific examples?

The main purpose of the amendments is to deal with what the hon. Member for Linlithgow (Mr. Dalyell) described as the wedge clause. We have said time and again that expenditure would be the wedge that the nationalists would try to drive into the Scottish Parliament to divide Edinburgh from London. As soon as we started to debate the clause, the hon. Member for Banff and Buchan (Mr. Salmond) told us that that is exactly what they intended to do, and that they had a further objective—to divide the Scottish Parliament entirely from the United Kingdom. I know that hon. Members on the Government Benches do not want that, so I hope that the Minister will pay serious attention to the concept behind the amendment.

7.15 pm

Mr. Salmond: Surely the hon. Gentleman is not telling the Committee that that is a blinding revelation to him about the Scottish National party's aims and objectives. It is the first item on every SNP membership card. I cannot believe that the hon. Gentleman became aware of it only this evening.

Dr. Fox: No, I have always been perfectly aware of that, but during the referendum, when voters in Scotland saw the hon. Gentleman on the platform with the Secretary of State supporting his White Paper, which stood for devolution within the Union, a few of them might have thought that he was being, at best, a little disingenuous in campaigning for that, when he obviously had something utterly different in mind. Although he had made that explicit beforehand, I wonder how many voters were caught on the hop.

The concept of a balanced budget is important. It is a discipline that should be brought into a Scottish Parliament from the outset. We all understand the concept from our own lives, even if we do not always manage to achieve a balanced budget, as we realise when the credit card bills come in. The Government make great play of the attempt to get back to budget balance, and all western Governments are trying to achieve it, to make sure that debt is not piled up and passed on to subsequent generations. The Government are making great progress with that, thanks to the healthy revenues from taxation that they are receiving as a result of the successful economic policies that they inherited from the Conservatives.

As we have argued on many occasions, we want to minimise the potential points of friction when the Parliament is set up. The Secretary of State has said repeatedly in Committee that we must consider the worst case scenario. We must prepare ourselves in advance for the tactics that will be employed by those who will seek to break up the Union by using the expenditure wedge.

In the 1980s, we saw Militant Tendency members from the pre-Thatcher unreformed Labour party setting illegal budgets in Liverpool, Bristol and other places, which they knew that they could never finance, and expecting central Government to bail them out, as a way of creating friction between local and central Government. They left huge debts behind. There are councils in the United Kingdom that have bigger debts than some small third-world countries.

Can the Committee imagine how much more dangerous such friction would be with a nationalist complexion? London would be blamed for the financial shortcomings of an Edinburgh Parliament. Some of those who stand for the Parliament will make promises that they know cannot be fulfilled within the expenditure limits that the Government have set themselves, and which they will surely therefore set a Scottish Parliament. When those objectives cannot be realised and disillusionment sets in, the politicians in the Edinburgh Parliament will not get the blame. As the hon. Member for Linlithgow said, politicians seldom blame themselves—in the six years that I have been in the House, I do not remember once hearing a politician blaming himself for anything.

People in Scotland will not blame the actions of the Edinburgh Parliament. They will blame this House. It will be London's fault. The tight purse-strings being held by this place will be blamed for the problems that fall on the Scottish Parliament. That is the wedge that will be used to destroy the United Kingdom. We cannot rule out that situation entirely, but we can build into the Bill the concept of budget balance, as amendment No. 297 sets out.

Budget balance is a good discipline, which the Government try to apply to themselves. It will be easier to achieve, because some of the functions that tend to run away with public expenditure will not be the responsibility of the Scottish Parliament. It will mean that debt is not passed on to future Parliaments and future generations.

I urge the Minister to take seriously the threat that is posed. He heard the leader of the Scottish nationalists say that they have a further objective. I urge the Minister not to give them that opportunity.

Mr. Welsh: The hon. Gentleman is advancing a strange argument. He is arguing for local government prudence and balancing budgets. May I point out that Scottish National party-controlled councils have the best record of financial prudence anywhere in Scotland? I recommend him to examine SNP-controlled Angus. The hon. Gentleman speaks of balanced budgets, but his own Conservative party doubled the UK state debt when it was in power.

Dr. Fox: Of all the Members in the House, the hon. Gentleman has the most attractive way of presenting a red herring. The councils are not trying to break away from the rest of local government in Scotland, but the nationalists do intend to break the Scottish Parliament away from the rest of the United Kingdom. That is the essential difference. They will use every means at their disposal, and I urge the Minister not to give them the one weapon that they seek above all else: to raise expectations that cannot be funded. The Secretary of State has said several times that we must prepare for the worst case scenario. I urge him to accept the amendment to prevent that occurrence.

Mr. David Davis (Haltemprice and Howden): One of the great treasures of the House is the Members who pursue a course of courageous individualism. I have crossed swords with the hon. Member for Linlithgow (Mr. Dalyell) on open government, science, foreign policy and public services, but as he follows that course of courageous individualism, it is a great pleasure to support him today and to support his arguments, which apply equally to the amendments tabled by me. I disagree with nothing that he said.

The amendments in my name cover two important areas: the responsibilities of the United Kingdom Parliament, and the application of the proper principles of scrutiny in the Scottish Parliament. The amendments are largely self-explanatory, particularly as they are so long, so I shall concentrate on outlining the general principles involved in them.

I begin with the responsibilities of the UK Parliament. May I say at the outset that I want the Scottish Parliament to work. That is now necessary to the continued integrity of the United Kingdom. In the words of the Secretary of State, who is no longer with us, I want as far as possible a friction-free relationship between the House of

[Mr. David Davis]

Commons and the Scottish Parliament. A friction-free relationship, however, will not be advanced by withholding information from the United Kingdom Parliament. It will not be advanced by expecting Westminster to rubber-stamp the allocation of a large sum of money, with neither knowledge of its use nor confidence in its handling.

As I outlined in my Second Reading speech, this House is accountable to UK taxpayers for the money raised by taxes in the United Kingdom. That argument would not apply if the Government took the route of financial autonomy raised by the hon. Member for North Tayside (Mr. Swinney)—I told him that I would compliment him, and I hope that I have not done him too much damage—the hon. Member for Falkirk, West (Mr. Canavan), who is not with us, and my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). Each of them argued that if there was a Scottish tax base that the Scottish Parliament used, some of the problems that we are debating would not arise. I shall not alarm my colleagues on the Front Bench any more by going further down that line.

Dr. Fox: Hear, hear.

Mr. Davis: I might continue if my hon. Friend provokes me.

Because of the way in which the Government have chosen to finance the Scottish Executive, by a block grant from United Kingdom taxes, we are accountable for it. We should be clear about one thing. It is possible to delegate power, and we are doing that. It is also possible, with proper oversight, to delegate responsibility to a point. However, it is not possible to delegate final accountability. After all, accountability is a duty, not a right. Final accountability for the disposal of taxes lies inevitably with those who raise the taxes. Attempting to avoid that is not delegation, but abdication.

Clause 61 creates the Scottish Consolidated Fund and provides for the Secretary of State to pay the grant from the House into it. My proposed amendment requires the Secretary of State to be satisfied about the Scottish Parliament's accounting and auditing arrangements before he pays the grant. The Bill currently fails to make the Secretary of State accountable, in any meaningful sense, for the annual grant of more than £14 billion that he will pass to the Scottish Parliament.

Amendment No. 242 inserts subsection (2A), which restates a level of accountability that is consistent with devolution. It simply requires that the Secretary of State should satisfy himself that the Parliament has established adequate accounting and auditing rules as required by clause 66 of the Scotland Bill. If he is not satisfied, he must not pay the grant. That straightforward measure will ensure that the Scottish Parliament complies with the Bill's requirements on financial control, and it will hold the Secretary of State accountable to the House for that. It provides a minimum level of accountability for the £14 billion of United Kingdom taxpayers' money that is voted annually to the Scottish Parliament.

Mr. Dalyell: As a former member of the Public Accounts Committee—albeit a long time ago—I must ask whether that is also the opinion of the Comptroller and Auditor General.

Mr. Davis: Indeed it is. I made my speech on Second Reading after the Comptroller and Auditor General raised with me his concerns about several issues, which I then pursued. Although the arguments that I put on Second Reading and those that I deploy today are my responsibility, the Committee may assume that the Comptroller and Auditor General agrees with all the amendments standing in my name.

The proposed amendment moves some way towards, but is more indirect than, arrangements at Westminster and plans for the Welsh assembly. The second proposed amendment to clause 61 deals with the lack of information provided under the Bill to enable the House to reach a proper decision about the approval of the grant. Under the Bill as it is currently drafted, the House can be asked to vote blind on the annual grant to the Scottish Parliament, contrary to the practice for other expenditure. The House voted funds to the Scottish Office for 1997-98 on the basis of detailed Supply estimates comprising 10 votes and 73 line items. The Bill could reduce that detail to a single undifferentiated figure.

Amendment No. 242 would insert subsection (2B), which would remedy that by requiring the Scottish Executive to supply details of their expenditure proposals to the Secretary of State, who in turn would have to lay that information before the House. The Secretary of State could not pay the grant until that had happened.

I should point out clearly that the Bill does not allow the United Kingdom Parliament to control or direct the expenditure: it simply allows the House to know about it. The amendment is a minimum provision that would give the House some idea of how the Scottish Parliament proposes to use £14 billion of United Kingdom taxpayers' money, which it expects the House to vote to it. It mirrors, to a limited extent, existing arrangements in Westminster and the proposals for the Welsh assembly.

I reiterate: it will not help the relationship between Westminster and Edinburgh if the House cannot have confidence that the money it has allocated—for which it is responsible to the United Kingdom taxpayer—is being well spent. Without adequate powers of oversight, the United Kingdom Parliament will be spending its money blindfolded. That will create friction, not avoid it.

I refer now to the application of proper principles of scrutiny within the Scottish Parliament. Clause 66 specifies the limited framework of accountability and scrutiny that the Scottish Parliament must adopt.

Mr. Welsh: Is the right hon. Gentleman saying that Westminster will scrutinise Scottish taxpayers' money that is allocated by Scottish Members in a democratically elected Scottish Parliament? By demanding that accounts be sent to Westminster—I wonder how long that would take—and approved before the money could be spent, he would impose on a Scottish Parliament the same system

that the Fees Office imposes on Members of Parliament in this place. That is a ridiculous way to treat any self-respecting Parliament.

Mr. Davis: I am sorry that the hon. Gentleman has a problem with the Fees Office, but he has not listened to what I have said. I made it clear at the outset that if taxes were raised directly in Scotland—including hypothecated taxes—these issues would not apply. However, that is not the case: this is United Kingdom taxpayers' money. The hon. Member for North Tayside spoke earlier about the expenditure balance between England and Scotland. Most hon. Members understand only too well that the balance tips towards Scotland.

However, that is not the problem. The problem is that the House is being asked to allocate blind £14 billion—it may be rather more than that—in one block grant. That cannot be good for democracy or for the relationship between this place and the Edinburgh Parliament. I will give the hon. Gentleman one more chance.

Mr. Welsh: The previous Government admitted that the subsidy from Scotland to the United Kingdom was about £31 billion over 18 years. The right hon. Gentleman espouses the creation of a pocket-money Parliament. If all of Scotland's resources were available, it would make a big difference. The right hon. Gentleman wishes to impose a pocket-money Parliament and then demands that the House should retain control over that pocket money. That really is unacceptable.

Mr. Davis: The hon. Gentleman is pulling numbers out of the air from 20 years ago, when the oil revenues were much larger than they are now. As I have said before, the best estimate is between £2 billion and £6 billion—and I think that it is at the lower end of the scale. That does not matter. The hon. Gentleman is missing the point: we are talking about United Kingdom taxpayers' money. It would be a very different exercise if we were dealing with money raised from a Scottish tax base that went straight to the Scottish Parliament—as happens in federal authorities elsewhere, such as in the United States. That may be what the hon. Gentleman wants, but it is not what the Government have provided and it is not what we are dealing with tonight. The Committee must deal with the Bill as it is written.

Mr. Swayne: Does my right hon. Friend agree that it would have been useful to explore the issues of hypothecated taxes and Scottish taxpayers' money, but unfortunately that has been ruled out by the pre-legislative referendum, which the Scottish National party supported?

Mr. Davis: My hon. Friend is absolutely right. The last time he said that, SNP Members went pale—which rather makes his point.

Mr. Dalyell: I understand perfectly well—I have tumbled to it—why the hon. Member for Angus (Mr. Welsh) is so irritated. I would be equally irritated if I were in his position. Does not that bring us to the central conundrum of the entire Bill: the fact that the hon. Gentleman can use the phrase "a pocket-money Parliament" reveals volumes about the difficulty of having a subordinate Parliament in part, although only part, of a unitary state?

Mr. Davis: The hon. Gentleman is absolutely right, and this unique institution is flawed for precisely that reason. I am attempting to make a difficult entity work because, at the end of the day, I am committed to the United Kingdom, to open government, freedom of information and democracy—all of which are tied up in this equation.

Clause 66 specifies the limited framework of accountability and scrutiny that the Scottish Parliament must adopt. The Government's intention is that the Scottish Parliament will be largely free to devise its own audit and scrutiny arrangements. Clause 66 does little more than suggest the types of arrangement that the Parliament will be expected to devise. Amendment Nos. 257 and 244, again in my name, insert certain fundamental requirements that are currently missing.

7.30 pm

First, amendment No. 257 requires that the arrangements which the Scottish Parliament devises for the scrutiny of reports laid before it by the independent auditor should include the establishment of a committee that is not dominated by the Executive.

Secondly, amendment No. 244 requires that the accounting arrangements of the Scottish Administration should accord with best practice in accounting for and the control of UK Government expenditure.

Thirdly, the rules applying to preparation, audit and scrutiny, for the Scottish Parliament's Administration, should apply also to bodies funded by grants from the Scottish Executive.

Fourthly, the decisions on the appointment and dismissal of the auditor of the Scottish Parliament should be independent of the Scottish Executive. That is one of the most critical provisions in amendment No. 244.

Finally, the funding of the auditor of the Scottish Parliament should not be controlled by the Scottish Executive.

Those are not theoretical issues, nor are they problems confined to the governance of ramshackle regimes or dubious Governments. For example, to take the last issue of the control of the funding of auditors, in the 1980s the Danish Government cut the funding of their parliamentary auditor, leading to a constitutional uproar in Denmark, which eventually led its Parliament to put into effect a parliamentary audit Act almost identical to our own. That is the sort of problem that can arise as a result of the woolly definition of independence in the Bill.

The conditions that I have just outlined are the minimum for not just Westminster but the Scottish people to have absolute confidence in the financial probity of the Scottish Executive and Parliament. It is, for example, inconceivable that proper scrutiny arrangements would allow a scrutiny committee that was dominated by the Executive, or that the Scottish Executive should be allowed to control the Scottish Parliament's auditor by controlling his appointment, dismissal and funding.

The Government say that those are matters for the Scottish Parliament to decide. For the moment, let us put aside the fact that this is UK money that we are talking about. The Government should be clear. Either they are saying that the Scottish Parliament will put in place those minimum requirements, in which case the apparent freedom that it is exercising is illusory and we should properly deal with them here, or they are saying that they are willing to take the risk that it will not put in place such arrangements, with all the dangers that that involves.

[Mr. Davis]

We should remember that we are not simply legislating for the next few years, for the duration of some concordat, or for some other short period. The Scottish Parliament's institutional arrangements are supposed to be permanent. The Government may well in good faith expect the Scottish Parliament to implement similar scrutiny arrangements to those that operate in the House, but no one can predict how a future Scottish Executive, if so determined, might change the rules to hinder scrutiny of their actions.

One must also understand—this goes to the pocket-money Parliament argument, picked up so acutely by the hon. Member for Linlithgow—the unique pressure that could face a Scottish Public Accounts Committee. The Scottish Parliament will not raise its own taxes; it will be dependent on another institution for its funding—therefore, the action of exposing waste or corruption could place it in the peculiar position of saying, "We wasted this amount of money last year, but can we have some more this year, please?" That would be an invidious position.

Therefore, it is vital that those minimum safeguards are guaranteed, in the interests of the Scottish voter as well as of the United Kingdom taxpayer in general.

Even then, no legislation can ever be drafted to prevent the Scottish Parliament or Executive, if so determined, from hindering or constraining the proper audit and scrutiny of their affairs. The House still needs the protection of its own auditor, the Comptroller and Auditor General, having sufficient—I use that word carefully—access to be able to report independently to Westminster, should the need arise.

Mr. Dalyell: Does the right hon. Gentleman agree that in 1977, 1978 and 1979, if it had been possible to find legislation to cover this, those clever men, Bruce Millan and John Smith, would have found it, and those equally clever men, Sir John Garlick, Sir Michael Quinlan and their advisers, would certainly have found it? It eluded them all.

Mr. Davis: The hon. Gentleman again points up the problem of the structure. He is right in his allusion. I am trying to do what I can as a Member of the House and as Chairman of the Public Accounts Committee to influence the Government to go down a route that will make the legislation work as well as it can and ensure, in the Secretary of State's words, the most friction-free arrangement possible, in the interests of the United Kingdom and the people of Scotland.

Under the Bill, the Comptroller and Auditor General is denied access to the accounts, and he cannot work with the local auditor. Amendment No. 246 seeks to put that right. The aim is not to duplicate audit, nor to curb the actions of the Scottish Parliament's own auditor, his power, independence or range. The amendment is carefully crafted so that the objective can be achieved with a light touch, in co-operation with the Scottish auditor, and in such a way as to give great confidence to Members of this House of Commons and the Scottish Parliament in the disposal of the taxes that they have raised and for which they are accountable.

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): First, I declare an interest. As we are concentrating on the scrutiny and monitoring of financial arrangements within the new Scottish Parliament, I have to admit, more than anything else, that I am a Scottish chartered accountant. I am a member of the Institute of the Chartered Accountants in Scotland, the oldest accountancy body in the world, which establishes beyond reasonable doubt that the Scots are well able to account for their money and have an honourable and long tradition of so doing.

The Liberal Democrats broadly agree with the drift of the amendments as far as they go in establishing the principle that we should have adequate scrutiny. But we want to distinguish between proper scrutiny and imposing a financial straitjacket. In amendment No. 81 in the name of the hon. Member for Linlithgow (Mr. Dalyell) and amendment No. 242 in the name of the right hon. Member for Haltemprice and Howden (Mr. Davis) we see a straitjacket being imposed upon the new Scottish Parliament, essentially requiring some sort of pre-budgetary detailed explanation of where funds must go. People are entitled to say that that surely busts the principle of devolution. The Members of the Scottish Parliament should decide exactly that. Decisions on the financial amounts being passed to the Scottish Parliament should be for it, not this House of Commons.

Mr. Dalyell: I recollect a pleasant occasion at the Tait hall in Kelso during the referendum when that question was raised in a slightly different form. It is a genuine problem. How are people whose constituents are involved expected to vote extra moneys, perhaps—as under something like Barnett, although they may be reduced—to people over whom they have no financial scrutiny rights whatever, to the disadvantage of their constituents? That is testing human nature a bit far.

Mr. Moore: I remember the debate with the hon. Gentleman with some fondness. It was a busy hall in Kelso that night. Many Conservatives who probably were not out during the election campaign were certainly in evidence in the town hall on that occasion.

The House of Commons has, for a long time, predating my membership, debated the principles on which the new Parliament is to be established. Members of this House can have no difficulty in knowing that Scottish Members of Parliament will look after the money passed to them with some care and accuracy. We do not dispute the idea that information should be flowing back to this House; it is the manner and style in which it is done that we question. The idea that we should have a straitjacket and that the dead hand of the Treasury should still control what is going on in Scotland to the last tuppence ha'penny is not acceptable.

Dr. Fox: The whole point is that this is a devolved Parliament. The funding for it comes from all UK taxpayers through this House, and accountability for that expenditure must ultimately lie here.

Mr. Moore: The hon. Gentleman seeks to deny us an important part of the principle of devolution. Most Scottish people contribute to the taxes that come to this place.

Dr. Fox: That is exactly right. Scottish people will contribute to that funding. Scottish Members of

Parliament will still sit in this House because they will be responsible to their constituents, who are also taxpayers. Scotland will have a devolved Parliament, not a federal system.

Mr. Moore: This House is in the process of making a decision that will devolve powers to the Scottish Parliament. It goes to the heart of what we discussed in the devolution debates in the run-up to the referendum: we must have confidence in the people of Scotland adequately to scrutinise their affairs, particularly their financial affairs.

Mr. Grieve: Will the hon. Gentleman give way?

Mr. Moore: I have given way on a number of points.

Mr. Swayne: Give way some more.

Mr. Moore: I thank the hon. Member for New Forest, West (Mr. Swayne) for his kind advice, but I shall press on.

The issue at stake is that the Scottish Parliament should set up its own financial scrutiny of the sums devolved to it from the Westminster Parliament, but that there should not be a straitjacket that requires the Treasury to have a pre-Budget view of exactly what will happen in the Scottish Parliament.

Mr. David Davis: Will the hon. Gentleman read the Bill again and look at clause 90, which gives precisely those powers to the Treasury, but not to this House?

Mr. Moore: The right hon. Gentleman makes an extremely good point. I was going to come to that point but I am happy to deal with it now. Clause 90 causes us a great deal of difficulty because it allows the Treasury to get almost any amount of information directly from the Scottish Parliament rather than through this House. We would be much happier about the arrangement if the House rather than the Treasury received the information.

Mr. Salmond: We have already covered this matter in a previous clause. Perhaps the right hon. Member for Haltemprice and Howden (Mr. Davis) was not here then, but we identified the fact that Committees of this House will be able to summon witnesses and documents from the Scottish Parliament. If hon. Members cannot catch up with the debates that we have had, it will prolong the debates that we are now having.

Mr. Moore: The hon. Gentleman is most kind—

Mr. Jenkin: The hon. Gentleman should have said "my hon. Friend". The hon. Member for Banff and Buchan (Mr. Salmond) is a nationalist friend.

Mr. Moore: The gist of the hon. Gentleman's sedentary comments is completely inaccurate.

We support the amendments in the name of the right hon. Member for Haltemprice and Howden. Amendment No. 257 seeks to establish the principle of a suitably independent parliamentary Committee within the Scottish Parliament. It is an important principle of this House that an independent parliamentary Committee should be established and we are glad to support that in this context. We support amendment No. 244, which seeks to strengthen the position of the independent person who is responsible for preparing the accounts and carrying out the audit function, but we must be careful about how far we take the Treasury's influence. As I said, we are particularly concerned about clause 90.

Mr. Dalyell: Is not Pandora's box well and truly wide open? The hon. Gentleman referred earlier to the dead hand of the Treasury; he now makes another comment about the Treasury. The implication is that the English will be subject to Treasury rules and that, somehow or other, the Treasury rules will not apply north of the Scottish border. Such a position is untenable in a United Kingdom. We are discussing extremely important matters.

7.45 pm

Mr. Moore: I accept that we are discussing important matters but not that we should necessarily accept all the proceedings that go on now, or the gist of them, which is that the Treasury should have so much power and influence. The hon. Gentleman bypasses the fact that the Treasury can go straight to the Scottish Parliament without reference to the Westminster Parliament.

The essence of what is required for the new Scottish Parliament is that we should devolve responsibility to look after the funds allocated to it, and that those funds should be adequately scrutinised. We should have complete confidence in the Scottish Parliament's ability to do that through the proposed independent Committee. We support those aspects of the amendments.

Mr. Salmond: I find myself trying to come to the rescue of the Unionist forces in this House in terms of their logic and reasoning. Various arguments have been put forward. The right hon. Member for Haltemprice and Howden (Mr. Davis), and the hon. Members for Woodspring (Dr. Fox) and for Linlithgow (Mr. Dalyell) say that the Government's arrangements skate on thin ice and are extremely dangerous. They say that they will provoke a mentality of "Gie us mair" from a Scottish Parliament, and that that will be the wedge that will break up the United Kingdom. Apparently, that is due to my colleagues and I sitting like cats enjoying the cream. However, it hardly squares with the vote that took place a few minutes ago, when we put forward an alternative arrangement.

The right hon. Member for Haltemprice and Howden was kind enough to say that our proposal would have avoided those problems by setting up a line of accountability, but in the Division a few minutes ago he sat and abstained. He did not even vote one way or the other. He has a brave heart when he praises the SNP amendments, but a faint heart when he refuses to go into the Lobbies. We can hardly be accused of the faults which the Unionists see in the Government's arrangements when we put forward a separate line of accountability, which would have avoided those arrangements.

I think that there are grave deficiencies in the Government's proposals, but how do the Unionist forces propose to deal with them? The hon. Member for Linlithgow says that the Scottish Parliament should submit accounts before it gets any money, as though the

[Mr. Salmond]

submission of accounts would somehow remove the grievances. I should have thought that putting the Scottish Parliament in a subservient role and giving it a begging-bowl mentality would accentuate the grievances.

The underlying question put by the right hon. Member for Haltemprice and Howden seems to doubt the Scottish Parliament's ability properly to scrutinise its expenditure. I have just seen a parliamentary answer, which estimates the cost of the new accommodation for Members of Parliament in this place at £250 million.

Mr. Swayne: Shameful.

Mr. Salmond: The hon. Gentleman is blameless because he was not in this place when the previous Government authorised such expenditure. None the less, it comes amiss from Tory Front-Bench Members to complain about the cost of setting up a national legislature for Scotland when they were prepared to spend 2.5 times as much, and perhaps more, in providing extra rooms for Members of Parliament at Westminster.

Mr. Swayne: I just wanted to draw—

The Chairman: Order. Before the hon. Gentleman intervenes, may I express the hope that he will not pursue the matter of the new parliamentary building?

Mr. Swayne: I shall not rise, then.

Mr. Salmond: The hon. Gentleman has been cut off in his prime. As he develops experience in this House, as he did at St. Andrews university students representative council, he will find a way to change his interventions after helpful guidance from the Chair.

The proposal for the funding of the Scottish Parliament which has been criticised is not an SNP proposal. The SNP proposal was distinct and clear. It would have set up the clear line of accountability that hon. Members want.

It is fascinating that we should be attacked for arrangements that are not of our making. The hon. Member for Woodspring claimed that, in the referendum, the question of the SNP being an independence party was not raised—*[Laughter.]* I see the Minister of State laughing. It was an ever present question in every television debate. The Secretary of State and I resolved it by pointing out that it was a matter of choice for the people of Scotland. The people of Scotland were rather happy with the argument that it would be a matter of democratic choice for them.

I do not know how many interventions the hon. Member for Woodspring made during the referendum campaign. I did not see him as often as I saw the right hon. Member for Devizes (Mr. Ancram). If we had seen him more often, perhaps the Conservatives would have done better in the referendum. That argument was well ventilated during the campaign.

The proposal outlined by my hon. Friend the Member for North Tayside (Mr. Swinney) would have provided better scrutiny. There would be greater financial accountability if the Scottish Parliament raised its revenue. I am sorry that the right hon. Member for Haltemprice and Howden disputes that point. The questions dealt with by the Treasury last year on the Scottish financial surplus are conclusive, at least for the years to 1994–95.

Scottish Members will know Mr. Jim Stevens, who is an economist and a member of the Scottish Labour executive. I think he has been called the "Hammer of the Nats", as his views on devolution are sometimes closer to those of the hon. Member for Linlithgow than they are to those of Members on the Labour Front Bench. I have disagreed with Mr. Jim Stevens on just about everything to do with politics and economics in Scotland in the past decade. To his credit, he had the generosity to say that we were right. In *The Scotsman* on 29 March 1997, he referred to the substantial fiscal surplus in Scotland over the years to 1994–95. He said:

"I am saying that the SNP are right. The evidence produced from the Scottish Office and the Treasury suggests that they are right."

That may be the first and last time I cite Mr. Jim Stevens in support of my arguments. None the less, as an economist, his pursuit of the truth overrode his political instincts, and he made that concession during the general election campaign.

I regret that hon. Members who now argue for amendments that contain an artificial proposal for more accountability and for more strings to be attached to the Scottish Parliament did not support the previous set of amendments, which would have established such accountability in a real sense. These amendments do not provide a solution. It is unsatisfactory for a Parliament to have the ability to raise only 3 per cent. of its revenue, but the solution is not to impose checks and balances, and to require accounts and expense claims to be submitted to the Treasury or to this Parliament. That is insulting in the extreme. The solution is to move towards a more financially accountable Parliament.

The hon. Member for Woodspring says that the Tory amendments would ensure that the Parliament pursues a balanced budget. The Tories doubled the United Kingdom national debt in the space of seven years, yet the hon. Gentleman feels that he is quite entitled to argue at the Dispatch Box that their amendments will impose greater financial accountability on the Scottish Parliament. Does he not realise that people may be insulted to hear that argument from a party that played fast and loose with Scottish resources and with United Kingdom finances?

Dr. Fox: The hon. Gentleman is allowed to enjoy his fantasy, but he may remember that in the 1980s we paid a substantial proportion of the national debt left to us by the Labour Government. However, we shall not go into that.

Given that funding for the Scottish Parliament will come through this Parliament, which contains Scottish Members, what appropriate means of scrutiny does the hon. Gentleman think this Parliament should have over the money that is transferred out of the United Kingdom to the Scottish Parliament?

Mr. Salmond: It is fact, not fantasy, that the Conservative Government under the previous Prime Minister, the right hon. Member for Huntingdon (Mr. Major), increased the national debt by £200,000 million to its highest level in history. For the

hon. Gentleman to table a balanced budget amendment to try to restrict the Scottish Parliament is blatant hypocrisy.

Mr. Jenkin: Answer the question.

Mr. Salmond: The hon. Gentleman should restrain himself. I shall answer in my own way, in my own time. The previous range of amendments would have provided financial accountability. Tory Front-Bench Members chose to abstain, so they cannot now argue that accountability should overlie this parliamentary arrangement. If I were a devolutionist, I would say that devolution is power retained, so that the ultimate power and responsibility is retained by this place. I am sure that the Minister will say something of that sort. The problem for some hon. Members is that they have suddenly realised that that will create tension between the Scottish Parliament and the Westminster Government. That tension is implicit in the proposals. However, I depart from Conservative Members and from the hon. Member for Linlithgow in that I believe that the move to independence will take place not because of the tensions, but because of the growing confidence of the Scottish people as they see the Parliament in operation. It will legislate on subjects in a way that is far superior to the way in which the House has legislated in the past 20 years or more.

Mr. Grieve: If the hon. Gentleman is right that the Scottish Parliament should scrutinise its own accounts, doubtless it will soon become apparent that we need not worry about that. I should be grateful if he would pick up the question put by my hon. Friend the Member for Woodspring (Dr. Fox). Given the way in which the Bill is constructed, does the hon. Gentleman have any suggestions about how scrutiny may be exercised by this Parliament over the funds that will be transferred to Scotland?

Mr. Salmond: The hon. Gentleman and his hon. Friends sat on their hands when we argued for financial accountability in our amendment. It comes amiss from him, some three quarters of an hour later, to raise that point again.

Mr. Jenkin: It was a bad amendment.

Mr. Salmond: If it was a bad amendment, where were the Conservative amendments to achieve that accountability in a better way? The hon. Gentleman cannot have his cake and eat it. The problem for the Conservatives is that in debate after debate on the Bill they have taken a fundamentally hostile attitude towards the Scottish Parliament. They claim that they have now accepted the democratic decision and will of the Scottish people, but they have taken a grudging, pernickety, restraining attitude towards the Scottish Parliament, which is why they are on 9 per cent. in the Scottish polls.

Mr. Swayne *rose—*

Mr. Salmond: Two weeks ago, we discussed the fact that a parliamentary Committee in the House has the ability to summon Scottish Ministers and examine accounts. Conservative Members were quite happy to accept that the Scottish Parliament will not have a corresponding power to summon Ministers and examine documents from the Westminster Parliament.

Mr. Swayne *rose—*

Mr. Salmond: The Government are introducing many checks on the autonomy of the Scottish Parliament, but the Conservatives want to introduce more checks and restraints. They are hostile to the Scottish Parliament having any freedom and autonomy.

Dr. Fox: This is a wonderful debate, because this is the crux of the matter. The Scottish Parliament is not fiscally autonomous. Its funding comes through the United Kingdom Parliament, so accountability rests with this Parliament. The hon. Gentleman wanted an autonomous Scottish Parliament, so he has difficulty with the Government's proposal for a devolved Parliament.

Mr. Salmond: The hon. Gentleman must allow me to argue for my own proposal. I am not here to argue for the Government's proposal.

Mr. Jenkin: The hon. Gentleman argued for it in the referendum campaign.

Mr. Salmond: I do not remember the hon. Gentleman intervening much in the referendum campaign. As I said, if the hon. Member for Woodspring had intervened more, perhaps the Tories would have achieved a better result. If the hon. Member for North Essex (Mr. Jenkin) had intervened in that campaign, I am sure that they would have had an even worse result.

Mr. Swayne: I presume, Sir Alan, that I will be in order if I tell the hon. Gentleman why I sat on my hands at the end of the previous debate. The hon. Gentleman's amendments were illegitimate because of the constraints of the pre-legislative referendum, which his party supported. The White Paper ruled out the financial accountability that he desires.

Mr. Salmond: When the hon. Gentleman has had some experience in the House, he will know that, had my amendments been illegitimate, the Chair would not have selected them for debate and vote. I have known the hon. Gentleman for a long time, and he has not changed many of his habits.

I have been generous, because I have given way to Conservative Members some seven times. I shall expect reciprocation in future debates.

Let me summarise my argument. If hon. Members want financial accountability—if they want the democratic accountability that goes with a Parliament's ability to raise its own revenue and decide how to spend it—they should have followed that logic into the Lobby. There is no way of reproducing such accountability by imposing a straitjacket in the form of amendments that will be seen as insulting—almost authoritarian—in terms of the Westminster Parliament's relationship with the Scottish Parliament. Either we have an accountable Parliament or we do not, and those who are not prepared to vote for an accountable Parliament are in a very poor position to attack the arrangement that has been made.

8 pm

The logic of why the Scottish Parliament is not accountable in terms of financial arrangements comes from the fact that it can raise only 3 per cent. of its revenue through its autonomous tax-raising power. That is the point: if the line of accountability is to be changed, the percentage must be changed, either in the way that we suggested a few moments ago or through some other device—some other amendment. The idea that setting up an accounting Committee or supra-Committee, or giving the House a role in overseeing the Parliament, will resolve the difficulties foreseen by Conservative Members and the hon. Member for Linlithgow is fantasy. If anything, such action will exacerbate those difficulties—will exacerbate the grievance. Those who, like me, believe that the route to independence is the Scottish people gaining confidence in an institution that develops in a positive manner do not approve of the grievance politics being peddled by the Conservative party.

Mr. MacGregor: I shall make two comments about the speech of the hon. Member for Banff and Buchan (Mr. Salmond). First, halfway through his speech he referred to the tensions and frictions that would be created by what is being proposed. I think it fair for the hon. Gentleman to argue—as we have argued—that tensions and frictions would be involved in the whole arrangement that we discussed in our last big debate, when we voted on the issue. We pointed out then that tensions and frictions were inherent in what we were discussing. But I do not see how the hon. Gentleman can say that the same tensions and frictions will arise from what is actually a technical and parliamentary matter, rather than a matter of fundamental disagreement about levels of public expenditure and the like. I think that the hon. Gentleman grossly exaggerated the impact of the amendment, and approached it from the wrong standpoint.

Mr. Jenkin: The amendments imply no more powers than the House has implicitly. The inability of the hon. Member for Banff and Buchan (Mr. Salmond) to accept those implicit powers shows that his support for the Government during the referendum campaign was designed simply to mislead the Scottish people about his real intentions.

Mr. MacGregor: I was going to come on to what the amendments amount to, but my hon. Friend has made a fair point.

Mr. Salmond: Surely the right hon. Gentleman will not seriously argue that anyone in Scotland, or in the Committee, is under any misapprehension about my support for independence throughout my political career. How on earth can the right hon. Gentleman, given his experience, agree with that juvenile on the Opposition Front Bench who claims that I have been misleading people?

Mr. MacGregor: That is not what I was saying. The hon. Gentleman is extremely good at standing up and making a point that is entirely irrelevant to what has gone before.

Let me make my second point. The hon. Gentleman argued that, if we were concerned about accountability, we would have voted for his amendment—on which he divided the Committee—in the last debate. That amendment, however, sprang from a completely different view of what the Scottish Parliament ought to be, and we naturally were not going to follow its line. The amendment that we are discussing now is concerned entirely with the Scottish Parliament as it is being established by the Bill, and is a much better way of achieving the desired objective. It would be foolish of us to vote in favour of an amendment with whose basic principle we do not agree, rather than an amendment that addresses the Bill as it stands.

I was unfortunately unable to be present for the Second Reading debate, but I read the report of it thoroughly, and was struck by what had been said by my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis). I noted that the Minister had listened to my right hon. Friend attentively, and had responded sympathetically, saying that there were real issues that needed to be addressed. That is very much my standpoint, and that is why I was keen to participate tonight and to support my right hon. Friend.

The issue, in fact, is simply about the House's responsibilities in terms of financial probity and value for money—but especially financial probity, which is the whole point of the Public Accounts Committee and the Comptroller and Auditor General and his staff. Let me say this to the hon. Member for Banff and Buchan: we are surely discussing an issue of principle, relating to the way in which expenditure authorised by the House is scrutinised to ensure that the money is spent in the way that the House originally intended. The issue is about that, and nothing beyond that. I think that the principle will be breached in a major way if the Comptroller and Auditor General cannot report to the Public Accounts Committee, and the Public Accounts Committee cannot then scrutinise and take evidence on what he has said—if that is entirely delegated to the Scottish Parliament. As several of my hon. Friends have said, it is the House of Commons that decides on the amount that goes to the Scottish Parliament—

Mr. Salmond: Will the right hon. Gentleman give way?

Mr. MacGregor: Let me just finish the sentence, because I am sure that I am about to hear another irrelevant interruption.

It is the House of Commons that decides on the amount, and it is therefore from United Kingdom taxpayers that the money will come. It is a basic principle that that is one of the purposes of the House, and one of the purposes of the PAC and the Comptroller and Auditor General.

Mr. Salmond: The House of Commons is free to investigate the amount that is sent to the Scottish Parliament. The amendments are about investigating the way in which the money is then spent. Even now, in the Scottish Office, it is for the Secretary of State for Scotland to decide how to shift and allocate money between budgets. The right of the House to investigate the amount that is being sent to Scotland will be unaffected by the legislation.

Mr. MacGregor: The hon. Gentleman's position strikes me as even more curious. He says that in some

ways the House has the ability to scrutinise, but, in the way that matters most to the House, it has no such ability. The general point is that the House can scrutinise the probity of expenditure through the PAC and the Comptroller and Auditor General, but apparently that is the one area from which it excludes itself through the Bill.

The hon. Gentleman made the fair point that parliamentary Select Committees would be able to call Scottish Ministers and civil servants—I presume—to appear before them. That is part of the normal process of Select Committees, but the PAC has a different function, and that is the function that is being excluded under the Bill as it stands.

Let me make two more points. First, there is an important issue that the Minister must meet head on if he is to reject my approach. Clause 90 has already been mentioned, but I must say that it strikes me as an affront to the House to allow Treasury civil servants to demand information that the House cannot demand, and scrutinise it, while the Comptroller and Auditor General apparently cannot do that.

My other point relates to local government expenditure. The Audit Commission normally scrutinises that—just as, presumably, the equivalent of the Comptroller and Auditor General will in the Scottish Parliament. I understand that the Comptroller and Auditor General has the right of access to the Audit Commission and to all Audit Commission papers, and that it would be possible for the Comptroller and Auditor General to recommend to the PAC that an issue needed to be scrutinised in terms of financial probity. That, however, seems to be impossible in relation to a huge chunk of United Kingdom taxpayers' money—£14 billion plus.

Perhaps the Minister will be able to convince me otherwise, but I think that we are setting a dangerous precedent, and creating a loophole in the way in which moneys voted for by the House can be scrutinised not just by Members of Parliament, but with the back-up of staff who do much of the detailed work to unearth whether there is a case to answer. That is why I think that my right hon. Friend—who is already doing a splendid job as Chairman of the PAC—is fulfilling his role in bringing the issue before the Committee and urging it to accept the amendments. I hope that, if we do not receive a satisfactory and convincing answer tonight on a matter that should concern all hon. Members, the matter will be scrutinised further in another place.

Mr. Swayne: When I used the term "illegitimate" to describe the amendments of the hon. Member for Banff and Buchan (Mr. Salmond), I was being charitable. I might have been tempted to use unparliamentary terms. I described them as illegitimate because the hon. Gentleman is attempting to lead us down a path that it would be interesting to follow, to discuss and to debate—perhaps coming up with a different Bill—but the time for that has passed.

The people of Scotland were offered a done deal in the White Paper and it is illegitimate to table a series of amendments that take us away from the White Paper. That is precisely why I took the attitude that I did.

Mr. Salmond: In terms of financing and funding, the White Paper argued for the Barnett formula. The hon. Gentleman will have noted that some of his colleagues have questioned the Barnett formula. Does he regard their actions as illegitimate?

Mr. Swayne: The hon. Gentleman has misunderstood the attitude of Conservative Members. We have not questioned the Barnett formula. It has been questioned largely by Labour Members, particularly northern Labour Members. This Pandora's box has been opened elsewhere.

Mr. Salmond: Just before Christmas, the Treasury Committee published a report. With the exception of the hon. Member for Gordon (Mr. Bruce), every other member of that Committee—Labour and Tory—questioned the Barnett formula.

Mr. Swayne: That was the attitude of a Select Committee of the whole House rather than of the Conservative party.

I wish to remain in order, to be brief and to concentrate on amendment No. 297, which adds the proviso that the total sums that the Scottish Parliament pays out of the fund in any year shall not exceed the amounts that are paid in. That is an essential requirement to ensure that the Parliament's expenditure programme is consistent with the principles of a balanced budget. It is a guarantee against the budget exceeding the Parliament's income in any year. I suspect that it will prevent any posturing in relation to the setting of illegal budgets that are more political than financial.

Let us consider the pressures under which the parliamentarians may find themselves. Let us suppose that the UK Parliament and the governing party find that they have to take tough decisions, perhaps having voluntarily taken on the spending constraints of a previous Administration. They find that they are able to live within those constraints. However, the Parliament in Scotland, experiencing different social problems, perhaps with unemployment rising in Scotland—although not in the rest of the kingdom—finds that it is unable to live within those constraints. There will be huge pressure on those parliamentarians at least to posture—if they cannot find real money—in setting a budget that is well in excess of that which the fund would allow. The amendments are a preventive measure.

Mr. John Hayes (South Holland and The Deepings): I had not intended to speak in the Committee until I was galvanised by listening to the hon. Member for Banff and Buchan (Mr. Salmond) on the monitor. He spoke for a long time, so I listened for a long time, but he did give way often, as he has already said. The key issue in this debate is the financial probity of the House and its responsibility to ensure that money is spent properly and appropriately.

The problem with the nationalist argument is that it assumes that the sovereignty that will be transferred from the House to the Scottish Parliament is a transfer of absolute sovereignty and supreme responsibility. That is palpably not true. The assembly has democratic legitimacy and a place within a United Kingdom, but it does not have the supreme authority that sovereignty demands. That is retained by this Parliament. Therefore, the duty to ensure financial probity and proper control of expenditure must ultimately still rest with this Parliament. That is the point that the hon. Gentleman ceased to take on board during his contribution.

8.15 pm

As my right hon. Friend the Member for South Norfolk (Mr. MacGregor) said, the debate about the responsibility for controlling expenditure is not in itself contentious because the House's powers in that respect are implicit in its role and in its status. The nationalists may not be able to buy that. Although I do not doubt the intentions, integrity or beliefs of the hon. Member for Banff and Buchan, as the official Opposition spokesman, my hon. Friend the Member for North Essex (Mr. Jenkin) said, the truth is that the way in which they were presented to the electorate in Scotland during the referendum was fundamentally dishonest. That is not to say that the hon. Member for Banff and Buchan is dishonest or that he does not genuinely believe in independence for Scotland, but the way in which he dressed up and marketed those beliefs to attract the maximum number of votes—for a cocktail of measures with which even he did not agree and which were put together by the Labour party and his own—was a fraud and a deception.

Mr. Dalyell: Does the hon. Gentleman agree that he came rather late to this debate and that, rather than hearing him provoke the hon. Member for Banff and Buchan (Mr. Salmond), some of us who have raised serious issues would like to hear the Minister's response?

Mr. Hayes: With respect to the hon. Gentleman, to whose wisdom, understanding and diligence in these matters I warmly pay tribute, the point that I am making—and it is a serious point—is that the Scottish nationalists are fundamentally at odds not only with Conservative Members, but with Labour Members. The Scottish nationalists' perception of the role and status of the Scottish Parliament is at odds with the White Paper, the Bill and the view that the House has supreme ultimate authority to ensure that money is spent properly and wisely and that the mechanisms must remain in place to guarantee that authority.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Nothing that the hon. Gentleman says about the divergence of views between ourselves and the Labour, Conservative or Liberal Democrat parties in Scotland will come as a surprise to anyone living in Scotland. What he says about the potential problems involving the probity of a Scottish Parliament is an insult to everyone living in Scotland. If repeated, that sort of remark will ensure that the number of Conservative Members representing Scotland will remain at its present level: zero.

Mr. Hayes: That is, of course, absolute nonsense because there are many—

Mr. Dalyell: On a point of order, Sir Alan. Has not Madam Speaker ruled that hon. Members who are not present to hear opening speeches should not make speeches? Is it not an abuse to come into the Chamber and make a blathering speech, when important speeches have been made by hon. Members on both sides of the Committee, to which we need an answer?

The Chairman: Madam Speaker's remarks were directed towards statements in the House. However, the hon. Gentleman is right that it is a convention and a courtesy that hon. Members do not seek to participate in debates in which they have not heard the main arguments. The hon. Member for South Holland and The Deepings (Mr. Hayes) rose and, in the circumstances, the Chair had to call him.

Mr. Hayes: I can assure you, Sir Alan—I did mention this earlier—that I had been observing the—

The Chairman: Order. The hon. Gentleman is a new Member, but I must tell him that it is no excuse to come into the Committee and plead that he has been watching the debate elsewhere. The understanding is that to take part in a debate in this House, an hon. Member must be present in this Chamber.

Mr. Hayes: I obviously bow to that instruction, Sir Alan. I will be brief. Let me make this point—

Mr. Salmond: In conclusion, I hope.

Mr. Hayes: It is a repetition, but clearly the hon. Gentleman does not understand it. His view is a divergence—not because of any fundamental debate about the role of Scotland and the role of England—but because he does not recognise the ultimate authority of this Parliament to guarantee probity in expenditure in respect of this Parliament and the new devolved Parliament. That is a fundamental difference, with which the amendments seek to deal.

Mr. McLeish: I want to reflect seriously on the points raised in the debate, in which many hon. Members have made good contributions to a serious subject. It is imperative that the new Parliament takes seriously effective accounting, auditing and value for money. It will enhance the credibility of the Parliament from day one if it has the appropriate procedures, and if it makes clear—as I will tonight—that every activity of expenditure and monitoring will be taken with the utmost seriousness.

I have had some discussions with the Chairman of the Public Accounts Committee, the right hon. Member for Haltemprice and Howden (Mr. Davis), which I hope to reflect in my comments tonight. I also wish to refer to the concerns of the right hon. Member for South Norfolk (Mr. MacGregor), who has long experience in the House. With longevity in this place comes an understanding of the importance of the Comptroller and Auditor General and the PAC. Like many hon. Members, I was a member of the PAC in my first year in the House. It was an experience which has served me well. I should like to reflect the sentiments of that period and the comments of my hon. Friend the Member for Linlithgow (Mr. Dalyell).

We are covering important ground. From the outset, it is important to realise the nature of the Parliament we are establishing. My hon. Friend the Member for Linlithgow has a long-standing and principled record of opposing devolution, but he has commented on the procedures to be established in this House and the Scottish Parliament. The Conservatives have made points—sometimes not-so-veiled points—in relation to their concerns about the Parliament, but have focused on particular issues.

The Parliament will be a legislative body with law-making powers. Crucially in this context, it will have a clearly defined and separate Executive. That is

important. People may be cynical and have lingering doubts about the Bill, but it is important to make that point. In these circumstances, it is the right—indeed the duty—of the Scottish Parliament to hold the Executive to account.

This House must ensure that the Parliament is in a position to hold the Executive to account, but not prescribe every detail of how it is to do that. It is important that the Parliament takes ownership for its own procedures, rather than have these foisted on it. In that way, they are likely to be more successful.

For those reasons, we said in the White Paper that the detailed arrangements that the Scottish Parliament makes to control and scrutinise the spending of the Scottish Executive will be a matter for the Scottish Parliament and its Committees, but that the Scotland Bill will lay a general obligation on the Parliament to establish effective scrutiny and audit arrangements. The Bill does that. It sets out a framework for the Parliament to legislate for the rules regarding the allocation and approval of expenditure, the accounting and auditing of that expenditure, carrying out value-for-money studies and reporting the results of those to the Parliament.

It is only a framework. For the reasons I have given, the Parliament must be responsible for the detail. In framing that detail, it can incorporate—if it so wishes—the suggestions featured in these amendments, such as the establishment of a Committee similar to the Public Accounts Committee. I have no hesitation in saying that I hope that the Parliament will do that. My experience as a member of the Committee was excellent, and it does invaluable work. However, the Parliament should be able to decide on the best way forward, even though my preference would be to go for a Public Accounts Committee.

Mr. Salmond: From the initial discussions that have been held in the consultative committee that the Minister is chairing, does there not seem to be common ground across the political parties to have a Committee structure in the new Parliament which is more powerful and effective than the Committee structure in this House?

Mr. McLeish: I note the hon. Gentleman's sentiment; we should like that to happen. No one can argue that the traditions of this House have not been well served by its auditing, accounting, controlling and monitoring procedures. In some respects, we have an opportunity in the Parliament in Edinburgh to build on this House's success. I shall return to matters such as the designation of accounting officers and the security of tenure of the chief auditor.

Let me be absolutely clear that there is no difference between the Chairman of the PAC and the Government on the principle of accountability to the Parliament. However, we do differ significantly on how the principles should be put into practice. It is vital that the Parliament holds the Executive to account. But that is its role—and not one which this House should attempt to usurp.

Earlier, we had a discussion about expenditure. The Government believe that the control and scrutiny of the expenditure of the Scottish Parliament should be a matter for the Parliament in Edinburgh. Control and scrutiny of the resources given to the Parliament will still be vested in this Parliament. The Parliament in Edinburgh will be in charge and will be responsible for what it spends money on, but we must make sure that the grant is properly accounted for and monitored after we have the assigned budget and after the money is given to the Scottish Consolidated Fund. The Bill provides for that.

The House should not attempt to set out in every detail how the Parliament should go about this task. It will be able to take the best of what we have to offer, but it must be free to adapt the details to its own circumstances.

We shall ensure that the Parliament and Executive are given the best possible advice in these matters. As I have discussed with the Chairman of the PAC, we have established a consultative steering group and we are setting up an expert panel, which will include the National Audit Office. It will, of course, be up to the Parliament to decide for itself on the basis of the advice it has on the final shape of the arrangements. However, it is a sign of intent and a way of going forward.

Dr. Fox: It is not a matter of "usurping" the Parliament's power—the Minister used that word. However, I find it strange that clause 90 gives the Treasury the ability to require Scottish Ministers to provide any information that the Treasury wants, but not any information that this House wants. The Treasury is to have that power. What mechanism will this House have to scrutinise how money is spent?

Mr. McLeish: Clause 90 suggests that, from time to time, information will be required by the Treasury. It is dealing with macro-economic policy and there is no conflict in providing such information. However, there is a very important distinction between that process and democratic debate in the House on the Scottish Parliament's expenditure programmes. Clause 90 is a matter-of-fact clause which rightly allows the Treasury to be provided with information.

Amendment Nos. 81 and 242 suggest that the House should receive a report of the Executive's spending proposals, as approved by the Parliament, before it votes the Supply for the grant that the Secretary of State will make to the Scottish Consolidated Fund. That would amount to the House's being asked to approve the Scottish Parliament's spending proposals, which is fundamentally at odds with the very essence of devolution. The allocation of resources within the overall budget is quite clearly a matter for the Parliament. It will also be a matter for the Parliament whether to vary the amount of that budget—upwards or downwards—if it uses the tax-varying power.

8.30 pm

Mr. Dalyell: Is it not at odds with the principle that a Parliament should be able to monitor the money that it has to raise? It has the obligation of raising the money, and there is a certain principle that those who raise money have a right to monitor it. There are two conflicting imperatives.

Mr. McLeish: I do not see the conflict between the imperatives. Supplying resources from Westminster is one issue; the Scottish Parliament spending those resources is another issue. There are systems—in an assigned budget, which is processed in the House, in Supply estimates and in an annual appropriation—whereby the Comptroller and

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Auditor General will have access, thereby dealing with the central point of the resources that are passed, through grant, to the Scottish Consolidated Fund. The systems would separate Supply from spending proposals, and we believe quite firmly that spending resources in the Scottish Parliament should be a matter for the Scottish Parliament.

Mr. Grieve: I appreciate the hon. Gentleman's point, but there is a problem. I accept that, once the principle of devolution is realised, decisions on how to spend money in the devolved spheres in Scotland will be taken by the Parliament. However, suppose that there are instances in which it is observed not that the principle of expenditure is wrong—as that cannot be questioned—but that the manner of expenditure is wholly inefficient, and that our constituents' money is being channelled in that way. Is that not the nub of the issue? Is there not a need for some mechanism to allow scrutiny in the House?

Mr. McLeish: That is not the nub of it. If we are involved in serious devolution, the central issue, which some hon. Members find more difficult to grasp than others, is that—although we are talking about resources raised by taxation and dealt with by this Parliament in a grant to the Scottish Consolidated Fund—a new set of accounting and auditing procedures will be required which will be the responsibility of the Scottish Parliament. I very constructively make the point that there will be no great desire on behalf of anyone in the Scottish Parliament to do anything less than is done at Westminster. Indeed, in the context of United Kingdom politics and Scottish politics, a special premium will be placed on making significant improvements.

Direction of accounts is dealt with by amendment No. 244 and new clause 3, which suggest the form of accounts, and how they should be constructed and directed by the Treasury. If the Parliament is to hold the Executive to account, it follows that it, and not some external source, should decide on the details of accounting. As I said, we will make available to the Parliament the best advice on those matters.

The right hon. Member for Haltemprice and Howden raised the important matter of the designation of accounting officers, which is proposed in amendment No. 244 and new clause 5. We accept the principles that lie behind suggestions that the Parliament should be able to examine officials who may be responsible for misspending and waste, and that officials should be given a clearly separate role as part of the checks and balances necessary for the proper operation of the Executive. Those principles work well in scrutinising expenditure in the House.

The Scottish Parliament will, of course, have adequate power to legislate on those matters, and it can provide for the appointment of accounting officers if it so wishes. However, given the concerns of the right hon. Member for Haltemprice and Howden, I am willing to give the matter further consideration.

The second important point is security of tenure of the auditor. We have no quarrel with the principle of security of tenure suggested in amendment No. 244 for the person appointed to carry out, or supervise, the audit of the accounts. Clearly, that person must be free from control or pressure from either the Parliament or the Executive; and we have already included provision in the Bill for him or her to be independent of both. However, given the concerns that have been expressed, I will undertake to consider whether there needs to be further provision in the Bill to secure his or her independence. I hope that the right hon. Member for Haltemprice and Howden will accept that in the spirit in which it is intended.

We think that the proposal in amendment No. 244, on the independent auditor's estimates of income, expenditure and remuneration, is unnecessary. The Parliament itself can make the necessary provision for the submission of estimates and provisions for payment of expenses and salary. The Bill has been drafted to allow the Parliament to vote money directly to the auditors, rather than to have them rely on the Executive.

The establishment of Committees is dealt with in amendment No. 257. The suggestion that the Parliament must have a Committee similar to the House's PAC seems to be at odds with the principle of devolution. There is no doubt that the Parliament will want to have a Committee that embraces the functions performed in the House by the PAC, although it may not be called a Select Committee on Public Accounts; other terminology may be used. However, we accept the spirit of the suggestions that have been made on the matter. Personally, I will have no trouble in establishing a central focus for our activities in the new Parliament.

The Parliament must consider both the accounts and the auditor's reports. The Bill already provides for that. However, how it does so and its Committee structure will be up to it. There is nothing to stop it having the equivalent of a PAC. Imposing one on it will carry with it unnecessary inflexibility. Clearly, the precise arrangements should be for the Parliament to decide.

New clause 4 proposes that the Parliament's Standing Orders should make provision for arrangements for scrutinising the accounts of the Executive and for carrying out value-for-money studies. We think that that is unnecessary. Clause 66 already makes adequate provision on both those matters. The Parliament must make provision by or under an Act, setting out the detailed arrangements in those matters. Although it may be possible to encompass some of the arrangements in Standing Orders—such as consideration of accounts and reports by the Parliament—those are unlikely to be sufficient by themselves. Legislation would be a better vehicle to deliver all that would be required.

Most of the points so far deal with suggestions designed to ensure that the Parliament has adequate machinery for calling the Executive to account. We appreciate those suggestions, and I shall ensure that my officials take them into account in preparing advice to be put, in due course, to the new Executive and the new Parliament. Generally, however, we do not believe that the proposed level of prescription is necessary or desirable, or consistent with the thrust of our devolution proposals.

Amendment Nos. 80 and 246 and new clause 3 deal with the locus of the Comptroller and Auditor General, by providing that he should audit the accounts and retain his powers to undertake value-for-money studies and to report results of those activities to the House, and by having the PAC examine relevant officials. Clearly, that would conflict with the principles that I have stated—that

it is for the Parliament to hold the Executive to account. To have the House attempt to do so at the same time would only fudge accountability; it would not clarify it.

Moreover, any circumstances whereby the House and its Officers undertake investigations into the Scottish Executive, or any other body that is accountable to the Parliament, could only be a potential cause of conflict between the two Parliaments. We did not seek to impose dual auditing when we established the devolved administration in Northern Ireland; nor does the Comptroller and Auditor General audit the accounts or conduct value-for-money studies in local authorities.

I understand the argument that public money—money provided by the House—is at stake. However, the accounts of the Supply grant for the payments to the Scottish Consolidated Fund will be audited under existing legislation by the Comptroller and Auditor General, laid before the House and open to examination by the PAC. The Bill provides for the Secretary of State to account for other transactions that he may undertake in short-term lending to the Executive and in handling repayment of outstanding loans obtained from the National Loans Fund. Similarly, the Comptroller and Auditor General will audit those accounts and lay them before the House.

Amendment Nos. 83 and 242 are designed to ensure that the Secretary of State is satisfied that adequate arrangements are in place before he makes any payments to the Consolidated Fund. It will be important for the Parliament to put in place the necessary rules required—not only under clause 66 but under clause 62—before it takes on full responsibility for accounting and audit. Moreover, it will be important to ensure a smooth transfer of the audit function, particularly if the transfer of executive responsibility occurs during financial year. We will want to present to the House as soon as possible our proposals on transitional arrangements, which will deal with those very important points. We strongly believe that we must have proper procedures in place in Edinburgh before we ask the House to transfer those accounting and auditing responsibilities. I think that that is right, and we will certainly ensure that it will be done, by means of an order.

Mr. David Davis: I thank the Minister for giving way. He knows that I am disappointed by his response. There is no doubt that we differ on matters of principle. Nevertheless, may I take the opportunity to thank him for his courtesy and his time in listening to our case and for some of the amendments that he hopes to implement, particularly in respect of the interim arrangements?

I do not propose to press my amendments, although the Minister may expect to hear more from me on the issue for as long as the Bill makes progress through the House and another place. I shall be surprised if the issues, which are of serious constitutional significance, do not arise again in another place.

Mr. McLeish: I thank the right hon. Gentleman for his intervention. He knows that we will discuss the issues many times before the Scottish Parliament is established.

Let me briefly complete my remarks about the amendments under discussion. The practical effect of amendment No. 296 would be that the Parliament was unable to provide for the salaries and allowances of Members of the Scottish Parliament unless it made them a statutory charge on the Scottish Consolidated Fund or provided for them to be paid by the Scottish Ministers. Also, it would not be possible for the expenses of the parliamentary corporate body to be paid. It would also mean that the Parliament was unable to vote money directly to the independent auditor and could only arrange for him to be paid by the Administration or for his expenses to be a charge on the fund.

While amendment No. 297 seems attractive, it is both unnecessary and undesirable for the following reasons. The Scottish Parliament could not effectively budget to live outwith its means, as the Scottish Executive will have no borrowing power on their own account other than the short-term borrowing provided for at clause 63. Moreover, even the short-term borrowing is repayable under such terms as the Treasury may determine—including the time scale for repayment.

Briefly, clause 66 provides for robust financial arrangements where necessary, while leaving the Scottish Parliament the maximum freedom to determine its own procedures. I hope that I have taken seriously the matters raised by hon. Members. I have benefited from the discussions with the right hon. Member for Haltemprice and Howden. Obviously, we shall have further discussions and when we have reflected further on particular points, we shall bring them back before the House. With that contribution, I hope that the amendment will be withdrawn.

Mr. Dalyell: I shall resist the temptation to enter into arguments that clearly began more than a quarter of a century ago in St. Andrews university. We shall leave that aside.

Perhaps in one sense there are two categories of hon. Member: those who have been fortunate enough—as the Minister and I have—to serve on the Public Accounts Committee and those who have not. I served under three Chairmen: Harold Wilson, John Boyd-Carpenter and Douglas Houghton and I learnt a great deal from them. My hon. Friend has obviously learnt a great deal from his time on the PAC and I accept that he accepts the spirit of what has been said.

I suppose that my hon. Friend will have further discussions with the audit department. He and I know the importance of transparency, as does anyone who has served on the European Parliament. I served on the Budget Committee and the budget sub-committee under two German chairmen and I learnt a great deal about the importance of transparency. It will have to be worked out. Do I understand that much of the work will be referred to the consultative steering group?

Mr. McLeish *indicated assent.*

Mr. Dalyell: My hon. Friend indicates assent. Let me make it clear that I have never ever said—during the referendum or on any other occasion—that the calibre of Members of the Scottish Parliament would be any less than that of right hon. and hon. Members. I have never said that. I am sure that they will be as capable as we are of performing tasks of scrutiny. That is not the issue. The issue is that they will be under tremendous political pressures to satisfy expectations that have been raised, and that means money. I return to the real problem that

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those who raise money expect to do some monitoring, in one form or another, of the way in which the money is spent.

Mr. Wallace: Does the hon. Gentleman agree that if, as he suggests, the money might well be tight, there might be a great premium on those serving in the Scottish Parliament to make sure that the money was spent effectively and efficiently, and that might mean all power to a PAC-type body that would be monitoring the expenditure?

Mr. Dalyell: I agree with that, with the rider that people will always want more. Time is running out, so, with the great satisfaction of the spirit of my hon. Friend's reply and his obvious interest in the matter, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

It being a quarter to Nine o'clock, THE CHAIRMAN, *pursuant to the Order [9 February] and the Resolution [10 February] put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 61 ordered to stand part of the Bill.

Clause 62 ordered to stand part of the Bill.

Clause 63

BORROWING BY THE SCOTTISH MINISTERS, ETC.

8.45 pm

Mr. Jenkin: I beg to move amendment No. 298, in page 26, line 37, after '(1)', insert

'Subject to the approval of the Chancellor of the Exchequer,'.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss the following amendments: No. 299, in page 26, line 37, leave out 'Secretary of State' and insert 'Treasury'.

No. 300, in page 27, line 1, leave out 'Secretary of State' and insert 'Treasury'.

No. 301, in clause 64, page 27, line 14, leave out 'increased'.

No. 302, in clause 65, page 27, line 24, leave out from 'sterling' to end of line 25.

Mr. Jenkin: In a sense, the debate on clause 61 was one of the most electrifying debates so far in the Committee because it has exposed some of the fundamental differences in the way in which different parties and hon. Members regard the Scottish Parliament and how it should relate to Westminster.

When one considers the import of the issues that have been discussed this evening, it is almost breathtaking that only a handful of Labour's gargantuan strength is present in the Chamber in what should be a momentous debate. We are discussing the issues that will determine whether the new Scottish Parliament and the new devolution settlement prove to be as stable as we heartily wish them to be, or whether the unsettled will of the Scottish people and the uncertain relationship between Westminster and Edinburgh lead to disaster.

Mr. Salmond: Will the hon. Gentleman give way?

Mr. Jenkin: I have hardly started and I am sure that I shall say a great deal that will provoke the hon. Gentleman.

Mr. Salmond *rose—*

Mr. Jenkin: If the hon. Gentleman really insists, I am flattered that he already feels provoked.

Mr. Salmond: The hon. Gentleman has made exactly the point that puzzles us. He draws attention to the lack of massed ranks on the Government Benches. He has behind him only five hon. Members in total. If the matters are as overwhelmingly important as he sets out, where are his hon. Friends to back up his argument?

Mr. Jenkin: I accept that this evening, the hon. Gentleman's party is represented in a higher percentage than any other, but it has more of a vested interest in the debate than any other party. A higher percentage of Conservative Members than of Labour Members are here.

Mr. Malcolm Savidge (Aberdeen, North): But none of them represents Scotland.

Mr. Jenkin: There are no Labour Members present representing English or Welsh constituencies. As it is a United Kingdom issue, if the Conservative party had Scottish Members of Parliament, every single one of them would be here. *[Laughter.]* The hon. Member for Aberdeen, North (Mr. Savidge) is so easily amused. I am told that laughter is good for the health so I am delighted to have contributed to his good health. We are dealing with momentous issues. It is the legislation that Labour Members so passionately desired.

The First Deputy Chairman: Order. What the hon. Gentleman has said so far has had absolutely nothing to do with the amendment. It is important that he addresses the amendment.

Mr. Jenkin: I beg your pardon, Mr. Martin. I was sidetracked.

If clause 61 is the wedge, clause 62 is the crack in which the nationalists will shove the wedge. If the relationship between Westminster and the Scottish Parliament comes under strain, the consequences will bulge out in terms of the money that the Scottish Parliament wants to spend, but does not have.

We heard earlier an example of the gulf of misunderstanding between Scottish and English Members over the merits of our respective road systems. That may seem a trite point, but when English Members said that they believed that their roads were less well funded than the roads in Scotland, they were greeted with laughter and derision by Scottish Members.

We could step back and say that that misunderstanding merely represents our different perspectives. However, such differences—and, dare I say, contempt for others'

points of view—which have hitherto been expressed behind the closed doors of Cabinet collective responsibility, will now be exposed in all their ugliness in open party political debates in the disputes between Westminster and Edinburgh, with all the lack of tact that modern political debate and the language of politics usually lead to.

As the relationship degenerates, the Scottish Parliament will, perhaps, come under increasing political pressure to spend more money. It will come under pressure from the continuing debate in Westminster on funding and the Barnett formula, which might mean a progressive annual loss in grant—indeed, the Scottish Office has lost grant in the spending round for next year. As that process continues, the Scottish Parliament and Executive may find themselves, in a few years' time, with £1 billion or £2 billion less than they currently have.

Mrs. Laing: My hon. Friend referred to the relative spending on roads and infrastructure in Scotland and in England. Is he aware that a large proportion of the money that has been spent on new roads in Scotland in the past decade has come from the European Community? Once there is a Scottish Parliament, Scottish business and industry may be disadvantaged because of their inability to negotiate in the European Community as strongly as before.

Mr. Jenkin: I assure you, Mr. Martin, that I shall not be drawn down that path, but I give an example of the way in which money can be withdrawn from Scottish expenditure programmes. The objective 1 status of the highlands and islands is under threat. *[Interruption.]* That has everything to do with devolution, the clause and the borrowing powers of the Parliament. When expenditure falls short of the expectations that the Scottish Parliament believes should be fulfilled, borrowing will surge.

Mr. Alasdair Morgan: At the risk of creating a precedent and addressing the amendments, may I ask the hon. Gentleman how the alleged wedge and crack will be cured by substituting "Treasury" for "Secretary of State" in the clause, as suggested in amendments Nos. 299 and 300?

Mr. Jenkin: I am happy to explain that the amendments are probing—the hon. Gentleman should give me credit for saying that with a straight face. We tabled them because we wanted to explore the nature and implications of the Parliament's borrowing powers.

As the relationship between London and Edinburgh degenerates—unlike the Scottish National party, Conservative Members do not want that to happen; we want a good relationship—what is likely to occur? The structural funds for building roads may be withdrawn. *[Interruption.]* The hon. Member for Perth (Ms Cunningham) may scoff, but that was reported in the newspapers this morning.

When the United Kingdom Parliament considers health service expenditure in Scotland—it is 24 per cent. higher per person in Scotland than in England—it will argue for a fairer distribution of health resources. As the hon. Member for Banff and Buchan (Mr. Salmond) pointed out, the money that was awarded last year to deal with waiting lists was not fully distributed in Scotland in accordance with the Barnett formula.

Mr. Alasdair Morgan *indicated assent.*

Mr. Jenkin: I see the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) nodding. That was because those moneys were distributed to address a particular issue—waiting lists. Waiting lists were shorter in Scotland, so more money was given to England—that was not in line with the Barnett formula. That is the way in which this issue will fester.

Mr. Swayne: Does my hon. Friend agree that the key point is that the social problems, such as unemployment, in Scotland are in many respects more acute than they are in England? It is all very well for the Westminster Government to talk about tough decisions, but Members of the Scottish Parliament will find themselves up against the rough end of those decisions, and will be keener to take inappropriate action to deal with the problems.

The First Deputy Chairman: I hope that the hon. Member for North Essex (Mr. Jenkin) will discuss the amendment rather than respond to that intervention.

Mr. Jenkin: My point—it is relevant to the amendments—concerns how the Executive in Scotland would deal with what they regarded as a shortfall of payments. That brings me to amendment No. 301, and the £500 million borrowing limit, which we do not believe should be increased. As the explanatory note explains, the provisions in clause 63 are for short-term borrowing requirements. Towards the end of the financial year, public sector bodies very often find that they have overspent; if they have a borrowing limit, they will use it to the full or extend their borrowing by delaying payment to their creditors, and so start the following financial year with a further deficit.

One can imagine the Scottish Parliament using its short-term borrowing facility to continue paying for programmes that were not funded by the Secretary of State, and to tide it over until the beginning of the following financial year.

Mr. McLeish *indicated dissent.*

Mr. Jenkin: I see the Minister shaking his head. If he can clarify that point, the amendment is serving its purpose.

Mr. Swinney: The hon. Gentleman made a point about public corporations and other bodies increasing their borrowing towards the end of the financial year. My experience has been almost the opposite, with public organisations trying to spend budgets towards the end of the financial year. Can he give us any evidence to support his claim?

9 pm

Mr. Jenkin: Yes. It is a well-known fact that—*[Laughter.]* I do not know why the hon. Member for Perth is scoffing in that way. It is a well-known fact that when hospital boards are struggling to treat as many patients as

[Mr. Jenkin]

possible, they delay payments to keep beds open. That has been one of the complaints. Year after year, hospital trusts in England and health authorities, whether in Scotland or England, finish the year with debts that they should not have, which they carry forward into the next financial year and then have to pay off as well as managing their budgets. That is a common problem. There is no reason to believe that the Scottish Parliament will not have similar problems as it will be dealing not merely with hospitals, but with schools and everything else. The Scottish Parliament will need to raise more revenue. Even if it raises the tartan tax, the United Kingdom debate about the Barnett formula could well carry on whittling away the Scottish Executive's budget.

Mr. McLeish: We are not doing that.

Mr. Jenkin: In that case, why was the waiting list money for the national health service—it is called the national health service—not distributed according to the Barnett formula? The Department of Health and the Treasury thought up a different pretext for distributing it, so that they could distribute more to England, where the waiting list problem was, than to Scotland. If the Minister disputes that, he also disputes the evidence that other hon. Members have put to the House in the past.

I am describing a degenerating scenario. On many occasions, the Secretary of State has invited us to consider the worst case scenario. I invite the Committee to look at the very worst case scenario—a Liverpool scenario. In that case, a local authority wilfully set an illegal budget, borrowed illegally and carried out expenditure programmes for which it had no funding, which put the authorities in an extremely difficult situation. That was only a local authority.

Under those circumstances, the borrowing limits set in the clause would be likely to be ignored. There is no guarantee that the borrowing limits in clause 64 would be respected. In such circumstances, what powers would this Parliament have? The Minister may well tell us that we would legislate to stabilise the situation, but as we would be dealing not with a local authority, but with a Scottish Parliament, of which a substantial proportion perhaps regarded itself as autonomous, we could be on the way to a serious conflict.

I shall ask the Minister a few questions about the reasons for the borrowing power and how it is expected to work. What would the borrowing be for? What relationship would the borrowing have with local authority borrowings? How would the Parliament supervise local authority borrowings? How would the liabilities be incurred—would the Parliament issue its own loan notes or would there be overdraft facilities and, if so, would they be borrowed from a bank or directly from the Secretary of State? Are we postulating a scenario in which the Secretary of State would ring the Parliament and say, "Sorry, you'll have to borrow a bit because the cheque is in the post"? What if the Scottish Executive should default on their borrowings? What measures are made available in the Bill to deal with that? Why a limit of £500 million? Why not less, or more? Why should we not expect the Scottish Executive to build up a reserve rather than depend on short-term overdrafts to deal with cash flow fluctuations? What measures would be available under the Bill if borrowing limits were exceeded? How would the Government, or the United Kingdom Parliament, force a future Scottish Executive to live within their borrowing constraints? Who would be liable for borrowing that turned out to have been incurred illegally? In a local authority, that is clear as the councillors are liable. The Minister should answer that question.

Our amendments are purely for clarification. Amendment No. 298 would make it clear that the borrowing should be subject to the approval of the Treasury and the Chancellor of the Exchequer rather than the Secretary of State. Amendments Nos. 299 and 300 are for the avoidance of doubt and establish that the Treasury should make the decisions. Amendment No. 301 questions whether there should be permission to raise the borrowing limits simply by order or whether it should require primary legislation. There seems to be no reason why the Parliament should not be invited to build up a reserve, rather than depend on short-term borrowing to deal with cash flow fluctuations.

Finally, in tabling amendment No. 302 to clause 65, we would simply ask why the Bill should contain a power for the Scottish Parliament to borrow in any currency other than sterling. Why would the approval of the Treasury ever be needed for that Parliament to borrow in a foreign currency?

Mr. Dalyell: From the seat now occupied by the hon. Member for North Tayside (Mr. Swinney), the late Enoch Powell spent not minutes, but hours on the borrowing requirements, with great effect and great justification. This is a very important issue.

The excellent notes on clauses provided by the Scottish Office say, on clause 63:

> "Amounts required for repayment (of principal and interest) are charged on the Scottish Consolidated Fund. The clause also prohibits members of the Scottish Executive from borrowing except under this clause or under any specific power in an Act of Parliament."

What Act of Parliament?

I do not want to go over all the questions asked by the hon. Member for North Essex (Mr. Jenkin), but may I repeat his question on default? There could be serious over-borrowing—in good faith, initially—by Departments desperate to fulfil political imperatives in social policy, housing, education and local government. We have to be told what happens if there is a real difficulty in Holyrood on default.

In view of the time and because I hope that we shall have an opportunity to ask questions on later clauses—particularly clause 66—I shall leave my contribution at that. I had some of the same questions—arrived at from a different direction—as the hon. Member for North Essex. To save time I shall not repeat them, but I look forward to hearing the answers.

Mr. Swinney: I shall keep my contribution brief. I start with a point of agreement. Like the hon. Members for North Essex (Mr. Jenkin) and for Linlithgow (Mr. Dalyell), I should like to understand the position on local authority borrowing. It is not clear how that will be affected. I look forward to the Minister's answer.

The hon. Member for North Essex said that these were probing amendments. I suspect that that means that we can say anything that we like. He almost gave us a lecture

on the near inevitability of the Scottish Parliament being profligate, with heavy borrowing going out of control and no brakes on the system.

Mr. Jenkin: I did not say that.

Mr. Swinney: That was the implication.

In 1991–92, the public sector borrowing requirement was £21.7 billion; in 1992–93, it was £44.5 billion; in 1993–94, it was £50.9 billion. I do not remember any Act being breached or any ceiling being reached. Parliament accepted the Executive's view that that level of public sector borrowing was necessary. A lecture from the Conservatives about the inevitability of the Scottish Parliament's finances going out of control is a bit rich.

Mr. Dalyell: The issue was not inevitability. Such a scenario could realistically happen. I am not saying that it is inevitable, but we have to think seriously about the danger.

Mr. Swinney: I did not associate the hon. Gentleman with the remarks about inevitability. I accept the seriousness with which he made his arguments. He has raised some valid issues, as he did in the debate on public accounts. Inevitability was inferable from the remarks of the hon. Member for North Essex.

My interpretation of the Government's proposals is that they create fairly limited opportunities for sensible financial management and recognise that there will be a bit of ebb and flow in normal public finances. Businesses manage with a cash flow and businesses have borrowing arrangements with their bank managers. The Government's proposals are not dissimilar.

I am concerned about how borrowing is constrained. I get the impression that a ceiling is being applied, with fairly tight constraints on borrowing. I accept the point of the hon. Member for Linlithgow about the definition in the legislation that constrains borrowing. That is a serious point which must be addressed. On the whole, the proposals are limited in structuring the finances of the Scottish Parliament for the business that it will have to transact.

Mr. Donald Gorrie (Edinburgh, West): I associate myself with the remarks of the hon. Member for North Tayside (Mr. Swinney). Conservative Members may not spell it out in words of one syllable, but time after time, the implication of their speeches is that the Scottish Parliament cannot be relied on to act in a civilised manner and that all sorts of constraints must be put on it. The Scottish Parliament will act as well as any other Parliament and, we hope, better than most. It will run its affairs intelligently.

Clause 63(1) refers to

"temporary excess of sums paid".

What is temporary?

There is also the ceiling, the amount of money that the Scottish Parliament may borrow. What if it decides to fund more of its activities in what might be called a traditional fashion rather than going in for private finance initiatives and other methods of trying to acquire capital that does not count against the system? What if it pays for hospitals, school improvements and the investment that the Scottish water and sewerage industry so desperately needs by Government borrowing? Local authorities have been mentioned. How will all that be managed? Will it be possible for the Scottish Parliament, within the apparent ceiling of £500 million, to deal with that? Some explanation of Government borrowing to fund such activities and organisations, as well as local government, would be helpful.

On the Conservative amendments, I do not see how making things subject to the approval of the Chancellor of the Exchequer and inserting "Treasury" instead of "Secretary of State" will fundamentally alter the finances of a Scottish Parliament or the control thereof. The amendments will not achieve what I think is their goal. The Conservatives appear not to want to allow the Scottish Parliament to increase its borrowing.

Mr. Heald: The hon. Gentleman may have noticed that under clause 90, all documents and information about the finance of the Scottish Parliament are to be given to the Treasury. In those circumstances, should not it be in charge of approving borrowing or loans? There is a synergy between information being provided and approval being given.

Mr. Gorrie: I have never been privileged to be a member of a Government, but I assume that the Secretary of State mentioned in the Bill would occasionally talk to the Treasury, exchange faxes or e-mails, or whatever is used in future, and sort the matter out. Under the Bill, the Secretary of State is supposed to be the liaison between Westminster and the Scottish Parliament, so presumably he would deal with the matter.

The Conservatives are concerned that the Scottish Parliament will run riot and borrow everything in sight, but it has to borrow from the Treasury. As far as I can tell, the Treasury has to give its approval. According to Tory dogma, the Treasury is all that is sound, sensible and reliable—surely it will not allow the Scottish Parliament to go mad and borrow too much.

Mr. Ancram: I think that the hon. Gentleman has fallen into the trap of the Bill by assuming that the Secretary of State mentioned in it is the Secretary of State for Scotland. In fact, right through the Bill, the Secretary of State is undefined and can be any Secretary of State, including, if necessary, the Chancellor of the Exchequer. It makes a nonsense of the hon. Gentleman's case, which is based on who talks to whom, if the Secretary of State in the Bill is not defined as being the Secretary of State for Scotland, so I hope that he will support our amendment to that effect later in the Bill.

9.15 pm

Mr. Gorrie: I do not accept that point. The Secretary of State is presumably the designated Secretary of State in whatever Government may exist.

Mr. Ancram: No.

Mr. Gorrie: No, it is the Secretary of State, so—*[Interruption.]*

The First Deputy Chairman: Order.

Mr. Gorrie: As I understand it, it is the Secretary of State who is authorised to deal with these matters, and I

[Mr. Gorrie]

should think that, whatever his or her title, he or she would be capable of talking to the Treasury, so I do not accept the point at all. The Conservatives should accept that they cannot claim that the Scottish Parliament would run rampant, when it will have to borrow money from the Treasury, which is all that is good and great in the eyes of the Tories.

Mr. Swayne: If the hon. Gentleman accepts that, whichever Secretary of State it may be, he or she will in any event be capable of speaking to the Treasury—indeed he or she will have to speak to the Treasury—why leave the Bill as it stands, with the requirement to deal with the monkey rather than the organ grinder?

Mr. Gorrie: I am not really an expert on organ grinders and I do not understand the hon. Gentleman's point. The Bill says that there is to be a person who is to deal with Scottish affairs in relation to Westminster, therefore—whatever his title may be in future—surely that person should deal with this matter.

My last point—I hope to be allowed to get through it without further interruption—is that the Conservatives' anti-Europeanism has surfaced even in a Bill about Scotland. The Scots are not to be allowed to borrow ecus or EMUs or whatever. By the time the Bill takes effect and the Scottish Parliament is up and running, sterling may have disappeared, in which case the Scottish Parliament will not be allowed to borrow anything at all.

Mr. Jenkin: If we were to enter the single currency, there would be legislation to provide that any reference to sterling in any Act of Parliament would henceforth be taken to refer to euros. I did not want to labour the point, because every time we raise a problem we are told that we must be against the Scottish Parliament, but there is a potential problem. Some local authorities have gone in for curious short-term financial instruments because they were convenient and the authority thought that that would be a good way of earning a little extra revenue. We simply ask: what is the purpose of having a power in the Bill for the Scottish Parliament to borrow in another currency, when we cannot foresee any circumstances in which it might want to do so? The Minister may well come forward with some sensible ideas, but the hon. Gentleman's suggestion is simply ludicrous.

Mr. Gorrie: Somebody much brighter than me said, "There are more things in heaven and earth than are within your imagination." The fact that Conservative Front Benchers cannot conceive of a circumstance in which the Scottish Parliament might want to do something does not mean that such a circumstance cannot occur. The future of the United Kingdom is not to be circumscribed by the limited imagination of a few ex-Scots.

Mr. Syms: The hon. Member for Linlithgow (Mr. Dalyell) has raised some good points about a critical part of the Bill.

In comparison with earlier clauses relating to accountability for money, the terms of clause 63 are restrictive by most standards. I spent 14 years in local government, and I believe that many local government treasurers would be horrified at a limitation on borrowing powers. According to the notes on clauses, there will be a limitation of £500 million in relation to the turnover of money by the Scottish Parliament, and although that is considerable, it is not a lot of money.

Our amendments are probing, and we are trying to be helpful. I presume that the clause is concerned mainly with the operation of cash flow in terms of the money available. What does "temporary excess" mean in clause 63(1)(a)? Are we talking about smoothing outflows throughout a 12-month period or beyond that? For example, some health trusts have run deficits and been allowed to roll them over. The totality of money available to the Scottish Parliament will be considerably different from that suggested if the Government take a relaxed view about the annual rollover of funds.

As for the working balance of the fund, I would imagine that one of between £400 million and £500 million would not be too bad. Perhaps the Minister can confirm that that is what the Government have in mind. Subsection (4) of the clause states:

> "A member of the Scottish Executive may borrow money only under this section or under any power conferred by an Act of Parliament."

In common with the hon. Member for Linlithgow, I should be interested to learn under what other Acts money could be borrowed. It may be a good thing to start off by restricting borrowing, because I presume that any borrowing will have an impact on the public sector borrowing requirement. In the United Kingdom context, therefore, one cannot totally ignore the level of borrowing by the Scottish Parliament.

We live in a country that has one of the most sophisticated financial centres of the western world, the City of London. Edinburgh is also a major financial centre of the nation. Many sophisticated financial instruments are used as methods of financing various projects. According to the notes on clauses, borrowing is reasonably restricted—in effect, £500 million via the Treasury. How will that borrowing relate to leasing agreements? In local government in particular, leasing agreements are made on cars and equipment. On occasions, assets have been sold and leased back. Will such practices be covered within the £500 million of borrowing? An authority's capacity to adjust its budget depending on whether it has sold the parking meters, bits of road or major public buildings is considerable.

We live in an age of derivatives and various other financial instruments. The hon. Member for Edinburgh, West (Mr. Gorrie) mentioned the private finance initiative, which has implications for taxpayers within Scotland. We are trying to probe the limitations on the treasurer or a given member of the Executive who is responsible for finance.

Mr. Dalyell: The hon. Gentleman referred to the Edinburgh finance houses; in practical terms, they represent an extremely important subject. There will be an enormous temptation on the Members of the Holyrood Parliament to press for extra borrowing powers. As surely as night follows day, some members of those finance houses will say, "Why don't you fight to extend the borrowing powers? We would love to accommodate you. We will overcome your short and medium-term problems in any sector that you care to mention. We have the money, and we will do that." There will be great

frustration on the part of the Holyrood Members if they are not able to extend the borrowing powers as offered to them by the Edinburgh financial institutions. Therein lies a considerable pressure to extend the borrowing powers.

Mr. Syms: The hon. Gentleman makes a good point. Most of the debate has been about the level of taxation and whether more resources should be pushed north of the border. Given the scale of the cash flow and the turnover of billions of pounds going through to a Scottish Parliament, it is inevitable that the person in charge of financial affairs will try to wriggle within the constraints. Those constraints seem to be reasonably fixed by the Bill. I hope that the Minister will reassure us that that is the case, as there are financial implications for the entire United Kingdom.

There may be some debate about whether the Scottish Parliament should have more borrowing powers or should have wider powers to use the financial instruments available. As I mentioned, some local authorities have sold buildings, roads, parking meters and other facilities that provide a stream of income. The way in which the Scottish Parliament progresses in terms of its borrowing capacity, leasing and perhaps using the private finance initiative will affect cash flow, education income and everything else, and determine how that assembly works.

With reference to one of the questions that will be put to the Scottish people—the question of the 3p on taxation—we heard from the Scottish National party that that relates to only a small portion of money, and we heard from Labour Members that they would not use that to start off with. If Labour controls the assembly, there will be tremendous temptations to look for financial alternatives to finance the Parliament's expenditure. Banks and other institutions, and some of the clever Edinburgh lawyers who are often mentioned in this place, would no doubt look for loopholes and methods by which to finance the political priorities over time.

I await a reassurance from the Minister that the Bill is as cast-iron as it looks. Are the borrowing powers of £500 million, primarily through the central Government of the United Kingdom, fixed? Are there clear definitions of financial terms such as borrowing, leasing and back-to-back loans? Those terms can become a jungle, and we must be clear, especially as this Parliament has a responsibility to the United Kingdom through the public sector borrowing requirement. If, as is natural, the Scottish Parliament is determined to use such flexibility as it can, that might have overall implications for resources throughout our island.

Mrs. Laing: This group of amendments is vital, as it goes to the heart of the Bill. Once again our discussion reveals the inherent conflict between the powers that the Bill gives to the new Scottish Parliament, and the powers that are reserved to this Parliament. The issues of responsibility and accountability are crucial, and we see yet more uncertainty in the Bill.

Those who want to see the Scottish Parliament succeed should not be so over-sensitive about its powers. The theme of this debate is like a discussion between a teenager and his parents: "No, I am quite able to do that for myself"; "No, I want to watch what you are doing and keep an eye on you." The inherent conflict at this stage of the plan for devolution can only get worse.

It will be interesting to know whether the Minister envisages the powers of the new Scottish Parliament increasing. Are the powers given by these clauses only the basis for the powers of a Scottish Parliament? Some hon. Members on my left—they certainly are on my left—representing the Scottish National party envisage the powers of the Scottish Parliament increasing. No legislative assembly operating in any part of the world does not want to see its powers increase. All such bodies look for ways of increasing the powers that they have been given or have taken.

9.30 pm

The interesting point is that, by challenging the amendments, the Government are saying implicitly not so much that the House does not trust the new Scottish Parliament—although that has been asserted—but that they do not trust the House to exercise properly its duties in holding to account the Chancellor of the Exchequer and other Treasury Ministers for public expenditure for which Her Majesty's Treasury is responsible. Only the Chancellor of the Exchequer can answer to the electorate of the whole United Kingdom for tax that is raised from the whole United Kingdom.

We are talking about that money tonight. Funding for the activities of the new Scottish Parliament will be raised from taxpayers throughout the United Kingdom. The body that is responsible for raising those taxes, and is therefore accountable for spending them, is the Treasury through the Chancellor of the Exchequer and this Westminster Parliament.

If Parliament is raising the taxes in order to fund the borrowing, it is nonsense to say that it should not be accountable for how they are spent. I am sure that most hon. Members will agree that control of public borrowing must be the responsibility of the body that funds the borrowing.

Mr. Swinney: How successful does the hon. Lady believe the previous Conservative Government were at controlling borrowing? How effective was Parliament at restraining that Government from putting borrowing through the roof?

Mrs. Laing: I have absolute confidence in the way in which Conservative Governments controlled borrowing for 18 years until they lost control of borrowing to the new Labour Government. We shall soon see what a disaster that is for the British people, for business and for the prosperity of the whole economy.

I remind the hon. Gentleman that borrowing is a cyclical function: when the economy goes up and down, borrowing fluctuates also. There is no doubt that the former Conservative Government controlled the public sector borrowing requirement to a far greater degree than any Labour Government ever did. That was an essential part of the economy's success in the late 1980s and early 1990s. It is sad that the Conservative Government lost control of the PSBR and public borrowing on 1 May.

Mr. Alasdair Morgan: In reply to one of the hon. Lady's earlier comments, I fear that the teenager may be forced to run away from home. These amendments would

[Mr. Alasdair Morgan]

put severe and tight constraints on the Scottish Parliament, but the hon. Lady seems to be heading in the opposite direction when she talks about profligate borrowing.

Mrs. Laing: No, certainly not. I thank the hon. Gentleman, but that is not the point. There are constraints on the Scottish Parliament. The point is not where the constraints lie, but who is accountable for the money that is raised to fund the borrowing. It is not reasonable to say that anyone other than the Chancellor of the Exchequer can be accountable for taxes raised in the United Kingdom. Therefore, the amendments are logical and sensible. They can be challenged only by those who do not trust the House and Ministers of this Parliament to carry out their duties properly.

Mr. Morgan: I thank the hon. Lady for giving way once again. Surely many pieces of legislation that pass through the House enable various Secretaries of State to spend from the moneys that are available and do not always require them to refer every piece of expenditure to the Chancellor of the Exchequer. Therefore, why should the various Secretaries of State be treated any differently in this particular enactment?

Mrs. Laing: I must entirely disagree with the hon. Gentleman. Any money that is spent by Secretaries of State who are responsible to the House has come to those Secretaries of State, as the hon. Gentleman said, through the Treasury and the Chancellor of the Exchequer; those Secretaries of State are responsible to the Chancellor of the Exchequer; and the Treasury keeps—or it did until 1 May last year, in my experience—a firm grip on the spending of any Department of State.

Therefore, the hon. Gentleman simply emphasises my point. Here we have yet another conflict inherent in the system that the Bill sets up. The hon. Member for Linlithgow (Mr. Dalyell) has highlighted the conflict itself. If the inherent conflicts that we are discussing are not ironed out now, and if there is not more certainty in the Bill as to how the new Scottish Parliament's financial operation will work, those tensions will increase.

As a result of that increase in those tensions between the Scottish Parliament and the Westminster Parliament, Scottish National party Members will get their way. There will be a complete lack of confidence in the devolved Parliament because of those tensions and conflicts and, sadly, as I said earlier, that will take us down the slippery slope towards an independent Scotland. That is the great fear.

It is not the detail that matters here, but the fact that there is in the Government's attitude to the amendments a clear lack of trust between what is envisaged as the new Scottish Parliament and the Parliament at Westminster. It is that lack of trust that will cause those tensions to increase and so allow Scottish National party Members to get their way.

If we do not get the Bill straight now and allow the devolution plans to work in a reasonable and reasoned way, they will not succeed and we shall go down the slippery slope to a separate Scotland, which is not what I want to see.

Mr. Swayne: I approach the amendment much in the spirit of the hon. Member for North Tayside (Mr. Swinney). It is proper to have amendments Nos. 298 and 299, which are in the spirit of clause 90. They effectively substitute for whomsoever Secretary of State it may be, the Government reality of having to deal with the Treasury. I am not quite so sanguine as my hon. Friend the Member for Poole (Mr. Syms). The amendments will ensure that any money borrowed by the Parliament is approved by the Treasury. That provides yet another safeguard against irresponsible financial behaviour by the Scottish Parliament.

The Minister will regard my speech as that of yet another Tory who is not prepared to trust the new Parliament. I return to an earlier theme—the pressures that the new parliamentarians will be under. They will face tight financial settlements; they will be up against real social problems in Scotland; and they will be unable to secure greater funds from London. One way out is borrowing, with all the sophistication that the modern financial markets can offer. It is in that respect that amendment No. 302 is so appropriate.

Sir Robert Smith: May I follow the hon. Member for Poole (Mr. Syms), especially in the light of today's news? Let us suppose that the Scottish Parliament were to embark on a great project, such as a high-speed link under the Irish sea to Ireland, and set it up as a private sector project. If the contract contained a wee clause saying that, in the event of the whole thing going belly-up, it would be bailed out by the Scottish Parliament, would these clauses have to deal with that?

Mr. McLeish: I appreciate that the hour is getting late. To be charitable, there seems to have been some genuine confusion. However, the meaning of the clauses has been completely distorted.

The general thrust of the clauses is control—who is controlling what, and what is the effect of scrutiny? Clause 68 says:

"The Secretary of State shall, for each financial year—

(a) prepare, in such form and manner as the Treasury may direct, an account of sums paid and received by him under sections 63, 64 and 67, and

(b) send the account to the Comptroller and Auditor General . . .

and the Comptroller and Auditor General shall examine, certify and report on the account and shall lay copies of it and of his report before each House of Parliament."

Those are circumscribed powers.

Mr. Jenkin: The Minister says that the powers in clause 68 are circumscribed. The clause is simply about provision of information and cannot circumscribe borrowing powers.

Mr. McLeish: If the hon. Gentleman reads the text of all the clauses subsequent to clauses 63 and 68, he will see that the Comptroller and Auditor General will get reports on those matters. The main point that I am trying to establish is that the powers in the Bill are extremely curtailed. Hon. Members have sought to distort them. The Bill is drafted in such a way as to ensure that the borrowing powers are housekeeping powers. I shall illustrate that point when I deal with the amendments.

May I answer some of the specific questions that were raised? The Bill does not affect local authorities' powers to borrow. The existing systems of control over borrowing by local authorities and other bodies remain in place.

Mr. Welsh: If the Scottish Parliament wanted to abolish the 75 per cent. capital debt repayment from the sale of current assets by local authorities, could it do so?

Mr. McLeish: That is not germane to the clause. The Scottish Parliament has a budget, and any steps that it takes in relation to devolved matters will have a hit on that. It will be up to the Parliament to decide. This matter concerns devolution in the sense that the block provides cash, so decisions that are taken always have a financial penalty.

Borrowing will involve a charge on the fund. We are discussing the Parliament's ability to act in an irresponsible manner.

Mrs. Margaret Ewing (Moray): I seek clarification from the Minister. Did he answer "yes" to the point raised by my hon. Friend the Member for Angus (Mr. Welsh) in the context of the 75 per cent.?

Mr. McLeish: I am dealing with clause 63. It is important to deal with the issues at stake because so many distorted comments have been made in relation to our proposals.

Leasing agreements were also mentioned. Expenditure on finance leases will count against the Parliament's budget at its capital value, as in the current public expenditure survey rules. That will reduce the money available for grant, and will not count against the borrowing limit.

There was also a question about the word "temporary". That subsection covers sums borrowed over a short time scale: days and weeks, rather than months and years. It puts the housekeeping nature of this arrangement into perspective. The clause is not meant to provide a semi-permanent loan facility to allow the Parliament or Executive to exceed its allocated budget. The phrase may be given more definition in practice by the repayment terms that are set out by the Treasury under clause 63(3), which states:

"Sums borrowed under this section shall be repaid to the Secretary of State at such times and by such methods, and interest on them shall be paid to him at such rates and at such times, as the Treasury may from time to time determine."

Every subsection contains formidable checks on borrowing under the rather narrow clause 63.

Mr. Dalyell: It is perhaps unreasonable at a quarter to 10 at night to ask for an answer to the question put by the hon. Members for Angus (Mr. Welsh) and for Moray (Mrs. Ewing). Could we, therefore, have a considered letter covering that issue? It is of considerable importance to local authorities, and I am afraid that I am rather in the dark.

Mr. McLeish: We shall respond to my hon. Friend's suggestion.

Mr. Ancram: Will the hon. Gentleman send us a copy?

Mr. McLeish: Yes, I shall follow the usual courtesies.

Amendment No. 298 would require the Scottish Ministers to seek the approval of the Chancellor of the Exchequer for sums borrowed from the Secretary of State under clause 63(1). Amendments Nos. 299 and 300 would make the Treasury rather than the Secretary of State the lender under the short-term borrowing power. However, all such borrowing is also subject to the provisions in clause 64, which explicitly states that the Treasury may issue to the Secretary of State, out of the National Loans fund, the sums required by him for making loans to the Scottish Ministers under clause 63.

Clause 63 also provides that the borrowing shall be repaid to the Secretary of State on terms determined by the Treasury. That includes such matters as time scales and methods of repayments and the rates of interest to be paid.

I am satisfied that those provisions give the Treasury fairly robust powers in relation to such short-term borrowing under clause 63.

Amendment No. 301 would enable the Secretary of State to reduce as well as increase the ceiling of £500 million for the short-term borrowing power. The ceiling of £500 million specified in clause 64(2) is intended to be just that: an upper limit. We expect that borrowing will be well within that limit the majority of the time. Clause 64(3) simply enables that amount to be increased, with the consent of the Treasury, from time to time should it be necessary, such as to deal with unforeseen circumstances.

Mr. Heald: If the Treasury is responsible for an issue such as the repayment of debt under clause 63(3), it is usual for the statutory provision to specify the Treasury rather than the Secretary of State, as in clause 90. If the Treasury is to be the relevant Department, why should not the Bill say so?

Mr. McLeish: The Secretary of State is much closer to accounting officers, so the strategy used in clause 63 is sensible, given that the Treasury will underpin the arrangements.

Clause 101 provides that a statutory instrument containing an order under clause 64(3) shall be an affirmative instrument of the House of Commons. There will be ample opportunity for proper consideration by hon. Members.

Amendment No. 302 would prohibit completely non-sterling borrowing by public bodies. We believe that that is too inflexible. Although we do not expect any great demand for this facility, it is necessary to allow such borrowing should it be required. It is not beyond the bounds of possibility that a public body will want to borrow from a European Union institution, and such borrowing may be available only in euros. This contingency arrangement is designed to give maximum flexibility to the Parliament in those circumstances. Given that non-sterling borrowing can have macro-economic consequences, it is only right and proper for any bodies that want to take advantage of such borrowing first to obtain the consent of Scottish Ministers, who in turn must seek the Treasury's approval. As hon. Members will know, macro-economic concerns are very much a reserved matter.

[Mr. McLeish]

There are good financial management reasons for Departments other than the Treasury to undertake lending to public bodies. As I said earlier, Departments are generally closer to their operations and accounting officers than the accounting officer at the Treasury.

For those reasons I believe that the amendments are unnecessary, and I hope that amendment No. 298 will be withdrawn.

Mr. Jenkin: I am grateful for the trouble that the Minister has taken in responding to at least some of the points that have been made. As he knows, we will not press the matter to a Division, but I want answers to two questions that I asked about local authority borrowing. First, I asked what relationship with local authority borrowings the Scottish Parliament would have. Under the present arrangement, the Scottish Office will distribute borrowing consents to local authorities. If we are delegating the borrowing authority to the Scottish Executive to distribute, does it have to be delegated to local authorities? Perhaps, when he is dealing with the pertinent points raised by the Scottish National party, the Minister will explain exactly what the relationship is.

Mr. McLeish: The amendments do not relate to local authority borrowing.

Mr. Jenkin: I appreciate that the Minister has not been briefed on the subject, but I would be grateful if he could deal with it.

Mr. McLeish: May I make my point? We are dealing with a housekeeping borrowing requirement in clause 63; it does not affect local authority borrowing.

Mr. Jenkin: I think that I have made my point.

Will the Minister answer the other questions that I asked, which he has not answered so far? One of them was raised by the hon. Member for Linlithgow (Mr. Dalyell). What happens if the Scottish Executive or the Scottish Parliament defaults on its borrowings? The Minister also gave no explanation or rationale for the figure of £500 million. Was it plucked out of the air?

In the event of default, what sanctions has this Parliament, or the Government, over the Scottish Executive or the public bodies if borrowing limits are exceeded? How would the Treasury force the Scottish Executive to live within their borrowing constraints, or, indeed, force the Scottish Executive to return moneys that they refused to return? I realise that we are dealing with a worst case scenario, but I think those questions need to be answered.

I also asked who would be liable in the event of borrowing that turned out to be illegal. I consider that a fair question. We have strict rules relating to local authorities; what are the equivalent rules in this instance?

The Minister glossed over questions about sale and leaseback. Will the Scottish Parliament be able to enter into such arrangements? Clause 61 deals with sums received by the Scottish Parliament. Must those sums be paid back in the repayment of loans, or, as currently obtains in the rest of the United Kingdom, must assets disposed of by Departments go back into the Treasury pot? Should there not be an obligation to repay debt on the disposal of such assets?

I do not feel that the Minister has dealt adequately with a good many questions, particularly the point amplified by the hon. Member for Linlithgow about default.

Mr. McLeish: The hon. Member for North Essex (Mr. Jenkin) mentioned the £500 million. His hon. Friend the Member for Poole (Mr. Syms) considered that a reasonable amount, and that is our judgment. It is about housekeeping—about day-to-day transactions in relation to shortfalls. I think that the position is self-evident, but remarkable distortions have been built into the clause. It is common sense: it allows the Parliament to deal with business as it ebbs and flows throughout the year. The Opposition, however, clearly find it difficult to deal with the issue without trying to distort it and to give us a stronger flavour of their reluctance to acknowledge that devolution for Scots is a serious issue.

Mr. Dalyell: There must be a question of contingency of default. I have an interest in not wanting a reply tonight because I should like to ask one question on clause 66, but will my hon. Friend the Minister write to us in the cold light of morning about the question of default? It is a real possibility—we will not say probability—and we must know one way or the other.

Mr. McLeish: My hon. Friend refers to default as a possibility. It is an entirely remote possibility. The serious issue is that this is a mature Parliament dealing with substantial sums of public funds, passed through in grant from this House. It is inconceivable that less responsibility will be exercised in the Scottish Parliament than in the House.

Comment after comment suggests that Members in the Scottish Parliament will not want to scrutinise or take the responsibility—and privilege—of spending other people's money as seriously as we do in this House. It is vital that our central proposition is acknowledged. However, if there were default, which I have described as a remote possibility, the Secretary of State can withhold grant. The charge against the Scottish Consolidated Fund is something against which the Parliament cannot vote. Therefore, there are important safeguards in every clause from 63 to 68, but I will set them out in a letter, which we will pass to the Opposition and which will illustrate entirely the implications of the points that have been raised.

Mr. Jenkin: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 63 ordered to stand part of the Bill.

Clauses 64 and 65 ordered to stand part of the Bill.

Clause 66

FINANCIAL CONTROL, ACCOUNTS AND AUDIT

Question proposed, That the clause stand part of the Bill.

Mr. Dalyell *rose—*

The First Deputy Chairman: Order. Before the hon. Gentleman speaks, may I say that I am allowing the hon. Gentleman some discretion because clause 66 stand part was debated in the previous block of amendments. However, with my discretion, I shall allow him to make a brief point on clause 66.

Mr. Dalyell: I refer to the good notes provided by the Scottish Office. Subsection (4) states:

"For the purposes of this section, a person is independent in relation to a function if he is not subject to the direction or control of any member of the Scottish Executive or of the Parliament in exercising that function."

Frankly, this is a query that I promised the Law Society of Scotland I would raise.

It is noted that an independent person is to be appointed with a supervisory role in respect of Scottish Ministers, the Lord Advocate and other Scottish Departments and statutory bodies. It does not appear particularly clear, however, who might be appointed as such an independent person or indeed who is precluded from appointment. For example, does subsection (4) mean that a Scottish civil servant might not be appointed or is it intended, for example, to be the National Audit Office or a similar body? I believe that my hon. Friend has been briefed on this matter.

Mr. McLeish: It is not accurate to describe the role of the independent person as supervisory. It is an audit function. The Law Society of Scotland complains that it is not clear who might be appointed. Clause 66 sets out several things that the Parliament must provide for, but it does not say what the detail should be. That is properly a matter for the Parliament. The clause sets out a minimum framework. It follows that the Parliament will decide how the audit function is organised. Clause 66(4) means that the chief audit figure may not be a civil servant of the Executive, but will be an entirely separate appointment by the Parliament. The Parliament could decide to appoint the National Audit Office to carry out the audit work, or it could set up a similar body.

Question put and agreed to.

Clause 66 ordered to stand part of the Bill.

Clause 67

EXISTING DEBT

Question proposed, That the clause stand part of the Bill.

Mr. Ancram: Will the Minister explain—perhaps in writing—clause 67(3) and (4)? He talked about good housekeeping, yet subsection (3) states:

"Amounts equal to those which are to be received by Scottish Ministers in repayment of principal shall be treated as being amounts of advances".

However, subsection (4) states:

"Such advances shall be repaid to the Secretary of State at such times and by such methods, and interest on them shall be paid to him at such rates and at such times, as the Treasury may from time to time determine."

How on earth will the Scottish Parliament be able to make any decision or judgments on the rate of repayment if, at the end of the day, it is totally at the discretion of the Treasury?

Mr. McLeish: As I have 36 seconds left, with the leave of the Committee I will write to the right hon. Gentleman on that point.

It being Ten o'clock, THE CHAIRMAN, *pursuant to the Order [9 February] and the Resolution [10 February], put forthwith the Question already proposed from the Chair.*

Clause 67 ordered to stand part of the Bill.

The Chairman *then proceeded to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 68 ordered to stand part of the Bill.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—*[Mr. McFall.]*

Committee report progress; to sit again tomorrow.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

DANGEROUS DRUGS

That the draft Misuse of Drugs Act 1971 (Modification) Order 1998, which was laid before this House on 15th January, be approved.—*[Mr. McFall.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

RATING AND VALUATION

That the draft Valuation and Rating (Exempted Classes) (Scotland) Order 1998, which was laid before this House on 15th January, be approved.—*[Mr. McFall.]*

Question agreed to.

A3 Kingston Bypass

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McFall.]*

10.1 pm

Mr. Edward Davey (Kingston and Surbiton): May I begin, Mr. Deputy Speaker, by thanking you for the opportunity to raise this issue today? The A3 Kingston bypass is worthy of debate for many reasons. For example, it is reputed to be the busiest stretch of non-motorway road in Europe. It has to accommodate large volumes of traffic on a road designed many years ago for a tiny fraction of that traffic. It is a difficult road on which to drive because the lanes are narrow and traffic is so heavy and fast-moving. Not surprisingly, there are many accidents.

These are good reasons for debating the A3 Kingston bypass, but they are not the main issue on which I wish to focus today. Instead, I want to focus on the people who live next to the A3—the communities on either side of the road which bisects my constituency. In my research and campaigning, I have been horrified by how little attention and weight is given to the needs of these people in the calculations and decision processes of the Highways Agency—the body responsible for the A3 and its service roads.

The shortcomings of the Highways Agency approach was shown recently in a report on the A3 Kingston bypass, entitled "Assessment of accidents involving vehicles leaving the main carriageway on the nearside." The report made the welcome recommendation that the speed limits on the road should be reviewed, but failed to back the case for more verge safety fencing. I believe this failure followed directly from the narrow terms to which the previous Government asked the Highways Agency to operate, and from the flawed statistical methodology the agency has to use. These have to change.

Even without such systemic changes, it is now vital that something is done to make this stretch of road safer for the people who live alongside it. These residents already live with the pollution and deafening noise from the road. It seems entirely reasonable to ask that they should at least be safe in their homes, protected from traffic accidents.

To improve safety for local residents, various actions are required. In some places, traffic-calming measures on service roads—such as Tolworth rise north—would help. Some service roads, such as Hook rise south, would benefit from a reduced speed limit. In other places, such as some stretches of Malden way, blocking the service road where it runs directly and dangerously on to the A3 might be the solution. I ask the Minister urgently to instruct the Highways Agency to consult residents on such options.

Whatever specific package of improvements might result from such a consultation, I am convinced that any safety improvement programme must contain three essential measures. First, it must provide a reduction in the speed limit, to 50 mph, along the entire stretch of main carriageway. Secondly, there must be measures to ensure proper and rigorous enforcement of such a speed limit. Thirdly, and above all else, safety fences must be installed in the many spots that are still unprotected. I argue for the urgent implementation of those three measures.

The A3 Kingston bypass is a unique stretch of road. Built before the war, compared with current standards, it is now substandard in many key aspects of its design and construction. The Highways Agency freely admits that, today, no new trunk road would be built to such poor safety standards. However, the bypass should not be compared with a new trunk road: it is more akin to an urban motorway. It is six lanes of fast-moving traffic, snaking through Chessington, Tolworth and New Malden, often at speeds well in excess of the 70 mph limit. That urban speedway has many dangerous features that would be considered totally unacceptable and unsafe on a new trunk road, let alone on a motorway.

The service roads at either side of the main carriageway are mostly two way, resulting in traffic passing near-side lane to near-side lane, with no safety fences in between, which is extremely disconcerting for drivers new to the road. As for the many entrances to and exits from that busy road, vehicles simply have insufficient room for adequate acceleration or deceleration into or out of the fast-moving A3 traffic. The road design and layout mean that often there are no proper slip roads. Even when there are slip roads on to the A3—such as that running from the Tolworth junction, by the Toby Jug pub—people experience real dangers when joining the A3. Several bus stops are still on the main carriageway—which would be unimaginable on a motorway and unthinkable on a new stretch of trunk road.

Undoubtedly, the most dangerous feature for local residents is the high speed of heavy traffic on a road with close proximity to unprotected footpaths and housing. Earlier this week, I met local residents and walked along both sides of the road. They told me how frequently accidents occur—once a week in some places. Cars leaving the carriageway and crossing a verge often end up crashing into parked cars, colliding with people's garden walls or smashing into people's houses. It is anyone's guess whether those accidents are all reported or appear in the Highways Agency's statistics, but I doubt that they do.

Local people told me how vehicles—cars and lorries alike—with no safety fences to stop them, often cross the near-side verge from the main carriageway on to service roads, simply to avoid queues. Unsurprisingly, such reckless queue jumping often results in accidents or in damage to parked vehicles. It can only be a matter of time before a pedestrian is killed, or even residents sitting in their lounge watching television are killed.

If the Minister doubts those dangers, I shall recount one relatively recent incident. On 18 January 1997, a Sainsbury's lorry left the main carriageway, crossed the service road and finally crashed into 210 Tolworth rise south. Before this debate, I gave the Minister a copy of a photograph of that dreadful incident. As the verge at that site is sloped and has absolutely no safety barrier, the vehicle left the carriageway and became airborne. It crashed into a house, but caused £135,000 in damage and destruction to two houses. Fortunately, no one was hurt.

The accident was not the first time that vehicles have ploughed into 210 Tolworth rise south. The resident, Mr. Wouters, told me that his front wall had been knocked down three times. Another time, one Christmas morning, his porch was destroyed. One might ask why he continues to live there. Perhaps, because he served his country in the 6th Airborne, he is reluctant to retreat in the line of fire. However, he should not have to retreat. Mr. Wouters, his wife and their neighbours should have

protection—and at the earliest possible opportunity. There is an unanswerable case for safety barriers along that stretch of Tolworth rise south. Indeed, as I walked along the A3, I saw that protection was needed in many places, along Malden way, for example. What makes the problem even more bizarre is that safety barriers are installed in some places and special kerbing in others, yet for some unfathomable reason, a number of places have been left totally unprotected.

Local feeling is now running high, especially after the recent report from the Highways Agency, rejecting the case for safety barriers. Local residents, especially those from Tolworth rise and Malden way, are so upset that, led by a local young mother, Ms Julie Fisher, they have recently set up the SCAR campaign—stop cars, add railings. After years of inaction and excuses, it is clear that they have simply had enough. Having spoken to them and seen the excellent work of Councillor Rev. David Ward on the subject over the years, and having worked on the issue for some months, I can understand residents' frustration.

Let us start with the report. Even from its introduction, it is clear that it is flawed. It says that it will look at only those accidents involving personal injury. In other words, it ignores the many other accidents that happen almost daily. On that distorted logic, a safety fence can be fitted only when a few injuries and deaths have occurred. It is madness. I hope that the Minister has read the report and that she was as unimpressed as I was by its sometimes illogical and always unconvincing arguments.

In one part, the report notes that sections of carriageway without safety fences have lower accident rates than sections with safety fences. There is no real attempt to discuss that—just the implication that safety fences may contribute to more accidents. With such a finding, one might have expected the Highways Agency to recommend the removal of existing safety fences, yet it does not. Just to show how inconsistent and poor the report is, it goes on to destroy its own argument by admitting that existing safety fencing was, of course, erected in places where accidents were most likely to happen.

Ministers must not allow decisions to be taken on the basis of reports that, frankly, are even more substandard than the safety features on the A3.

The report's conclusion that there is no case for more safety fencing is odd, given some of the facts that it sets out. During its 36-month reference period, 341 personal injury accidents were recorded, of which 37 involved vehicles leaving the main carriageway on the near side. Of those, 16 were in areas with no safety fencing. However, of the 21 which occurred where safety fencing was in place, only three resulted in the safety fence being breached—in other words, the barriers work.

Given the number of accidents, the effectiveness of the barriers and the other advantages the barriers would bring—such as an end to the dangerous queue jumping via the service road—the case for more safety barriers is extremely strong. Yet the report and my meeting with the Highways Agency made it clear to me that those facts were not sufficient to convince the agency to invest in safety.

So I brought the case directly to the House and the Minister. The Minister may reply that the agency has a long list of competing demands and that there must be a system for prioritising budgets. I do not disagree, but the current system is wrong. Surely it would be in line with other excellent Government initiatives—such as those on drink driving and the 20 mph speed limits—for the Minister to instruct the Highways Agency to consider the interests of the local community and not just the road user in its decisions.

Let me give the Minister another example of problems with the agency's current remit and approach. During my meeting with the Highways Agency, I questioned its representatives closely on the agency's priorities for retrospectively implementing modern safety standards to old trunk roads such as the A3 Kingston bypass. I was told that the agency's priorities did not include safety fences along the verge, so I questioned it about that. I was continually referred to the agency's guidelines, so I asked them to send me a copy. For the record, it was departmental standard TD 19/85 published in June 1985—a thrilling read. It makes it clear that, like the accident cluster analysis in the report, the guidelines for retrospectively fitting safety fences and barriers are fundamentally flawed. Section 4 of the document sets that out. It states:

"Fences can be retrospectively fitted to verges in cases (a) to (f) set out below."

Let us look at (d). It refers to

"obstructions including bridge piers or abutments, posts or large signs and sign gantry legs and trees."

Nowhere do the guidelines mention anything relating to pedestrian safety or the protection of property—with of course, the exception of the agency's own property. According to the guidelines, protecting subways is more important than protecting people's homes.

I hope that the Minister will assure me that she will review those guidelines as a matter of priority, as they cannot be right. In the context of the A3 Kingston bypass, they have resulted, and could continue to result, in substantial amounts of public money being spent on items that are not the top priority for safety for either local residents or the road user.

Councillors and residents have been given many excuses over the years for inaction on safety barriers. They have, for example, been told that the verge is not wide enough for barriers, yet it is wide enough to install barriers to protect gantries and subways. They have also been told that barriers would reduce visibility for drivers but, with sufficient signing, good design and a reduction in the speed limit, I do not believe that that would be the case. No one believes the excuses any longer.

I make no apology for being hard on the Highways Agency and its attitude to safety fences, but I want to be fair. I am delighted that, with the agency's help, we seem at long last to be making progress on the speed limit. I understand that it is highly likely that, later this year, the limit will be reduced to 50 mph. Anything that the Minister can do to ensure that the change is made would be heartily welcomed. If she can confirm today that the speed limit will be reduced, that would be excellent news.

The Minister will know that a reduction in the speed limit is no good unless it can be enforced. I have been told by the Hampton traffic unit that, with current resources, it would be stretched to enforce the limit, so we must also ensure that speed cameras are turned on, that they contain film, that the film is processed and checked and that there are more speed cameras. We must also ensure that it is

[Mr. Edward Davey]

made visually clear to motorists that they are entering the reduced speed limit section—the signing must be clear and precise.

This issue is not going to go away. The previous Government failed abysmally to listen. I hope that the new Government will have fresh ears to hear, especially as this is the first time on the Floor of the House that the modern A3 Kingston bypass has been discussed and the views of those who live on the road properly represented.

I hope that the Minister will assure me that she will ensure that, when the speed limit is reduced and enforced, safety barriers will be installed. If she has any worries about the issue, I extend to her an open invitation from the local residents to visit the site at any time. She will be most welcome, and I am sure such a visit would convince her, as it did me, that urgent action needs to be taken on this matter. My constituents are looking to her for help.

10.16 pm

The Minister for Transport in London (Ms Glenda Jackson): I congratulate the hon. Member for Kingston and Surbiton (Mr. Davey) not only on obtaining the debate but on having carried out so much research into issues that are, as he said, of particular concern to his constituents.

I welcome the opportunity to speak about the A3 Kingston bypass. I am aware that the hon. Gentleman has discussed a number of issues relating to the road with the Highways Agency. The road forms part of an important connection between the M25 and central London, as well as providing for local journeys. It is approximately 9.7 km long, consisting almost entirely of dual three-lane carriageway. It has, as the hon. Gentleman said, a speed limit of 70 mph and lane widths of 3 m.

I am pleased to inform the hon. Gentleman—I hope that he will be pleased to hear it—that the Highways Agency has commissioned a planned infrastructure investment study, which will comprise a major review of the maintenance and improvement works. The study will take a long-term look at the road, providing an outline programme for a 40-year period and a more detailed programme for upgrade and improvements that are required over the next four to five years. We believe that that will help to improve co-ordination of works, reduce the impact on road users and result in less disturbance to residents.

As the hon. Gentleman said, a number of issues affect the Kingston bypass. The Highways Agency has been actively involved in commissioning its consultant agent—Parkman Ltd.—and the London accident analysis unit to provide in-depth route and accident studies.

I am aware—indeed, the hon. Gentleman made it brilliantly clear—that he and his constituents are especially concerned about the provision of near-side safety fencing. I fully understand his wish to protect the occupiers of properties that front the bypass, especially those along the section at Tolworth rise south where, as he so graphically detailed, a heavy goods vehicle left the near-side carriageway on 18 January 1997.

Following that dreadful incident, it was decided that the Highways Agency should investigate the history of near-side accidents. The London accident analysis unit was commissioned to carry out an analysis of accidents involving personal injury along the entire length of the A3 Kingston bypass from the A243 Hook road to the A308 Kingston vale. It used, as a basis, accident data collected over a three-year period ending November 1996. There were 341 personal injury accidents, of which 194 involved vehicles on the main carriageway. Of those, 37 involved a vehicle leaving the main carriageway on the near-side.

The analysis found no evidence of accident clusters, which, for a road such as the A3, are locations where there are three or more injury accidents within three years. The analysis found no such locations on the A3 verges. The study also found, as the hon. Gentleman pointed out, that those sections of the Kingston bypass with safety fencing had a higher incidence of vehicles running off the verge than did sections without verge safety fencing. However, that could be due to existing safety fencing having been erected where it was geographically most likely that vehicles would leave the main carriageway.

A comparison of personal injury accidents taken from the London accident analysis unit reports for 1994 and 1996 shows that the Kingston bypass has fewer personal injury accidents per kilometre than other trunk roads, borough roads and motorways within Greater London. For the A3 Kingston bypass, typical values are 12 accidents per kilometre. Elsewhere, the figure is nearer 16 accidents per kilometre.

A key target set by the Secretary of State for the Highways Agency is to contribute to reducing the number of accidents by the year 2000 by a third. One of the ways to achieve the target is to carry out safety schemes where the road environment is believed to contribute to the occurrence of accidents. The identification of suitable locations is not simple. The nature of accidents is such that it is not possible to predict where or when one will occur. Besides the isolated cases, it is known that accidents occur at sites of higher risk and those are identified by clusters of similar types of accidents. Therefore, the Highways Agency targets such sites.

Reliable data on personal injury accidents are available as a result of the legal requirement to report them. However, I recognise that a number of damage-only accidents will also have occurred. Indeed, residents and their representatives have brought those to the attention of the Highways Agency, for which I am grateful. As yet, there are no reliable records of those and, therefore, the nationally accepted practice is to use injury accidents to decide priorities between sites.

The criteria used by the Highways Agency for the provision and location of safety fencing are set down in departmental standard TD 19/85, "Safety Fences and Barriers", which is contained in volume 2, section 2 of the "Design Manual for Roads and Bridges". A copy of TD 19/85 is lodged in the House of Commons Library. The then Minister for Roads and Traffic made a statement to Parliament on 17 December 1986, which extended the provision of safety barriers to all dual carriageway trunk road central reserves where it could be shown that that was justified by the traffic using the road. That was to reduce the number of multiple-vehicle crossover incidents.

The "Safety Fences and Barriers" standard gives advice on the need to protect exceptional local hazards and it is for the designers to consider whether, in their professional experience, safety barriers should be provided. Safety barriers in themselves may present a hazard.

Verge accidents on the highway, unlike central reserve crossover accidents, usually involve one vehicle. Therefore, continuous-verge barriers are provided at sites of higher risk in accordance with departmental standard TD 19/85.

The policy of providing vehicle protection only at identified obstructions and hazards is well tested. However, it is under continuous review and is amended in the light of changing circumstances. The Highways Agency and the Transport Research Laboratory are examining accident data to evaluate the case for extending the provision of safety barriers at verges. Safety fencing on the verge should be provided where there are exceptional local hazards involving layout and roadside features. That includes obstructions closer than 4.5 m to the edge of the running carriageway on roads with speed limits above 50 mph. There is no requirement to protect obstructions, including buildings, beyond that point.

Safety fencing does not always provide the full solution. A safety fence would not have prevented the lorry from leaving the carriageway on 18 January 1997. Safety fences are designed and provided to contain vehicles of up to 1.5 tonnes. Evidence shows that a safety fence would have only a marginal effect on reducing the speed of errant heavy goods vehicles. In many locations on the verge, there is insufficient room to erect safety fencing that complies fully to TD 19/85. Where safety fencing is erected with less clearance than desirable there is an increased risk of accidents. For example, a car hitting a safety fence may be redirected back into a fast-moving traffic stream.

Another consideration is the effect that safety fencing can have on drivers' stopping sight distance, as the hon. Gentleman said. A safety fence can be an obstruction to a driver's line of vision approaching a bend and inhibit the ability to brake safely and stop before reaching an observed hazard. Other alternatives to protect near-side verges on the A3 such as higher kerbs are not viable. Research has shown that they are not suitable for high-speed roads such the Kingston bypass.

One positive proposal to come out of the London accident analysis unit's report was a recommendation for a review of the existing 70 mph speed limit on the A3 Kingston bypass. The Highways Agency has discussed the matter with the police, who are keen for the existing limit to be lowered to 50 mph. I trust that the hon. Gentleman will welcome that. Having completed an initial consultation with interested parties, the Highways Agency is proposing to publish draft orders on 20 March 1998 to reduce the speed limit to 50 mph. A statutory objection period of seven weeks will follow before the Highways Agency can make the necessary orders. If no objections are received, it will organise the erection of signing to implement the new speed limit. The works will include the installation of additional speed cameras, requested by the police to enable the effective enforcement of the new speed limit. The hon. Gentleman said that that was particularly important. It is anticipated that implementation will be completed by summer 1998.

We believe that the measure will offer benefits to road users and local residents. Research has shown that reducing the speed limit can result in a reduction in the total number of accidents. That is an important principle in the Highways Agency's key objective of achieving a one-third reduction in the number of accidents by 2000.

I am aware that local residents and councillors have campaigned for a reduction in speed. A petition presented to the Government last year by local residents favoured a 50 mph speed limit. I trust that the residents will recognise that their concerns have been taken into account and something has been done. The Government have a duty to protect road users and residents. A 50 mph limit will strike a balance between the needs of both. Once the Highways Agency has completed the exercise, I shall ask it to monitor the situation and report back to me on the benefits obtained and make recommendations for any further measures.

There is also the problem of vehicles crossing the near-side verge at certain locations and using the service roads as a short cut when traffic on the A3 is delayed. The most notable example was on 18 December 1997, when a burst water main caused a long tailback and led to a driver intentionally crossing the near-side verge. The vehicle subsequently hit a car parked in the service road. The Highways Agency is aware of the situation, but, because of the specific circumstances and site constraints, it is having difficulty identifying a practical and safe solution. For example, raised kerbs and concrete bollards can create risks.

For other road users, such as motor cyclists, flexible knockdown bollards do not present a significant deterrent. The Highways Agency will therefore continue to monitor and consider the situation carefully. The service roads are part of the trunk road network, but are more akin to local roads in terms of problems faced by residents. The agency would like to reopen discussions with a view to transferring all service roads to local authorities. They could then be managed as local roads for the sole benefit of local residents.

Concern has also been raised, and was again tonight by the hon. Gentleman, about the safety of pedestrians, particularly schoolchildren. However, the majority of such journeys are made on footpaths not adjacent to the A3, and we therefore believe that the risks are low. The risk will inevitably be further reduced by the intended reduction in the speed limit. I will, however, ask the Highways Agency to identify any locations where large numbers of pedestrian movements occur on footways immediately adjacent to the A3 carriageways. It will also identify opportunities to implement schemes that encourage reduced dependence on car-borne journeys in support of its Toolkit initiative, which was launched by noble Friend the Minister for Roads on 22 January 1998.

[Ms Glenda Jackson]

In conclusion, it is clear that the reduction of speed on the A3 Kingston bypass will have an impact on the entire length of road in terms of reducing accidents. By monitoring the situation closely, the Highways Agency will be able to determine whether the speed limit reductions, combined with action to safeguard areas where exceptional hazards exist, will have the desired effect. However, I realise that the hon. Gentleman will conclude that that does not go far enough. An open mind will therefore be kept on the issue of safety fencing following the introduction of the 50 mph speed limit, and I will—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-nine minutes to Eleven o'clock.

House of Commons

Friday 13 February 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Employment of Children Bill

Order for Second Reading read.

9.34 am

Mr. Chris Pond (Gravesham): I beg to move, That the Bill be now read a Second time.

When I chose today as the date for the Second Reading of my Bill, I did not realise that we would be celebrating something of an anniversary. Today, as we know, is Friday 13 February; by coincidence, the previous Bill providing national legislation on this issue received its Second Reading on Friday 12 February 1932. One hon. Member speaking in that debate on the Children and Young Persons Bill commented:

"If we accept this Bill . . . it is just 24 years since the last Children's Bill was introduced",

adding rather plaintively:

"Must we wait for another 24 years?"—[*Official Report*, 12 February 1932; Vol. 261, c. 1233.]

Actually, the wait was a little longer than that—66 years almost to the day.

That hon. Member's wait might have been rather shorter. Nearly 25 years ago, in March 1973, a private Member's Bill with the same title as this one went into Committee. It, too, was called the Employment of Children Bill, and the private Member concerned was a Mr. Jeffrey Archer. I understand that the Bill was something of a potboiler, and is still available in airport lounges around the country.

Although Mr. Archer had come only 16th or 17th in the ballot, and although he admitted to being just a little half-hearted about the Bill—which was originally a Labour measure, and which he had taken off the shelf, having nothing much else to put in its place—it had a very fair wind. As Mr. Archer noted in Committee,

"There has been a demand for it in the constituencies, and it is wanted by all parties. We shall all be glad to see it passed into law and on the Statute Book."—[*Official Report, Standing Committee C*, 14 March 1973; c. 7.]

The same might be said of the present Bill of the same title. Nearly 170 hon. Members signed the early-day motion supporting the Bill, and most of the signatures were collected in the space of a week. The Bill's sponsors, many of whom are in the Chamber this morning, have provided tremendous support, for which I thank them, and they represent each of the three main parties. At its First Reading, three of the 11 sponsors were Conservatives. Soon afterwards, we lost one of those three—not because he was no longer a sponsor, but because he was no longer a Conservative.

Let me take this opportunity to wish the hon. Member for Leominster (Mr. Temple-Morris) a happy birthday. Although he cannot be with us this morning, for reasons that we understand, he can comfort himself with the thought that yesterday he was exactly six years younger than the most recent national legislation on child employment. He will not mind my saying that I am not referring to the 1973 Act—which was never signed by the Secretary of State, and therefore never came into force.

As well as the support for the Bill in the House, there is considerable support outside. I pay tribute first to the Low Pay Unit, an organisation with which I worked for many years before entering the House and with which I am still proud to be associated. The unit helped to draft the Bill, and for many years has carried out research on the extent of child labour. It has also campaigned for better protection for children at work.

As hon. Members will know from their postbags, the Bill is also supported by many other organisations, such as the major children's charities, including the National Society for the Prevention of Cruelty to Children, NCH Action for Children, Save the Children, the Child Accident Prevention Trust and the Children's Rights Office. The Trades Union Congress and individual trade unions, many of which have done much work on the issue over the years, support the Bill, as do individual employers who want to ensure that where children are employed they are given appropriate protection, that their safety and welfare are not damaged in the process and that their education does not suffer. Those employers include the National Federation of Retail Newsagents, which supports the Bill. One of its spokespeople told the BBC on Wednesday evening that this

"is a very good Bill and the Federation supports it".

The federation and the distribution organisations played a constructive and helpful role in helping to shape the Bill. I pay tribute to Soroptimist International, many of whose members are here to listen to the debate and have pledged their support for the Bill as part of their work on the rights of the child.

Apart from having a broad base of support, there are many other similarities between the 1973 Employment of Children Bill, which was never brought into force, and the 1998 Bill. I am pleased to see my hon. Friend the Under-Secretary of State for Health in the Chamber. His predecessor a quarter of a century ago explained that the 1973 Bill was designed to deal with the shortcomings of the Children and Young Persons Act 1933:

"The first is the existence of a good deal of undesirable variation among local authorities, which at present have law-making powers in the matter of conditions and terms of employment for youngsters."

The Bill, he said, would introduce a

"uniform pattern of law-making throughout the country".

So, too, would the Bill before us. He went on to explain:

"The second purpose . . . is that power should be taken to enable the scrutiny of a child's employment to be undertaken not only after he has started work . . . but before he takes his first step into the job."—[*Official Report, Standing Committee C*, 14 March 1973; c. 4-5.]

The present Bill has a similar purpose, although clause 10 allows a grace period of a month between the commencement of employment and the issue of the work permit.

[Mr. Chris Pond]

Had the 1973 Bill become law, its namesake Bill before us today might have been less necessary, but although the 1973 Bill progressed through all its stages to become an Act, as I have said, it was never signed by a Secretary of State and it has continued to gather dust on the shelves.

Local authorities at the time argued, understandably, that they had insufficient resources to implement that legislation. The Government decided to try to implement its best features through modern byelaws, which were adopted by some local education authorities, but still left us with patchy regulations that are difficult to enforce.

Mr. Andrew Rowe (Faversham and Mid-Kent): As a sponsor of the Bill, I feel ashamed that, as I have explained to the hon. Gentleman, I cannot be here for the whole debate; I apologise for that. Does he agree that one of the enormous difficulties, both in this sector and in relation to vetting volunteers, for example, is that, with the best will in the world, the regulatory authorities often take so long that the contract, as it were, has expired before the necessary procedures have been carried out? I am sure that, later in his speech, he will explain how the Bill will deal with that.

Mr. Pond: I thank the hon. Gentleman for that intervention. As he has to leave, and given that he is a sponsor and great supporter of the Bill, may I briefly respond to that point now? He is right to say that many employers feel that the way in which the permit system operates does not allow for flexibility in children's employment. That is why the Bill states that an employer, once a permit has been applied for, may employ a child for a period of grace of one month, until the local authority issues that permit. If, after that one month, a permit has not been issued, the employment must cease. The employer must, of course, apply for a permit in advance. In that way, we can retain the flexibility that employers need, but provide the protection that children deserve.

As a result of the events that I have described, a quarter of a century of providing greater protection for Britain's working children was lost. We must ensure that history is not allowed to repeat itself on this occasion. A further opportunity was missed to provide that protection more recently, when the European Union considered a directive to provide greater protection for children at work. For more than two years, the previous Administration blocked the measure, arguing for special treatment for the United Kingdom. That was a cruel irony, given that Britain's working children needed that protection rather more than children elsewhere in Europe.

At the beginning of the 1990s, the European Commission tells us, Britain accounted for one third of the working children throughout EU countries, yet Britain's children had less protection than those in any other member state. A recent Council of Europe report singled out six countries in Europe as having extensive child employment: Turkey, Romania, Bulgaria Spain, Italy—and the UK.

Mr. Denis MacShane (Rotherham): I wish my hon. Friend's Bill every success, but on the European and international aspect, has he read the remarkable report in the *Financial Times* of 4 February, which said that child labour throughout the world is on the increase, despite globalisation and foreign direct investment, and that more than 250 million children work around the world? Is he aware that the previous Government sabotaged attempts by America and France to put the employment of children on the agenda at the World Trade Organisation summit in Singapore in December 1996? Does he agree that, like charity, eliminating child labour throughout the world must begin at home, which is why I wish his Bill every success?

Mr. Pond: I thank my hon. Friend for that support and agree with him that we must view children's employment in this country, especially children's illegal employment, in the context of what is happening in the world. One of the points that international organisations such as the International Labour Organisation and the Council of Europe constantly make is that, throughout the world, children are being used as a hidden but important part of the labour force and are therefore being placed at risk.

It is a great danger to say that the only problems of illegal and exploitative child employment happen elsewhere in the world. Unless we deal with that issue in this country, we shall not be in a position to deal with it in some poorer countries. I am pleased that the Secretary of State for International Development has made that point on several occasions in the House.

I have said that the EU directive was resisted by the previous Government, who argued at the time that the directive would be a threat to the British tradition of newspaper delivery. We hear echoes of that argument today. The Government at the time secured an opt-out from one of the directive's main provisions: the weekly limit of 12 hours' work during term time for school-age children; current UK legislation and byelaws allow, between them, up to 17 or 20 hours a week.

The directive has still not been implemented in Britain, but the present Government have given a commitment, which I welcome, to implement it urgently. However, without further lengthy consultation, the opt-out that was negotiated by the previous Government will have to remain in place for the time being. One of the main purposes of the Bill is to implement that 12-hour limit, bringing us into line with every other EU country.

In the remaining time that I have at my disposal, I want to outline why we need the Bill, drawing on some of the evidence of the extent and effect of unregulated child employment. I then want to describe how the Bill seeks to tackle those problems.

I think that all of us in the Chamber are aware of the extent of child employment in this country. It is well documented. Surveys by the Low Pay Unit in London and Birmingham, by Norfolk county council, by Paisley and Greenwich universities and by the TUC all come to similar conclusions: about four in 10 school-age children have some form of paid employment during term time. That implies that children represent a hidden work force of almost 2 million throughout the country.

Why is that in itself a problem? All of us agree that an early glimpse of the world of work can be beneficial. It encourages a sense of independence and responsibility, and provides extra pocket money for the things that children want, which parents nowadays often cannot afford. We have to recognise that, with a fifth

of households not having an adult in employment, in many households, the child may be the only member of the family bringing in any earnings, however small.

Mr. Jeremy Corbyn (Islington, North): I understand what my hon. Friend says about the number of households with no adults in employment, but it is dangerous to say that, because there are many unemployed adults, we should encourage children to work to supplement the family income. Surely the issue should be addressing the need for adult work rather than promoting child work to assist family income.

Mr. Pond: My hon. Friend makes an important point. We must understand the circumstances in which children are employed. Even if we do not condone such employment, we must accept that for many families the income may be important. The Bill tries to provide better protection for children, to ensure that they are not placed at risk. I shall return to some of my hon. Friend's concerns.

Problems arise when children's safety is placed at risk, when the work damages their education or when they are exploited as cheap labour. Research shows that about three quarters of all children who are employed in the UK are employed illegally in terms of the 1933 legislation and local authority byelaws. That suggests that 1.5 million children are working illegally.

The Department of Health briefing for the debate states that

"this does not mean that these children are all employed in sweatshops. In the majority of cases, it means simply that the child is not registered for work."

I agree that the majority of children do not have work permits, and the Bill seeks to address that. The absence of such permits causes concern, because employers who fail to secure work permits for the children whom they employ will find that their employers' liability insurance is null and void. If a child is involved in an accident, the employer will be personally liable. Employers who fail to secure work permits are likely to be infringing the law in other ways, and the Bill seeks to address that.

We should not be complacent about the fact that the majority of children are employed without work permits. Hon. Members will have seen the reports of a survey that was published this week by the Low Pay Unit. The survey was based on more than 1,000 school-age children in the north-east, and confirmed the findings of earlier studies that were undertaken elsewhere in the country. The survey found that almost 40 per cent. of working children were employed before 7 o'clock in the morning or after 7 o'clock in the evening, although that is specifically prohibited under the 1933 legislation. The Bill would treat such infringements rather more seriously than does the present law.

Almost one in 10 of the boys in the survey were doing jobs that are prohibited by the Employment of Women, Young Persons and Children Act 1920 and the 1933 Act. They included work on building sites, door-to-door selling or factory work. A quarter of the children were below the legal working age of 13. One in 10 12-year-olds were working, as were one in six 11 and 12-year-olds. We cannot dismiss illegal child employment as simply a paperwork error by absent-minded employers. I have no doubt that the majority of employers are themselves victims of the complexities of the current law. The Bill seeks to address that as well, and proposes tough measures against employers who wilfully put children at risk by breaking the law.

Another reason for not being complacent about illegal child employment is that it places young people's safety at risk. An analysis by the Child Accident Prevention Trust of an earlier Low Pay Unit survey found that more than a third of employed children are involved in accidents at work. Injuries included cuts and burns, those resulting from road accidents, falls, broken bones and assaults. Nearly a third of those accidents required medical attention.

A boy in my constituency who was, I think, below the legal minimum working age at the time, was hit by a lorry while on his newspaper round. His hopes of a promising future in football were dashed in a few moments. Among the 317 reported fatalities and serious injuries since 1990 was a 14-year-old boy who was employed in a Manchester bedding factory for £1 an hour. His arm was trapped in an unguarded machine and he sustained severe injuries. The employer was fined £200 with £438 costs for illegally employing the child. A 15-year-old boy fell into a vat of water that was used to rinse metals, in a company near Birmingham where he was employed to make tea and sweep up. The boy suffered irreversible brain damage and poisoning. Those are the dramatic cases that make the headlines, but day in, day out children are placed at risk of injury because of inadequate enforcement of the law. We have a responsibility to provide them with the protection that they deserve.

Hon. Members will be pleased to know that I do not propose to go through the Bill clause by clause. They will have had adequate briefings on the Bill, especially from the Library, which I commend, and from the organisations that support the measure. I shall merely describe its general objectives. The Bill was carefully drafted after consultation with major children's charities, trade unions, local authority child employment officers and employers. I am grateful to the Low Pay Unit and the Public Bill Office for their help and guidance.

We have sought to build on existing foundations rather than start from scratch. The Bill incorporates the main provisions of existing legislation, as well as the European Union directive and the draft model byelaws that were proposed by the Department of Health. In only a few, albeit important, respects are wholly new provisions proposed. The intention is to create a measure that takes from the best of what exists and has been extensively consulted upon, to achieve a workable and effective measure that will provide the protection that children deserve.

I shall first outline what the Bill does not do. I say to hon. Members who are confused by its title that it is not part of the Government's welfare-to-work strategy. It does not outlaw or prohibit the employment of children. I appreciate that in that respect in may fall short of the aspirations of some hon. Members, including my hon. Friend the Member for Islington, North (Mr. Corbyn). I am aware that International Labour Organisation convention 138 requires member states to prohibit, as far as possible, the employment of children who are below school age.

[Mr. Pond]

The Council of Europe social charter is based on the presumption that childhood should principally be a time for education and training rather than employment. The Bill falls short of those aspirations and international agreements, as does the European directive.

Mr. Corbyn: ILO convention 138 is central to the debate. Will my hon. Friend confirm that if the Bill became law, it would prevent Britain from ratifying that ILO convention?

Mr. Pond: The Bill would improve protection for children, but it would not fully meet the requirements of that convention. However, the current arrangements and the EU directive do not meet those requirements either. I agree with my hon. Friend that we should work to achieve for our children the best protection that is required under international agreements. The Bill is a step in that direction, but I accept that in itself it would not fulfil all those requirements.

The Department of Health briefing reminds us that many children want to work and that child employment is an established tradition which, for better or worse, the Bill does not seek to challenge. As I have said, we recognise that properly regulated child employment can be beneficial as long as it is not allowed to compromise the child's safety, well-being and educational prospects. The Council of Europe acknowledges that. It states:

"Not all child work is harmful to a child's well-being. Rather, child work involves a spectrum. At one end of the spectrum, some kinds of work are wholly beneficial to the child's health and development, teaching skills, building self esteem, building a sense of solidarity and loyalty within a family and providing a bridge to the adult world of work. At the other end of the spectrum is work that is wholly detrimental to a child, such as bonded labour, commercial sexual exploitation, sexual and physical abuse in the workplace and hazardous industrial work."

The Council states that where there can be no clear-cut universal definition of where on the spectrum child work becomes unacceptable, article 32 of the convention on the rights of the child defines three areas where the child has the right to protection. The first is in the area of economic exploitation. All hon. Members will agree that the example that was published this week by the Low Pay Unit of the child who was earning 33p an hour for delivering newspapers can be considered only in the realm of economic exploitation. Secondly, the Council of Europe refers to hazards to health and development; and thirdly, it refers to interference with a child's education. I think that we can all agree that those are sensible measures showing the divide between which forms of child employment are acceptable and which are unacceptable. The Bill would ensure that the first of those are permitted, while the second are outlawed.

I stress that the Bill does not prohibit child employment—and it certainly does not prohibit newspaper delivery by children. There is a myth that all or most child employment consists of the delivery of newspapers. In fact, almost twice as many children are engaged in other forms of employment. I am a little disappointed that the Department of Health briefing encourages the notion that the Bill might threaten the delivery of newspapers by children. Such anxieties have been fuelled by the Newspaper Society, the trade association for newspaper publishers, in a press release dramatically headed:

"New Bill Threatens Work For Young News Deliverers".

It does no such thing, as the people who really know—the retail newsagents who employ children to deliver newspapers—are fully aware. As I said, the National Federation of Retail Newsagents supports the Bill, which it sees as no threat to newspaper deliveries by children.

That is what the Bill does not do; this is what it does do. First, it would limit the maximum working week during term time to 12 hours. That is the limit originally proposed under the European Union directive and the limit which already exists in every other EU country. According to the Low Pay Unit survey this week, about 14 per cent. of children work more than 12 hours a week. Current legislation, made up of the 1933 Act and local authority byelaws, allows children to work legally for up to 17 hours a week, or 20 hours a week for those aged over 15. Added to a normal curriculum school week, plus an expected 15 hours of homework, it means that children only just into their teens can legally work 60 hours or more a week.

The argument for limiting working hours to 12 per week is strong. There is evidence that children's employment beyond such hours can result in a decline in school performance. The work of Sandy Hobbs and Jim McKechnie in Paisley shows that there is a fairly clear tendency for longer hours of child employment to be associated with poor performance at, and commitment to, school. Research suggests that working 10 hours or more a week can have an adverse effect on a child's school performance. The authors do not argue that there is necessarily a causal link between the two, but I think that most of us would agree that there is likely to be a link between the number of hours that a child is employed and his performance at school. The increasing responsibilities that we are placing on children through their schoolwork should make us think carefully about whether the limit on working hours, which was set several decades ago, is appropriate to modern circumstances.

The Trades Union Congress survey, which was carried out by MORI, found that more than a quarter of children working during term time were often or sometimes too tired to do their homework or schoolwork because of their job. One in 20 admitted to playing truant in order to do paid work instead. Sometimes it is more blatant. *The Times Educational Supplement* last week reported that one student sat her examination wearing her supermarket overall to make sure that she was back at work in time for her shift. It reported that retailers were putting pressure on sixth-formers to work hours that damaged their chances of A-level success. Is that sensible when the Government rightly place education as the first, second and third priority? We need to ensure that our attempts to build an education system for the new century are not undermined by child employment practices more appropriate to the previous century.

Mr. Richard Shepherd (Aldridge-Brownhills): I support and commend the Bill. However, will the hon. Gentleman allay the concern felt by many of us, which has grown out of our own experience in the delivery of newspapers? I am aware that much of the criticism of the Bill has focused on this point. I did a morning and evening

delivery and a Sunday morning round, so the number of hours I worked were above 12. For most of us, the school holidays were important as we tried to get in as many newspaper deliveries as possible, so the 12-hour limit would inhibit the ability of young kids to do what most of society would not consider to be a damaging occupation.

Mr. Pond: I thank the hon. Gentleman for his intervention and for his support for the Bill. I can give him the reassurance that he sought. The 12-hour limit in the Bill relates only to term time, not to the school holidays. The National Federation of Retail Newsagents says that the 12-hour limit is acceptable, because it would allow children to do a newspaper round during the week and also another job or additional newspaper deliveries at the weekend. The 12-hour limit has been carefully chosen for that very purpose.

The Bill would provide a uniform overall structure. At present, the law on child employment is complex. It is based on a mix of national legislation and local byelaws, many of which are pitifully out of date. Some local authorities still prohibit the employment of children as lather boys in barber shops or outlaw the extraction of sugar beet from the ground by hand. I have no objection to outlawing such practices, but I would prefer to focus more seriously on the real threats to child safety today. That is why the Bill specifies the types of jobs that children can and cannot do, wherever they live in the country, by establishing a list of appropriate and inappropriate jobs based on both the EU directive and the guidance from the Department of Health. The Bill retains some flexibility for local authorities to build on that platform of basic provisions, but provides much greater uniformity than currently exists.

The Bill would improve the enforcement of the law, which currently is poorly enforced. Part II of the Bill deals with that problem. An employer who wishes to employ a child must apply for a work permit from the local education authority, as is the case now. However, unlike the current provisions, the Bill involves the home and school in the decision on whether a particular type of employment is appropriate. We want to stimulate a dialogue between parents, children, employers and schools about children's employment. The Bill recognises that children have a right to be consulted about the process of issuing permits. A permit will not be issued unless a local authority is satisfied that the employment is suitable to the child, having consulted the home and school, and also that the employer is an appropriate person to be employing children.

I do not believe that it is an onerous process. It goes only a little beyond the existing arrangements and the advice that we have had from the Department of Health. The permit system would help to ensure that children were not permitted inadvertently to be employed illegally. Penalties would be tougher than at present for employers failing to apply for a permit, and tougher still for those who employed a child illegally outside the conditions established in part I. We need to ensure that employers know their responsibilities. We need also to ensure that where employers wilfully place children at risk, we will come down hard on them. If the Bill becomes law, many rogue employers may look back on Friday 13 as being very unlucky.

Mr. Corbyn: I thank my hon. Friend for giving way again. The issue of local government and the control that it could impose is important. However, the record of local government in this matter is appalling. No local authority that I know of takes its responsibilities seriously; very few investigate malpractices in the employment of children; and hardly any have ever registered any children in work. Does my hon. Friend have any indication that matters will improve in future?

Mr. Pond: I am aware of the great amount of work that my hon. Friend has done over the years on the issue. I accept that there is a very real problem with the way in which local authorities currently enforce the law. Many of them are very good and take their responsibilities seriously. They do everything that they can, within limited resources, to enforce the law. The Bill would improve on that position by ensuring that there was a uniform set of regulations, rather than the current confusion, which makes the problem of enforcement both more expensive and more difficult for local authorities.

Mr. Crispin Blunt (Reigate): The record of councils across the country in licensing anything is woeful. In Hammersmith and Fulham, for example, the time required to get a building permit is lengthening. The idea that councils will be able to process a permit application in four weeks is laughable. Later in the Bill's passage—if it is not held up by the antics of hon. Members on other Bills—I wonder whether the hon. Gentleman will examine that four-week provision.

Mr. Pond: I thank hon. Gentleman for that helpful intervention. The four-week period was one of the issues raised in the consultation process while the Bill was drafted. Employers especially said that, currently, it is difficult to obtain a permit—even for the few employers who decide to apply for one—because of delays at local education authorities. That is why we built into the Bill the four-week grace period. We realise that responsibility runs both ways. If employers are to undertake the process of applying for a permit, local education authorities will have to take their responsibilities seriously and ensure that they meet that deadline.

Mr. Rowe: Further to that point, this seems to be a matter in which some delegation to parish councils or, in cities, local councils might work perfectly well. Those councils have quite an interest in increasing their responsibilities, and they are much closer to the people applying for the permit and to the children who are likely to be involved. That might work much better.

Mr. Pond: I thank the hon. Gentleman for his intervention, which, again, was helpful. We shall have to examine the provision in the context of what is happening in local authorities generally and within the structure of local government, to determine the most appropriate level at which such a provision should be applied. We shall have to think seriously about the issue.

While working on the Bill, I often thought about that young man in my constituency who was injured while doing a harmless newspaper delivery round. One could not really blame the lorry driver involved in that incident—after all, international freight lorries and children on bicycles are not a good mix in the early hours of the morning. One could not blame the parents. None of us as parents would allow our children to be hurt and

[Mr. Pond]

injured if we could possibly avoid it or knew that it might happen. One could not blame the employer. The law is complex and outdated, and I am sure that that employer would never wilfully put young lives at risk. No one is to blame. Yet a schoolboy is seriously injured, and his prospects are damaged.

Today, we have an opportunity to do something to provide the protection that working children deserve; to ensure that they are not exploited as cheap labour, that they are not placed at risk and that their education and prospects are not damaged. If we fail to take that opportunity, we shall all be to blame. I commend the Bill to the House.

10.12 am

Mr. James Paice (South-East Cambridgeshire): I am grateful to you, Mr. Deputy Speaker, for calling me so early in the debate. I congratulate the hon. Member for Gravesham (Mr. Pond) both on introducing the Bill and on the manner in which he has done so. Undoubtedly, there is a need to change some aspects of child legislation, and I congratulate him on dealing with the issue. However, I should like to mention a few possible consequences of the Bill, some of which he may have intended, and some of which may have been unintended.

The hon. Member ended his speech by mentioning the sad accident in his constituency of a newspaper boy and a lorry. Hon. Members have to accept—we sometimes find it difficult—that legislation cannot solve everything. We cannot say that the Bill will stop another newspaper boy being hit by a lorry. We have to be a little careful in our choice of language so that we do not lead people to believe that we can achieve the unachievable.

Most cases of what could be called the abusive employment of children that one hears about—the hon. Member mentioned some, and I have a copy of research by the *Evening Standard* on such practices in London—are already illegal. The problem is that the enforcement measures are not sufficiently tight or rigorously applied. Therefore, I am more concerned about some of the Bill's provisions on hours of work, for example, than about those on enforcement. The hon. Gentleman is absolutely right to be attempting significantly to tighten up enforcement. I am not convinced that it is necessary to do very much about hours, other than to bring them in line with the European directive, as we are obliged to do.

The hon. Member will probably take it from what I have said—I hope that it is understood—that I shall certainly not oppose the Bill. I hope that it will receive its Second Reading today and proceed to Committee, so that some of those issues can be explored properly.

My principal concerns are about both the unintended and the intended consequences of the Bill. Among the intended consequences, clause 2 clearly stipulates—it could not be bolder—that only two hours can be worked on a Sunday. I respect those who, for religious reasons, maintain the view that Sunday is a special day and that two hours work should be the maximum. However, that view is no longer widely held and does not recognise what is happening in the real world, particularly in employment.

The hon. Member rightly said—I congratulate him on emphasising it—that children's work is not only about the retail delivery of newspapers but covers a vast number of activities. Some of those activities, such as jobs in supermarkets, can be done by children only at weekends. He has undoubtedly already thought seriously about the matter—otherwise it would not be dealt with in the Bill—but I ask him to think again about that two-hour Sunday limit.

Perhaps we could simply say that no more than five hours can be worked on Saturday or Sunday, or that a total of seven hours may be worked over the weekend. It is too inflexible to stipulate a maximum of two hours on Sunday and five hours on Saturday, given the vast range of activities that are available to young people.

Audrey Wise (Preston): Given the vast range of people available for work and unable to get it, starting with school leavers, why should retailers seek to have 13-year-olds doing that type of work?

Mr. Paice: I certainly will not get into an argument about retailers' recruitment policies. We know that many retailers employ children below school-leaving age part time in filling shelves and other activities. If they are providing those opportunities, it would be unwise for the Bill to provide that children under school-leaving age—they may be 15 years or 15 years and nine months; they are all covered by the Bill—should not work more than two hours on Sundays.

I very much hope that the hon. Member for Gravesham will think more flexibly on that limit in view of the vast range of activities available not only in traditional retail businesses but as a result of the widespread advent of Sunday markets—which, although I realise that they are the bane of many people's lives, are providing many work opportunities. Agricultural employment, which I shall deal with shortly, must also be considered.

The Bill applies the same rules—adopting a blanket approach—to all children from 13 years to 15 years and 10 months. As all parents and teachers know, such an age range covers a vast range in children's development and abilities. I should much prefer the Bill to allow some variation in the maximum hours that can be worked, according to the age of a child. Clearly, it would be wise to apply the proposed 12-hour rule to children of 13, and perhaps it would be wise to apply it to children of all ages who are at school. However, I think that a 25-hour maximum during schools holidays would be too low for 15-year-olds. I should like the Bill to reflect the changes that children undergo between those ages.

The Bill would repeal section 18 of the Children and Young Persons Act 1933, thus removing from local authorities the power to make byelaws covering the ages to which I have just referred. I am happy about that—I see that the hon. Member for Gravesham is grinning. I have nothing against local authorities, but the hon. Gentleman was right to say that we have ended up with a hotch-potch of byelaws across the country, whereas there should be standard rules. If we prevent local authorities from making those byelaws, we need to find another way to vary the age structure.

Clause 7 would allow the Secretary of State to vary the maximum weight that children can carry and

"the types of physical, chemical and biological agents"

with which they can work, and so on. It also states that the Secretary of State

"may make different provisions for children of different ages and different types of work."

If it is possible to allow for variations in types of work, I see no reason why it should not be possible to vary the number of hours that children can work at different ages.

Schedule 2 would repeal the byelaws that, where applied, allow 13-year-olds to do light agricultural and horticultural work. That worries me. The hon. Member for Gravesham referred to the pulling of sugar-beet by hand. Many activities that were commonplace on farms in 1933 are no longer so today. However, there are still many light activities with which farmers' sons and daughters want to help, and are perfectly able to do so, at the ages of 10, 11 and 12. As I understand it, that would be illegal under the Bill because they would be under the 13 years of age threshold. That is very unjust. We are not talking about forced sweatshop labour; it is natural that farmers' children should want to be involved in the family's activities.

When I had a livestock farm, I remember my sons at that age helping me to feed and gather in the sheep, to bottle-feed lambs and to do various ordinary but important little jobs—

Mr. Patrick Nicholls (Teignbridge): Collecting the eggs.

Mr. Paice: My hon. Friend mentions the collection of eggs, but my hens did not seem to lay many.

I appreciate that the definition has been taken from other legislation, but clause 19 defines work as

"any tasks, duties or other work undertaken by virtue of a contract, whether express or implied and . . . whether orally or in writing, in connection with a trade or occupation carried on for profit"—

profit is clearly the objective in owning a farm, although many farmers would say that there is not much profit in it at the moment—

"whether or not the person undertaking the work receives any reward for his labour."

I am not an expert in the interpretation of the law, but my understanding is that that definition would cover the activities to which I have referred. I hope that the promoter of the Bill will consider that point carefully and not adopt too blinkered an approach, if I may put it that way, to the 13 years of age threshold.

I am wholly opposed to the exploitation of children, but some of the activities traditionally undertaken by children, even those below the age of 13, do not involve exploitation but may still be caught by the Bill.

Dr. Nick Palmer (Broxtowe): Does the hon. Gentleman accept that the European directive appears to be fairly explicit in this regard? Although virtually everyone would accept that a little private introduction to the family farm would not run into legal difficulties, if we attempted to define it in the Bill as a legal activity, we should run into trouble with the directive.

Mr. Paice: That is a perfectly fair point. The European directive does not make specific mention of the case that I have just outlined, but I hope there is a way to define work in the Bill so that the activities that I have just described are not caught by it. There are various ways to tackle such problems, and I am sure that it can be done without the head-on confrontation with the directive which the hon. Gentleman suggests.

Why do children work? The hon. Member for Gravesham said that a child's income can often be an important part of the household's income. It is perfectly reasonable for hon. Members to be worried about that. This is probably not the right time to deal with that issue, but we should not blind ourselves to the fact that the children themselves value their income. We live in a society in which teenagers are besieged by advertisements that target them directly. Teenagers are presented with a raft of material goods that they ought to have if they are to be up with the times. They need much more money than I dare say most of us required when we were 14 or 15. It is unrealistic to expect many parents to provide sufficient pocket money to pay for the compact discs, clothes and other things that teenagers want. Therefore, we must recognise that it can be important for children to earn some money.

The hours set out in the Bill are more restrictive than those under the European directive. My hon. Friend the Member for Aldridge–Brownhills (Mr. Shepherd) mentioned out-of-term work. The Bill specifies a maximum of five hours a day and 25 hours a week, whereas the directive stipulates seven hours a day and 35 hours a week. That brings me back to the point about ages.

I entirely recognise the logic in saying that 25 hours a week is probably more than enough for a 13 or 14-year-old. However, a 15-year-old, who might have only a few months to go before leaving school, should be able to work longer hours. I hope that the 35-hour week specified in the directive could be incorporated into the Bill, especially given that the Bill provides a full two-week break, or proper holiday, which is perfectly right. In those circumstances, there is a case for arguing for a 35-hour week for older children.

Audrey Wise: How long a holiday does the hon. Gentleman take? Is it only a fortnight?

Mr. Paice: I am sorry that the hon. Lady wants to lower the tone of the debate to one of such stupidity. She knows perfectly well that the holidays in this place are very different from school holidays. I am talking about the two-week holiday specified in the Bill; I completely support that. Children are to be entitled to two weeks away from work; what they do with that time is entirely up to them. I am simply suggesting a maximum of 35 hours a week for 15-year-olds for the weeks other than the two when it is proposed that they should not be allowed to work.

Part of my concern in that regard relates to what I consider to be one of the Bill's unintended consequences. I am thinking about the effect on the work experience, not jobs, effectively undertaken as part of a child's education. It is a matter for which I had some responsibility under the previous Government, who did quite a lot to improve the entitlement to one or two weeks' work experience during compulsory schooling and to make sure that it was far more effectively used. Instead

[Mr. Paice]

of young people sitting and watching for a week or being given a mundane sweeping job, we set out to make it a much more structured process, with clear outcomes demanded and continuous assessment. However, even that could be caught by the Bill unless there is a specific exemption. If the hon. Member for Gravesham were to say that he did not intend that to be the case, I would respect that. That is why I suggest that it is an unintended consequence of his Bill.

The Health and Safety (Young Persons) Regulations 1997, which are clearly linked to the issue, certainly apply to work experience. I had the somewhat difficult task of working out how they should be implemented in respect of work experience for schoolchildren.

We all understand the value of work experience and would not wish it to be jeopardised by the Bill. However, it seems clear to me that it would be caught, so I urge the hon. Gentleman to address that and the issue of a full working week. If a child of 15 is to undertake work experience, it has to be a full week, rather than the 25 hours proposed in the Bill. That is making the rash assumption that we are talking about out-of-term work. Actually, work experience usually takes place during term time, so it may well be caught by the 12-hour week. I suggest to the hon. Gentleman that a specific exemption for work experience may be an appropriate way forward.

I have spoken for longer than I intended. I conclude by saying that it is unacceptable for young children to work very long hours or in onerous conditions, as it can damage their education and their health. Although we do not talk about it very much, it can also destroy their childhood, which is very precious and, in this day and age, is far too short for most of them.

We must not believe that we can solve everything. Whatever we do, it will not stop every accident. It will not stop one item in the *Evening Standard*—the ubiquitous gangs of traffic lights windscreen cleaners, who are probably self-employed. However, we can make a difference. As the hon. Gentleman wrote in his article in the *Parliamentary Review*,

"Much of this employment is wholly beneficial".

That was slightly stronger than his speech this morning, but it is a perfectly admirable statement.

It is the House's role to examine all the consequences of a Bill—not only the intended ones, which one can oppose or support, but the unintended ones, and to take an objective view on whether all those consequences are more serious and damaging than the principal objectives of the Bill. I do not believe that any of the consequences to which I have referred are insuperable—I am convinced that they can be overcome—but they are real and important. In wishing the Bill well, I hope that the hon. Gentleman will consider the points that I have made.

10.32 am

Mrs. Llin Golding (Newcastle-under-Lyme): First, I should declare an interest as a trustee of the National Society for the Prevention of Cruelty to Children and a trustee and patron of a number of smaller charities which do such good work to help and protect children. Let me say how delighted I am to be asked to support the Bill and how pleased I am that my hon. Friend the Member for Gravesham (Mr. Pond) has joined the many hon. Members who care passionately about the rights and needs of children.

What image does the words "child labour" bring to mind? Is it the children of Victorian Britain sent up dark chimneys or down black mines—the children of the industrial revolution? Or is it children in the sweatshops of the so-called third world, tied to looms, held in debt bondage or working in dangerous factories in conditions of slavery? Whatever image it is, it will be one of overworked, underpaid exploitation. Although it has to be recognised that there are good employers, far too many working children in Britain, while not experiencing conditions as bad as those I have mentioned, nevertheless face unacceptable working practices.

All of us present today are here to stand up for the rights of children. We know that we have the power to change things—and what better place to start than on our own doorstep? Many people react with disbelief when told that a large percentage of the 2 million working children in our affluent country are more often than not employed illegally, exploited and subjected to physical dangers. They may not be the dangers that we conjure up in our minds, but we must address them. It is more than time that the law was brought up to date to protect working children and, today, thanks to my hon. Friend's Bill, we have the opportunity to do so.

There was a time when if children went to school at all, it was seen as an interruption of their working hours rather than a necessity or right. Later, when the Children and Young Persons Act 1933 was introduced, the difference between the minimum school-leaving age and the age when employment was allowed was very narrow, so the line between work and education was much clearer.

Since then, the school-leaving age has been raised to 16, widening the gap and allowing children to seek an extended variety of part-time employment. As my hon. Friend said, sadly, the Employment of Children Act 1973, which was introduced to give local authorities certain enforcement powers, was never implemented. Although the Children Act 1989 stresses the welfare and educational needs of children, no effort has been made to implement the legislation, which would have taken into account the changed circumstances of the higher school-leaving age.

We have been left with totally inadequate legislation that is hardly ever enforced or understood, and, for the most part, is ignored by employer, child, parent, school and local authority. As the my hon. Friend the Under-Secretary of State for Health well knows, in England and Wales the legislation rests with the Department of Health, the enforcement with local education authorities, and the responsibility for the employment of 16 and 17-year-olds with the Department for Education and Employment, under the employment section, because, under United Kingdom law, 16 and 17-year-olds are not children but young people. It all adds to the confusion, as the Minister will recognise. Indeed, only yesterday I received a letter from him about child labour, stating:

"Full implementation of the Young Workers Directive in respect of adolescents will involve legislation being passed by DTI (in the case of most young workers) and the Department of the Environment, Transport and the Regions (in the case of sea-based young workers). A review of our reservation on Article 32 of the Convention will need to take account of the detailed implementation

proposals. The timetables for implementing both sets of regulations are currently unclear. Officials here are in contact with the two departments".

No doubt they will need to be in contact with many more Departments.

Hon. Members will note from my hon. Friend's letter that he does not intend to ignore article 32 of the United Nations convention on the rights of the child, which seeks to protect children from exploitation at work that would damage their health or education. Indeed, knowing his track record, I would not expect him to do so. Perhaps he will also see all this as a crying need for a Minister for children, or, at the very least, a children's commissioner. Perhaps the review that he has set up in respect of child employment will also consider establishing a complaints procedure for children, preferably with a children's commissioner.

I also want to bring to the attention of the House a letter that a lady wrote to me in support of the Bill. She has three daughters, aged 17, 15 and 12. All have at some time been employed delivering papers six evenings a week. They live in a rural village. One daughter was paid £3.70 a week. Another, whose round covered a slightly larger area, was paid £5 a week. The third, who had a much larger area of delivery, was paid about £6.50 a week, because she had to go outside the village into the country on main roads without footpaths. The employer recognised the danger and decided to give her a little more money.

One of the daughters also collected the money for the paper bills because it was more convenient for people further out in the country to pay in that way. If the paper bill was, for example, £2.76, she might be given £3, with the extra money being a tip. However, she was expected to take that money back to the newsagent, who decided whether she was entitled to the tip, or even a percentage of it.

The mother recently found that the 12-year-old was working illegally, so she has stopped her. The newsagent should have known. This is a genuine case of dangerous exploitation of young people. As the Minister knows, cases of exploitation of children are almost never pursued. If the mother had taken the case to the local authority, it would have been able to do very little about it.

I received another letter from a lady about the Children (Performances) Regulations 1968. She had encouraged her children to take part in amateur shows. They had got together with friends to form their own group. They enjoyed singing and dancing, providing entertainment for elderly people. They felt that they were making a contribution to the community. The lady said that there must be hundreds of children who do constructive things rather than going around terrorising their neighbours and experimenting with alcohol and drugs, and that we should recognise their work. She believes that the regulations are too restrictive and need to be updated for a modern world. They crush children's dreams, ambitions and enterprise. They must be reconsidered. Children need to be encouraged away from the television and computer games to use their talents and imagination in live performances. That gives them confidence to appear before people and knowledge of the world outside the home.

I know of the Minister's long-standing commitment to children, and I pay tribute to his work to improve their rights. Even if the Bill does not cover all the issues that need to be addressed, I am sure that he endorses its principles and will seek to bring forward an effective and enforceable Government Bill to prevent the exploitation of children.

We do not want to stop children working—far from it. We want them to have the full protection of the law when they are at work. I whole-heartedly support this excellent and long-awaited Bill.

10.42 am

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I am pleased to take part in the debate. I was honoured by the invitation of the hon. Member for Gravesham (Mr. Pond) to sponsor the Bill, and pay tribute to him for using the opportunity afforded to him to introduce it and for his model consultation exercise beforehand. Those of us who know him expected nothing less. He has given an excellent example of how to proceed. The House is indebted to him for that process and for bringing forward this important Bill.

I join the hon. Member in paying tribute to the Low Pay Unit. From a Scottish point of view, I also pay tribute to the work of the university of Paisley in bringing forward some of the research that has led to the Bill.

I was taken aback when I examined some of the background to the Bill. The Library briefing was particularly instructive. I did not know that the House had taken so long to revisit this important subject—the most recent deliberative examination was in 1933. A House of Commons that is too busy to examine such issues is too busy full stop. In anticipation of the establishment of a Parliament in Edinburgh in 1999, I think that decentralisation might reduce the overload of business in the House and it might not be such an unconscionably long time before we return to the issue.

Even if the Bill achieves nothing else, the hon. Member for Gravesham has contributed to the important educational process of bringing the issue into the public domain and giving it the attention that it needs. I understand that there are some difficulties with the Bill. I hope that the Minister will say what the Government think about that. However, raising the issue has been an important service. The publicity that it has generated has forced me and many others to re-examine the matter. I hope that the Government will give the Bill careful consideration. It is important for a new Administration to review all such legislation carefully and prudently and come up with a coherent response. I do not know why the Government cannot accept the Bill in principle and promise to enshrine it in law. I do not know what that would cost them.

I listened carefully to the hon. Member for South-East Cambridgeshire (Mr. Paice). I agree that those of us from rural constituencies have a different perspective from those representing places such as Islington, although I pay tribute to the work that the hon. Member for Islington, North (Mr. Corbyn) has done on the subject. He is right to keep our thoughts focused on the wider canvas, but half a loaf is better than no bread. None of the minimum standards set in the Bill preclude International Labour Organisation conventions in the longer term. I understand the hon. Gentleman's impatience and frustration. Improvements could be made in Committee to ensure more flexibility on the employment of children in a rural context. That is different from factory-driven sweated labour for 13-year-olds.

[Mr. Archy Kirkwood]

Getting the balance right is important. Knowing the hon. Member for Gravesham as I do, I am confident that he will be assiduous in paying attention to the detailed and balanced points that are being made today. Friday debates are more meaningful and constructive than many of our debates during the rest of the week. Flexibility and decentralisation are important, but the Government must make their position clear this morning. I hope that the Minister will give us an idea of the time scale that the Government have in mind on this important process.

The framework should be set in a Europewide context. As the single market develops, it is increasingly important to establish common minimum standards for decent pay and safe working conditions for children. We must ensure that our European sister democracies are as assiduous as we are in enforcing framework rules. The European Union is ahead of us in legislating on the issue. It is a shame that we are behind. I hope that the Minister will use our current presidency to promote some of the ideas being discussed today to ensure common standards and levels of enforcement throughout the United Kingdom.

The framework set out in the Bill is right. We must introduce a system of work permits so that the home, the school and the employer can agree about acceptable working conditions. The other half of the equation is a system of monitoring and enforcement that involves local authorities.

The hon. Member for Islington, North said that, on the whole, local authorities have a poor record of monitoring enforcement. That is generally true. However, local authorities would say in their defence that Parliament is for ever laying duties and responsibilities on their shoulders. Local authorities' failure to fulfil those responsibilities is often due to not a lack of will but a lack of resources. It should not be up to the hon. Member for Gravesham to say that he needs hundreds of thousands, or even millions of pounds—I do not know what it would cost—because we all have a duty in this regard. I am not making a narrow point. It is all very well for Parliament to pass good and onerous measures, but if we do not will the means it is pointless trying to will the ends.

Mr. Corbyn: The hon. Gentleman is absolutely right: unless we provide the finances that enable local authorities to carry out proper control and inspection functions, they will not happen. It is not that local authorities do not want to undertake those duties: they simply do not have the resources. Representatives of social services and child welfare departments from many local authorities tell me that they can barely cope with the statutory requirements for children at risk, never mind examining the plight of children who are being exploited in employment.

Mr. Kirkwood: I thank the hon. Gentleman for that intervention, which reinforces what I have said. I am sure that the hon. Member for Gravesham is well aware of that fact, given his experience in this area. We join the Minister in seeking to win some extra resources from the Treasury—I am sure that he, with his powers of persuasion, is well able to do that. I hope that he will make that commitment—I shall certainly help him in any way I can.

I encourage young people to take on employment. I know that there are problems with poor working conditions, sweated labour and so on, but I believe that properly organised work in a controlled and safe environment is a positive experience for young people. It is important that the Bill be enacted quickly before the introduction of the minimum wage—which I support, subject to certain standards and safeguards. If we require employers to pay their employees a minimum of £3.50 or £3.60 an hour, unscrupulous employers or those at the margins of the law may be inclined to employ more young people in order to avoid their legislative requirements. Legislation such as the Employment of Children Bill was necessary before, but it is even more urgent now. It must be in place before the widespread implementation of the minimum wage.

It is essential that the House takes steps to ensure that young people know their rights. The present rules are clearly a mess; the legislation has fallen into disregard, disrepute and desuetude. That is a matter of real concern. We need to establish clear rules and ensure that they stick. Everyone must abide by them.

I support young people's right to participate in a positive employment experience during the school year. The hon. Member for South-East Cambridgeshire referred to work experience. My local authority in south-east Scotland is making positive use of work experience for young people, particularly during school holidays. I am sure that the hon. Member for Gravesham will take that matter on board.

I found my experience in preparing this Bill very beneficial. I did not appreciate the extent to which young people work in this country: 2 million children are a huge part of our young population. I did not realise that the laws of the land were in such a bad way. It is essential that we recognise that conditions have changed completely since 1933. The Sunday experience is one example. The social outlook regarding Sundays, particularly in areas such as mine, has changed dramatically.

The House must seize this opportunity: the moment is right to change the legislative process. Whatever happens to the Bill, I hope that its principles will be enshrined in legislation. I hope that some responsibility will remain in the hands of the hon. Member for Gravesham, whose track record in this area is second to none. He came to the House with a reputation as an acknowledged expert in this field, and I do not believe that there are many advisers in the Department who know as much as he does about this subject. The House should recognise that fact. If we do not seize this opportunity now, the Minister will have to offer a pretty convincing excuse for delaying or for refusing to accept the proposals. It is my great privilege and pleasure to support the Bill.

10.55 am

Audrey Wise (Preston): My hon. Friend the Member for Gravesham (Mr. Pond) talked about illegal employment, and we join him in deploring that. However, I do not wish people to think that simply legalising work or allowing legal work to continue will make everything all right. Even if the Bill were enacted and fully enforced—and that is a very big "if"—we would still be looking with equanimity at appallingly long working hours for children.

A child's workplace is, and should be, the school. We should view 12 hours' paid employment not in isolation, but in the context of the school week, having regard to homework and the extra demands that are placed on children all the time. A legal 12-hour working limit would simply confer respectability on an excessive practice. A 13-year-old child in my constituency who attends a typical high school has a 32½-hour school week, with six hours of homework plus possibly 12 hours' legal work. That is not good enough. It amounts to a 50½-hour working week for a 13-year-old.

We are told that half a loaf is better than none—I do not see why, in 1998, we must talk in terms of half loaves when it comes to the protection and development of our children. A child of 13 must do his work at school while he is developing physically, mentally and emotionally. Labour Members are completely convinced of the correctness of the maximum 48-hour working week for adults, yet we are proposing 50½ hours' work for a 13-year-old.

A 15-year-old attending a typical school in my constituency—it is not a particularly pushy school, but a normal school which seeks to bring out the best in its pupils—would have 15 hours of homework. If that 15-year-old were also employed for 12 hours, it would increase his working week to nearly 60 hours. I do not see why we should head down that road in 1998. It is not good enough to say that it is a step in the right direction or that half a loaf is better than none. It is not I who would be eating that half loaf: it would be the youngsters. I believe that they should have a full loaf.

I am one of the few hon. Members whose working life started at 15 years of age. I am not talking about a holiday job, but a proper job. I did not have to go to school and work 40 hours or more on top of that: my working hours as an employed 15-year-old were a lot less. My work gave me opportunities to develop physically and intellectually. We should not be satisfied with talk of steps in the right direction.

My hon. Friend the Member for Gravesham rightly referred to the extent of illegal working, but employers get away with it because the present laws are feeble and are not enforced, and the penalties are inadequate. Can we be sure that this legislation would be enforced? I think not, especially as no extra resources would be provided. My solution to the problem is simple. We should enact legislation in line with International Labour Organisation convention 138, which would prohibit employment of children under school-leaving age. That would be infinitely easier to enforce.

The Bill is incredibly complex. It contains lists of what is and is not permitted. Incidentally, I am not sure why it is thought that waitressing is light work and suitable for a 13-year-old. It is a very hard job, as is car washing. The proposed enforcement and licensing system is complex. If we cannot enforce present laws, I do not see how we shall enforce these provisions. It would be much easier to enforce a simple adherence to ILO convention 138.

The Bill could affect the relationship between home and school. My hon. Friend the Member for Gravesham pointed out that some kids have to supplement the family income, and that the only worker in some families is a 13-year-old. Under the Bill, if the school thinks that work would interfere with a child's education, it should not agree to a work permit. That would put schools in a delicate position in their relationship with parents. Schools are already pressed and have suffered staff cuts, so they are in no position to undertake this addition to their work.

I am sceptical about the Bill for the child's sake. I also do not approve of children being used as cheap labour. At a time when 16-year-olds cannot obtain work, why should 13-year-olds be so eagerly sought by employers? The answer is that they are cheap. If there is so much work to be done that we need the labour of 13-year-olds, 14-year-olds and 15-year-olds, who already have full-time school work, why are 16-year-olds unemployed? Even the welfare-to-work system, which I support, does not come into operation until the kid has been unemployed for six months. That is an implicit acknowledgement of the level of youth unemployment. There is youth exploitation through the use of cheap labour of 13 to 15-year-olds, and youth unemployment after the age of 16. That is an untenable situation. Kids should not be exploited as cheap labour when their proper work is at school. I do not accept that working excessive hours is character building; nor should we excuse it, given the extent of adult unemployment.

The Bill's complexity is not my hon. Friend's fault: it is bound to be complex because it tries to reconcile impossible and contradictory objectives. It tries to protect children while allowing them to work far too long and be a supply of cheap labour. I agreed with a great deal of what my hon. Friend said, but I was disquieted when he explained that the 12-hour limit was carefully chosen to allow two newspaper deliveries and another job at weekends. That is not the way in which to decide how many hours our children should work.

I hope that the Government will review the current position, and will decide that we should have higher ambitions for our children than half a loaf. I also hope that the suggestion of my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) about a children's commissioner will be pursued. A children's commissioner is an overdue addition to our protective mechanisms. I commend her for introducing that concept into the debate.

Having expressed scepticism about the Bill, I urge the Government to undertake a thorough review with the objective of preventing employers from using our children as cheap labour, to their detriment.

11.5 am

Mr. Nick St. Aubyn (Guildford): I listened carefully to the debate. It is possible warmly to applaud the principal objectives of the Bill while questioning the practical results of its passing into law. The hon. Member for Gravesham (Mr. Pond) reminded us that he used to work for the Low Pay Unit. He used to campaign for the principle of a minimum wage. Although we may applaud the aim of eliminating exploitation at work, we should question the practical results of the minimum wage legislation currently before the House, and of this Bill if it is not subjected to rigorous scrutiny.

We must ask ourselves why the Children and Young Persons Act 1933 has been in force for such a long time. It was W. C. Fields who said:

"Anybody who hates children and dogs can't be all bad."

It is not because we hate children that we have neglected this area of the law. In fact, I would say that we love children almost as much as we love dogs. As the father of five, I do not want to neglect the needs of children.

[Mr. Nick St. Aubyn]

Not only parents, but teachers, social workers and responsible employers are involved in looking after the interests of children in work. The hon. Gentleman said that much of that work is wholly beneficial. He did not say why, so perhaps I can help him. Work induces self-esteem in children. Teenagers in particular need to develop self-esteem. Earning money by their own efforts, which they can spend on their family, on their friends and on themselves, is undoubtedly one of the most powerful ways in which to earn that self-respect outside the academic field. Work experience may play an important part in helping children who are not academically gifted or inclined to mature.

Given that background, it is right that we should question the benefits of the Bill in terms of cost. I agree with the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) that there is no point proposing the Bill without a clear idea of the costs involved. I am a member of the Select Committee on Education and Employment which has been examining the costs of further education colleges' franchising training programmes. Even in the most franchised programmes, the cost to the educational establishment is at least £20 per place. It would be naive to assume that the cost of administering permits for LEAs would be less than £20 per child.

We have been told that nearly 2 million children are currently in work in this country. One must assume that the permits would have to be renewed annually, so we are talking about a minimum cost for the LEAs of £40 million a year to introduce the Bill. To put that in context, that is the same amount as the Government tell us they will have to spend to reduce primary school class sizes for early years to a maximum of 30 per class. Clearly, that is a significant cost and we have to ask what benefits will be achieved.

The hon. Member for Gravesham mentioned the distressing fact that one third of children who work are involved in accidents, and that one third of those require medical attention. More than one in 10, therefore, are involved in an accident of concern. It would be helpful to put that into context. How many of those children participate in games and sports? How often do children participating in such activities risk serious accidents and, unfortunately, sometimes suffer serious accidents? It is a fact of growing up that children are exposed to risk, and it is part of the maturing process that they have to learn to cope with that risk. In dealing with truly threatening situations—which all of us want to see eradicated—is it really right to adopt the ideas of the Bill in terms of regulation and the excessive use of officialdom?

Many people are involved in the welfare of a child. If the 1933 Act had been so neglectful of the needs of children, we would by now have seen a campaign in the press—built around evidence of sweatshops, abuse and children at risk—which would surely have had an impact on the House at some point over the past 60 years. The fact that that has not happened suggests that the isolated cases that the hon. Member for Gravesham cited—distressing as they are—are just that: isolated. If he has more convincing evidence, he should present it. It would help to convince those of us coming to the debate in a spirit of constructive criticism and it would also help him to convince the Minister that those tens of millions of pounds are needed to implement the Bill to achieve the objectives which, in the long run, we all share.

We are told that those at work in this age group comprise one third of those at work across the whole of Europe. I know how diligently our European partners compile their statistics, but one has to question whether, in this case, greater regulation in Europe has not merely resulted in there being more hidden employment of children in that age group in those countries. Is it desirable to move to a situation where the problem is driven more underground, rather than to have a clear idea in this country of what is going on?

If a child is coming to school looking tired, inattentive and unable to take part in lessons, it is to be expected that the teachers involved will raise this with the parents and, in some circumstances, the social services. If more resources are needed in that area, surely that would be a more direct and effective way in which to bring pressure to bear.

Judy Mallaber (Amber Valley): I am puzzled by the hon. Gentleman. He seems to be suggesting that there should be no rules and prohibitions at all as they would be far too expensive to enforce. He thinks that we should let the matter lie, as clearly there is not a problem if it is not reported. We would argue that there is a problem because we do not have enforcement, and that there is such a confusion of byelaws that it is hard to see which rules are necessary. Can he enlighten me on whether he thinks there should be rules and enforcement?

Mr. St. Aubyn: I hope that the hon. Lady knows me well enough by now to believe that I favour regulating the matter. The question is how much further we should regulate to improve the situation, and whether the costs are justifiable and obtainable from the Minister and his Department. If we end up creating a new burden on local authorities without providing them with the money to pay for it, the Bill will be neglected or other vital duties of councils will suffer.

It is entirely consistent to applaud the principles behind the Bill while questioning its practical results. We must ask ourselves why the Bill proposes that there should be no work between 7 pm and 7 am when the European standard is between 8 pm and 6 am. Over one third of those children identified in surveys two years ago were working before 7 am, and half were working after 7 pm. Clearly, we want to ensure that children are safe, but, as I have explained, we have to recognise that children will take risks in their lives. It is for the hon. Member for Gravesham and his supporters to justify this tighter limit, which will clearly have an impact on more than three quarters of those currently employed in that age group.

Why has there been a change in the wording in the Bill compared to the 1933 Act, which was carefully drafted to ensure that those involved in activities such as babysitting would not be affected by the legislation? The Act refers to work in terms of a person

"who assists in a trade or occupation"

undertaken for profit. The Bill proposes a new definition—no doubt taken from good legislation, but not in this context—and refers to tasks and duties

"in connection with a trade or occupation carried on for profit".

Is there not a risk that someone will argue in the not-too-distant future that someone going out to work in their own business who engages a babysitter to look after their children will be engaging that person "in connection with" their business? I am not a lawyer, but there is a risk in changing the definition.

The Bill goes further, in terms of limiting the hours. If a child who undertakes a full newspaper round has a stable at home with a pony in it, and the child spends five hours looking after that pony, that extra work is not covered by the Act. If, however, the child is fond of ponies and goes to the commercial stable up the road and asks to help—for free and in the child's spare time—to look after the ponies, the child will have to be turned down under the Bill as it is drafted. The people running the stables will have to say, "I am sorry. Even if I let you do this for love, I will be breaking the law and will be risking a fine."

Clearly, there may be ways in which well-intentioned legislation can have the opposite results to what is wished. Minimum wage legislation could lead—and, no doubt, will lead—to job losses. The Bill may lead not just to protecting the few—with which I agree—but to denying many more children the opportunity to gain self-esteem and to find their way in the world through valuable work experience.

11.19 am

Mr. Kelvin Hopkins (Luton, North): I very much welcome this debate; we are indebted to my hon. Friend the Member for Gravesham (Mr. Pond) for using the opportunity that he won in the ballot to bring this issue to the Floor of the House. I am pleased to follow my hon. Friend the Member for Preston (Audrey Wise), with whom I very much agree.

All hon. Members will deplore the exploitation of children at work. We know that, in some countries, children work hard and long in appalling conditions, sometimes bonded for repayment of debt, invariably receiving pitiful wages and suffering ill-health and poor life expectancy as a result.

If we are effectively to challenge such dreadful exploitation, we must first put our own house in order by ridding Britain of illegal child labour and by setting the highest minimum standards for our young people. Indeed, I would go further and say that we should constrain and restrict the extent of child labour in general.

Children must be protected from the dangers and disadvantages of illegal, unsafe and unhealthy employment and, if they work, they should be properly paid. The Bill raises many of the issues that need to be addressed, but I do not believe that it provides the protection and standards that we should expect and demand. Other hon. Members have dealt with specifics, and I add my concern to theirs. I believe that we need much stronger legislation than the Bill.

Like the Government, I am especially concerned about education. We have become aware that our schoolchildren have not been achieving as well as they should; their achievements compare unfavourably with those of schoolchildren in other developed nations. Moreover, there is a wide diversity of achievement in schools, which reflects the fact that the advantages of affluence and the disadvantages of poverty are key factors in education.

Poverty is a root cause of many of our problems, including educational under-performance. The gulf between rich and poor is greater in Britain than in most other developed countries, and much greater than in some. The proportion of those living in poverty is much higher, in relative and absolute terms, in Britain than in continental Europe, for example. Educational weaknesses mirror those disparities in wealth.

It is not surprising, therefore, that so many youngsters seek employment to bring in more money. If their parents have little money to give them, children want to gain more through work, which is often illegal, usually excessive and poorly paid, and sometimes dangerous and unhealthy. Significantly, that work is always tiring; children go to school weary and unable to take full advantage of what educational opportunities they have.

The fact that 30 per cent. of all working children in Europe are British is a scandal. These children, usually from the less-well-off families, perform less well in education and go into poorly paid work—if they can get it—when they leave school. The cycle repeats itself with their own children.

In my schooldays, my parents did not let me do a paper round on weekdays in school terms, but my family were comfortable, and extra money was not a problem. I do not know whether my education benefited, but I would certainly have done less well in school and been less able to concentrate and learn if I had trudged into class after a long paper round. The option of not working as a child is less attractive to the less well-off, especially, I would guess, to the children of single parents.

In dealing with children's employment, we must address two issues. First, there must be laws to restrict and regulate child labour, with minimum standards defined and enforced. When I read the Bill, I had a strong impression that it was too weak and that the proposed standards were too low. I ask Ministers to consider seriously what standards would be appropriate—mention has been made of the International Labour Organisation convention 138, which could be a starting point.

Secondly, we must address the more difficult question of poverty, low incomes and inequality which underlies so much child employment. Poverty in Britain is a national scandal which the Government must tackle. A sufficient minimum wage, decent benefits and, above all, a return to full employment are essential. We must consider measures to ensure income redistribution during the Government's term of office and beyond. Tight regulation, high minimum standards and the elimination of poverty would put an end to the exploitation of children. We owe it to them to succeed in those objectives.

The hon. Member for Guildford (Mr. St. Aubyn) referred to the self-esteem that children derived from employment. I suggest that they work more for money than for self-esteem, although they might derive from work some self-esteem that they do not get elsewhere. That is not the point, however. Children should derive their self-esteem from success in education and from success in later life, which depends on good education.

[Mr. Kelvin Hopkins]

Their education must come first; work must take second place. We should restrict child labour to the very minimum and encourage children to study at school.

Mr. St. Aubyn: Surely the hon. Gentleman recognises that some children are not academically inclined. If the whole focus is on academic achievement, it will be hard for such children to learn that principle of self-esteem.

Mr. Hopkins: I do not agree. Low self-esteem and low performance at school is characteristic of our society; in effect, we tell a large number of young people, "You're not going to succeed in school, so don't bother." I believe that all children, at whatever level, should be able to achieve their maximum potential. That means that we must focus on their education. If they are failing in school, we should give them extra resources and attention; we should not send them out to work or, as my hon. Friend the Member for Bolsover (Mr. Skinner) would say, give them a brush and stick them up a chimney.

11.25 am

Mr. Paul Burstow (Sutton and Cheam): I congratulate the hon. Member for Gravesham (Mr. Pond) on initiating this debate and on introducing the Bill. I shall briefly outline the views of Liberal Democrats on this very important topic.

I agree with the hon. Member for South-East Cambridgeshire (Mr. Paice), who said that, all too often in the House, we take the view that, simply by enacting legislation, we can transform things—we believe that we can do far more to solve problems than we actually can. Nevertheless, as the hon. Gentleman recognised, we can make a difference through legislation, although we should not exaggerate what we can achieve.

The legal framework covering child protection in employment dates from the 1920s and 1930s—the era of William Brown and his schooldays. In reading up for the debate, I was interested to note that child protection was only a small part of the purpose of the Children and Young Persons Act 1933, which dealt primarily with criminal justice issues. I am sure that William Brown would have been delighted to know that Parliament decided, at that time, to abolish the whipping of children under 14. That gives us an idea of how far things have moved on—or, at least, how far we hope we have moved on.

I also noticed, in preparing for the debate, how often such issues are debated in the House because of a private Member's Bill rather than Government legislation. Although I welcome the fact that the hon. Member for Gravesham has promoted the Bill, I hope that the Government will introduce their own legislation. I await with interest the Minister's response today.

The debate helps to keep child employment on the public agenda. My hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) rightly said that the fact that so long has elapsed since Parliament legislated in this area is disquieting. A number of concerns need to be addressed. Four out of 10 children in Britain currently do some form of work. Seven out of 10 working children work illegally. That must be a cause of concern to the House.

The MORI survey commissioned by the Trades Union Congress in 1996 revealed that 20 per cent. of 11-year-olds and 23 per cent. of 12-year-olds were working illegally, as current legislation provides for a minimum starting age of 13. Four out of 10 worked before 7 am and half the children polled worked after 7 pm, both of which are illegal.

The Liberal Democrats do not want to stop children taking the opportunity to work, as it gives them a sense of independence and responsibility—for example, independence of an over-reliance for entertainment on the television, the internet and computers. However, work must not inhibit a child's learning, and his schooling and family life must not be sacrificed or put at risk.

Interestingly, the work of the Low Pay Unit demonstrates that the work being undertaken by young people is very diverse. We are not talking merely of paper rounds and of earning pocket money. For many children, it is about supplementing the family income.

The problem is not only the age of the legislation. The legislative framework is there and, arguably, could be made to work. The Employment of Children Act 1973—a private Member's Bill that was enacted—provided a way forward. The Minister is not in his place at the moment, but perhaps I shall have a chance to intervene on him later to ask why the 1973 Act was never implemented and why the Government will not take the opportunity to review it, to enable it to be used. As the excellent Library briefing demonstrates, the Act provides a route through regulation, which would enable considerable tightening of the law without the need for lengthy review and the process that I am sure the Minister will outline. The Government have a tool available to make a difference.

A serious issue is compliance, by children, parents and employers, as well as the other agencies that have a responsibility under the legislation. To echo something that several hon. Members have said, including my hon. Friend the Member for Roxburgh and Berwickshire, when passing such measures, we must be mindful of the fact that by imposing new duties, particularly on local authorities, without giving the necessary additional resources to do the job, we shall be imposing burdens that will ultimately result in the authorities not doing those things, choosing not to do other things that they already have a duty to do or cutting other services. Local authorities are already under pressure and we must be mindful of that fact when we deal with such legislation.

Non-compliance is the most crucial issue. Why is there non-compliance? Is there a mass movement of civil disobedience against the 1933 Act? I think not. Sadly, non-compliance has much more to do with complete and utter ignorance of the existing legislation, on the part of not merely the public at large but those in authority at a local level and those acting as employers. Some of that ignorance may be wilful, but much of it is because of the lack of available information to make people aware of their obligations. Therefore, awareness raising and information must be an important part of this debate, the Government's response and the way in which we proceed.

The European Union directive seems to provide a basis for moving forward, and the Government are reviewing matters to find out how they can bring it into our law. I should be interested to hear from the Minister how soon that will be. We have been told that it should be by the end of this calendar year.

This debate is a useful way to increase the awareness of the House and the general public. The previous Government sought a number of opt-outs from the EU directive, and we have heard arguments from Conservative Members that the problem is not that great, so there is no need to legislate for change. The evidence presented today and much of the other evidence supplied to us in the form of briefings demonstrate that there is a problem and a need for action.

The hon. Member for Gravesham made a powerful case for the Bill. Having the chance to work is valuable to children, and we must ensure that we do nothing to prevent employers from offering them legitimate opportunities to work. The legal framework is 65 years old today, and it is 66 years since the previous Second Reading debate on such legislation, which is an incredible period of time. At the moment, the law makes 1.75 million children into law breakers. For that reason, we welcome the Bill as a way of raising some important points with the Government and promoting reform. The detail of the Bill will need considerable scrutiny, for the reasons mentioned by hon. Members on both sides of the House, but we wish it well and hope that the Government will respond positively to its measures.

11.35 am

Mr. Paul Goggins (Wythenshawe and Sale, East): I congratulate my hon. Friend the Member for Gravesham (Mr. Pond) on his choice of child employment for his Bill and on the eloquent way in which he opened the debate. Given his years of campaigning against low pay and on employment issues generally, he must be satisfied to have produced a Bill that will strengthen the protection for children at work.

Perhaps the most important function of Parliament is to afford protection to those who are not always in a position to defend themselves. We have a special responsibility to protect children. I sincerely hope that the Bill and the arguments advanced today will help to strengthen substantially the safeguards for children who work.

I am pleased that, in the main, we have not been talking about children who take on small tasks to earn a little extra pocket money. We all know youngsters who go baby-sitting or clean cars—indeed, some hon. Members, including myself, have children who do so. I agree with my hon. Friend that excessive work is not character-building for children, but, at the right time and place and with the right controls, a little work of that sort can help to foster self-reliance and a sense of maturity. At that level, it is to be welcomed. What is not welcome is the exploitation of children at work, and the Bill would remove such exploitation.

Britain has long-standing legislation to prohibit children from working in certain locations and to impose age and time limits. All that the Bill seeks to do is what the Government are pledged to do in so many other areas of life—to modernise, humanise and move towards conditions that are appropriate for the new millennium.

We have heard about research findings on the issue, and I have further evidence that reinforces the general picture. A couple of years ago, the Greater Manchester Low Pay Unit—an excellent organisation which offers expert advice to low-paid people and vulnerable workers—carried out research in the Manchester area to find out how many children are in part-time work. In a survey that included a substantial number of 13, 14 and 15-year-olds, it found that nearly half were doing some form of paid work. Just over one third were involved in some sort of delivery work, typically milk and newspaper rounds, and one fifth were regular baby-sitters. However, I was more disturbed to find that nearly one third did shop work, waiting, manual labouring, catering or contract cleaning. I agree with my hon. Friend the Member for Preston (Audrey Wise) that that work is more appropriately done by adult workers, particularly unemployed adults who are desperate for work.

Many of those jobs are done illegally, either because they are deemed by law to be unsuitable or because of the hours. Interestingly, the unit found that few children worked more hours than they were supposed to, but large numbers either started too early or finished too late. About 40 per cent.—nearly half—worked before 7 am and 30 per cent. finished after 7 pm. Also, 70 per cent. of the working schoolchildren polled in the Manchester survey earned less than £2 an hour, with one sixth receiving less than £1 an hour. It is a source of great concern that some 30 per cent. of those surveyed claimed to have started work before they reached the age of 13, another clear breach of the law.

As hon. Members have said, passing laws is not enough. Parents and employers should exercise proper responsibility and ensure that children are not employed in illegal circumstances. It would be much better for all concerned if the Bill were passed into law and the Government gave a strong lead by backing a tough approach and encouraging more rigorous enforcement.

Much is already being done to improve the situation. I welcome the Government's commitment on the European directive and the signs that they understand that further improvements are necessary, but it cannot be left to local authorities to police the system. They have an important role to play, but the strong message from the debate is that they will require substantial further resources to do it. They must be given a strong lead nationally.

I wish to emphasise two aspects of the Bill further. First, I applaud the provisions in part II that make transparent the obligations of public authorities, employers, schools and parents. The proposed work permits offer the prospect of an approach altogether more rigorous than the current system of registration. That would assist public authorities to police and monitor the system and in ensuring a proper and helpful relationship between a child's welfare and progress at school and his or her eligibility to undertake part-time work.

Secondly, I strongly support the strict limits on Sunday working. The previous Government favoured greater deregulation, but I believe that that would be a grave mistake, not for reasons of religious observance, which are a matter of personal choice and belief, but in the interests of family life. There is great anxiety about family life, and to reinforce Sunday as a regular family day would help us all. Sunday is also a day for ensuring that homework is finished and that proper preparations are made for the week ahead.

The exploitation of children, whatever form it takes, is unforgivable. I hope that today marks a turning point in the protection of children at work. A small amount of the right sort of part-time work can be a positive

[Mr. Paul Goggins]

additional activity for children, but their main task is to learn, and our principal duty is to protect them. The Bill will help us to fulfil our part of the bargain.

11.41 am

Mr. Crispin Blunt (Reigate): There is no doubt that it is proper to have regulation and legislation to protect children. The hon. Member for Gravesham (Mr. Pond) is to be congratulated on introducing the Bill, because one great problem is ignorance of existing legislation and regulation. That is why so many of the people who employ children are in violation of the laws and regulations as they stand. However, in seeking to address that problem and the inconsistency of regulation across the country, with local authorities having different byelaws which they largely do not enforce, the Bill, as currently drafted, goes too far. It is a classic case of overcorrection.

People who take systematic advantage of children in the workplace will be in breach of any standard that hon. Members could happily enact. The system of licensing proposed in the Bill will not address the central problem of people taking advantage of children in employment. Hon. Members have already spoken about the burden of licensing. My hon. Friend the Member for Guildford (Mr. St. Aubyn) mentioned a figure of £40 million. The hon. Member for Sutton and Cheam (Mr. Burstow) pointed out that if additional burdens are to be placed on local authorities, resources must be made available to them.

The licensing regime proposed in the Bill will cause worse problems. I do not believe that many local authorities, as they are currently managed, are capable of managing a licensing regime that could produce licences in four weeks. Employers who wish to behave properly and get licences will apply for them but find that, after four weeks, the opportunity that they have given to a child to do some part-time work must end because they have not received a licence. Many employers who wish to employ children on paper rounds or whatever will not bother to try to get licences. We shall drive out of the area of regulation probably the majority of people who want to give opportunities to children. That will have two effects. First, people will say that it is not worth going through the burden of trying to get a licence. The opportunities for children to do paper rounds, or other work that the House agrees that they should be able to do, will disappear. Secondly, employers who do not get licences will be in violation of the standards. They might as well be hung for a sheep as a lamb, so there will be greater abuse of children.

The proper way to regulate is to establish standards in the House, and there are some points on standards in the Bill. It should then be for police and local authorities, in the normal way, if cases are brought to their attention, to prosecute people guilty of abuse. If we overlay the matter with a massive regulatory regime involving every local authority, we shall bring it into disrepute. We want to identify the people who take unfair advantage of children beyond the standards that we set, and then properly prosecute and punish them. Such behaviour is so scandalous that there is a clear case for them to be properly punished with serious penalties in the courts.

The hon. Member for Luton, North (Mr. Hopkins) saw the priority wholly in terms of education. I agree with other hon. Members that training and work experience are an important part of education. The opportunity for children to work should be encouraged, in a part-time way at the margin, as they grow towards adulthood, as part of their education and of preparing them for adult life.

Mr. Hopkins: Will the hon. Gentleman distinguish between child employment outside school hours and work experience as part of the curriculum in school hours?

Mr. Blunt: I agree that work experience in school hours is welcome, but I would not want to deny work experience to children who want to take opportunities for it on their own, outside school hours, organised by people outside schools and the formal education system. There is a role for more informal experience outside the school authorities.

Mr. St. Aubyn: Does my hon. Friend agree that there are some children who are antipathetic to school for whom it is important to have experiences that are not related to school? If everything that they do is tied to school, it might be counter-productive and serve only to antagonise them in regard to the process into which we are trying to pull them.

Mr. Blunt: My hon. Friend makes an important point. We should be seeking to enrich the experience of children in the sense of horses for courses. All children are different and develop in different ways. For some, work experience might be more important than formal education. We should not try to establish set standards to try to force children to fit a particular framework. I fear that the Bill's licensing regime will significantly reduce opportunities for child employment, while imposing standards honoured in the breach rather than the observance.

I agree with my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice), who referred to the rules governing the two-hour limit on Sundays. That, I think, is out of date. It would be better to regulate for an overall length of time that could be worked over weekends, and to allow parents and children to judge for themselves how that should be split between Saturdays and Sundays.

11.49 am

Mrs. Christine Butler (Castle Point): I, too, congratulate my hon. Friend the Member for Gravesham (Mr. Pond) on presenting such an important Bill. The debate is indeed timely, after 66 years. I was amazed to hear the comments of some Opposition Members, who seemed only to want a deregulatory regime.

Let us refocus on the main issue, which is the vulnerability of children who may or may not be employed, legally or illegally, in today's Britain. They are vulnerable because they are young: because they are young, they are all too easily exploited. That is central to the Bill, and we should not forget it.

I welcome the Bill. I should like it to go further and to be broader in its scope, but I understand the reasons behind it. It is not dramatic; it does not ask for a great deal. It simply suggests that there should be a better regulatory framework—a framework that is consistent

across the country, that is better enforced and that protects the welfare and well-being of young people more effectively. For the purposes of the Bill, children may be defined as those who are under the upper school leaving age limit. I also welcome the Government's proposed review, which I believe is already under way. I hope that it will be all-embracing, and that it will go beyond the Bill in increasing protection for children at work.

I accept that we must consider the technicalities, but I denounce the way in which some Opposition Members gave technical reasons for not supporting the Bill—or, indeed, the principle of the Bill. I abhor that, because I think that we should all support the principle.

Mr. Blunt: I have heard no Opposition Member oppose the principle of the Bill. Opposition Members are keen to make legislation and regulation effective, respected and known about, and for that legislation and regulation to work.

Mrs. Butler: That is not how I understood the comments of Opposition Members, who argued against nearly all the Bill's proposals and seemed to want provisions that had more to do with the free market and deregulation. They support the interests of children, however, and the two positions strike me as incompatible. Perhaps it is up to those who will wind up the debate to explain: I shall be interested to hear what my hon. Friend the Minister—as well as the Opposition spokesman—has to say.

I should like all employers and putative employers of children to be licensed or registered, although dialogue between home, employers and school is essential, whatever precise form it takes. It is never too soon to start talking about the issue. Indeed, let us start now: let us not wait until the end of the year. I want to see a significant improvement in registration, consistent across the country. Employers should be certified as fit and proper people to employ children, and should be able to convince authorities that conditions in the workplace are suitable for children. Such an extra provision in the Bill might mitigate some of the complexities involved in processing permits quickly. At least parents, children and councils would know who were likely to be fit and proper employers, and which establishments had suitable conditions. That is the main point that I wanted to make.

I agree with all who have said that our main concern should be children's health, welfare, training and education. I could not disagree more with Opposition Members who suggested that training and education could take place in a laissez-faire context. I have much sympathy with my hon. Friend the Member for Preston (Audrey Wise), who referred to the ILO agreement and suggested that we should prohibit all child employment; but I know from my experience as a parent, and my experience of other people's children, that many children would be aggrieved if we were too prescriptive and prevented them from taking part-time work on a reasonable basis that could be properly regulated. That is the crux of many of the Bill's provisions. We have no such enforcement now; we seem to have a complete disregard for, and almost complete ignorance of, the current legislation. It is entirely ignored, and I was not aware of the details until a short time ago.

Ms Ruth Kelly (Bolton, West): Is not one of the reasons for the high level of non-compliance with the law a basic ignorance of that law? There is some national legislation, but there are also hundreds of byelaws. I have a particular interest, because many of the towns and other areas surrounding my constituency have non-compliance rates of up to 98 per cent. Does not the Bill give us an important opportunity to simplify and standardise the legislation?

Mrs. Butler: I entirely agree.

As I have said, I support the Bill, and welcome the Government's decision to conduct a root-and-branch review of all aspects of child employment. I hope that we shall have a more enforceable and simpler regime that will do more to protect our working children. I commend the Bill, with the proviso that the Government should do their work. I hope that we shall hear from them before the end of the year, following what my hon. Friend the Minister says today.

11.58 am

Mr. Jeremy Corbyn (Islington, North): This has been an interesting and important debate. The Bill of my hon. Friend the Member for Gravesham (Mr. Pond) gives us the opportunity to debate the issues of child labour, which were discussed in the previous Parliament only in Adjournment debates; I presented a private Member's Bill, but it was not debated. I should declare an interest: I am chair of the Stop Child Labour campaign in Britain, and my hon. Friend the Member for Preston (Audrey Wise) is its vice-chair. The purpose of the campaign is to ensure that International Labour Organisation convention 138 is enacted into British law: we have made that clear in an amendment to early-day motion 712, which was tabled by my hon. Friend the Member for Gravesham.

Child labour is an appalling problem world wide. Millions of children throughout the world are denied any education because they are forced to work in rice fields or in factories that make training shoes or toys. Many children in Pakistan are slaves. We use the euphemism "bonded labour"; it is, in effect, child slavery. Child slavery and child sex slavery exist in many parts of the world.

The whole purpose of the international conventions is to protect children in the most dangerous and vulnerable situations. If we insist as a country, as we rightly do, that United Nations, International Labour Organisation, World Health Organisation and other conventions should be agreed or imposed world wide, the least we can do is ensure that all those conventions apply within the terms of British law. We should not ask for exemptions for ourselves when we condemn other countries that seek exemptions which mean that children are grossly exploited.

Once a huge number of children are employed in a disgraceful and dangerous situation, as they are in many parts of the world, the interests of the employers are not to ensure that those children are well paid, well regulated and protected, but to oppose education authorities and others who try to get those children to leave work and go to school. The struggle against child labour in the 19th century was often with neanderthal factory owners who opposed compulsory state education. One of the great events in labour movement history, the Burston school strike, was in part about the power of the farming community to drag children out of the classroom to take stones off fields.

[Mr. Jeremy Corbyn]

It is horrible to say this, but there is still much exploitation of children in our society. My hon. Friend the Member for Gravesham pointed out that probably 2 million children work in this country. It is difficult to know exactly how many children are in work. Most are unregistered, unregulated or unvisited by social services, by education welfare officers or by anyone else. The danger and possibilities of serious child exploitation is ever present in our society.

The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) made a perfectly fair point about local authorities. They do not necessarily want a lot of child labour, but, if we ask an inner-London, inner-Birmingham or any other local authority to regulate and look into child labour, they say, "No chance." Social workers can barely keep pace with the number of statutory referrals that they have. Education welfare officers cannot deal even with the number of statemented pupils in our schools. It is not possible for those local authorities to go round to clothing factories in Hackney, Islington, Lambeth or Lewisham to find out whether children are working.

There is another side to it, which I suspect is the reason why some of the figures look progressively and refreshingly low in other European countries. They probably hide the problem. Throughout this continent, refugee and migrant children live twilight existences illegally. Often, they are the most grossly exploited people on earth because their parents have no redress in law or anything else; they lack any legal status.

Rightly, we all sign petitions demanding the end of child labour in other parts of the world. We recognise that the problem is far worse and the exploitation far greater in other parts of the world, but we should also be prepared to look behind factory doors here and consider the danger that many children in our society face.

The idea that child labour is necessarily safe is not something one should take lightly. Appalling accidents still happen on farms, with children working near or around farm machinery. Youngsters doing newspaper rounds are exposed to traffic dangers or worse. Carl Bridgewater was murdered while delivering newspapers to a farm, which shows the danger of children being out on their own. Unfortunately, we do not live in a particularly safe society.

There is an international campaign to protect children and to ensure that they go into education rather than to work at too young an age.

There have been worldwide campaigns against child labour, and an important tribunal in Mexico in 1996 drew attention to the problems of child labour and bonded labour. I should like to quote from ILO convention 138, which was framed in 1973—interestingly enough, the year in which the House last debated legislation on this subject. It builds on many of the conventions about the minimum age for employment in agriculture, clothing and other industries. Part of the convention states:

"Considering that the time has come to establish a general instrument on the subject, which would gradually reduce the existing ones applicable to limited economic sectors, with a view to achieving the total abolition of child labour, and

Having determined that this instrument shall take the form of an international Convention, and adopted in 1973."

Article 1 of the convention is brief. It states:

"Each Member for which this Convention is in force undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons."

Article 2.1 is also brief. It states:

"Each Member which ratifies this Convention shall specify, in a declaration appended to its ratification, a minimum age for admission to employment or work within its territory".

It is stated that that must be deposited with the ILO director-general. Article 2.3 states:

"The minimum age specified in . . . paragraph 1 of this Article shall be not less than the age of completion of compulsory schooling and, in any case, shall be not less than 15 years."

If we have signed up to that international convention, we should ratify it and carry it into law. I was sorry to hear that the legal advice that was given to my hon. Friend the Member for Gravesham shows that his Bill would prevent ratification of that ILO convention. I may be wrong about that, but it is important to look to the Government for legislation to ensure that the ILO convention is ratified.

In July, my hon Friend the Member for Preston and I had a useful meeting with the Minister who will reply to the debate. We had a long discussion about the problems of child labour. The Minister was extremely helpful and we left that meeting in a positive frame of mind. We said that the exploitation of children is detrimental to their education. I agree with my hon. Friend the Member for Preston that a child who works for 12 hours a week is carrying a big burden on top of his normal schoolwork and homework.

High unemployment means that many children are able to get jobs because they are not covered by minimum wage legislation, which in any case applies only to agriculture. Many adults could be out of work, but children can be in work for up to 12 hours a week to supplement the family income. The pattern of child employment shows that children from poorer families tend to work more hours than those from wealthier families who can afford to pay for the things that children want and need.

I hope that the Minister understands and accepts the concerns about child labour that many of us have been expressing for a long time. We should ratify ILO convention 138 and frame legislation accordingly, to ensure that we are in line with international conventions.

The Bill contains serious problems, the first of which relates to the large number of hours that children are allowed to work. My hon. Friend the Member for Preston spoke about that. Secondly, the Bill does not state, presumably because the Government would not allow it to state, how its regulatory regime would be funded. I have tabled parliamentary questions on that subject, and have been told that there is no standard spending assessment specific budget heading for the monitoring of child employment by local authorities. Presumably, that is one of the reasons for local authorities not carrying out serious monitoring. That has been left to universities and to the organisers of campaigns.

I hope that, in the review, the Minister will recognise that although it is not necessarily wrong for a local authority to carry out any regulatory regime, it must be adequately funded to do so. The point made by my

hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) is crucial—Britain needs a children's commissioner. He or she could examine the dangers of exploitation of children, the problems of child employment and what goes with that, and the anomalies in existing legislation. We need someone who can speak up and influence Departments, legislation and public opinion on the question of the treatment of our children.

Children must have the opportunity to grow up happily, to learn safely, and to develop into society. When I go into cafes, restaurants, pizza bars or whatever—being a vegetarian, I do not go to burger bars—it saddens me to see young people looking rather tired at the end of work on a Saturday. We see youngsters going into school looking tired because they have already spent an hour or two delivering newspapers on the streets. It is not glamorous; indeed, much of it is dangerous. It is certainly detrimental to the children's education.

If the regulatory regime provides for the school to decide whether a young person works, intolerable pressures will be put on that school. Many schools will just say that they will not allow any child to work, or say that they will allow all of them to work, or they will consider each individual case. The latter puts pressure on the school to make a value judgment on whether the family needs the child to work. That is not the right job for a school.

I look forward to the Minister's speech. I hope that his review will be thorough and will take evidence from other organisations and people. Above all, I look forward to a commitment from the Government that, at long last—we have waited since 1973—Britain will ratify ILO convention 138 and will play its part in ending the disgraceful exploitation of children not only around the world, but in this country.

12.11 pm

Mr. Barry Gardiner (Brent, North): What may we expect of hon. Members, unless it be that they should take care of those who are without power? Children in Britain are without direct access to power. For that reason, the obligation on us today is all the more onerous to have a care for them. I could hardly contain myself when I heard the hon. Member for Hogwash—the hon. Member for Reigate (Mr. Blunt)—saying that our role in this Chamber is not to set standards. If we are not to set standards, who is?

Often in these debates, we hear hon. Members congratulated on their good fortune in having come so high in the ballot for a private Member's Bill. Interestingly, today no one has congratulated my hon. Friend the Member for Gravesham (Mr. Pond) on his good fortune; instead, we have all congratulated him on his good sense in using this opportunity to give voice to the needs of our nation's children so that we protect them against both injury and exploitation.

The Bill does not ignore the great benefit that children can derive from engaging in the world of work. The sense of responsibility, the independence and the mature co-operation in a commercial context, which work can bring to children, are of real value.

My eldest child, Jess, is a singer and has performed, from the age of 11, at the Almeida opera and on Radio 3. I am proud of the rigorous hours of training and rehearsals that he has worked. The experience of working with professional musicians, conductors and recording technicians is one which he will never forget. Above all, he will retain the sense of being treated as a fellow professional—not a child, but an artist of equal importance in a successful production. However, such benefits must not be purchased at the expense of childhood itself. It is vital that a child's school should always be aware of and support any child's employment, as the Bill would stipulate.

When it was discovered, not a few months ago, that the footballs used in our national game were made by child labour on the Indian subcontinent, it rightly became a matter of national news and of public outrage. How remarkable therefore that, during all that time, little uproar was raised in defence of our own children and about the conditions in which they have been employed. Yet we know that almost 1.5 million children in Britain are employed illegally, and that one third of them have been involved in an accident at work. We have allowed an almost casual disregard of child employment to prevail in Britain, dismissing such employment as merely paper rounds and babysitting. It is not.

I pay tribute to the Low Pay Unit for its research, which has highlighted more than merely the bald official statistics on injuries and deaths of children in the workplace from contact with machinery, falls from a height and other causes. It is shocking enough that even one child in Britain should die in legal employment, but the unit's research has uncovered the appalling scale of illegal employment of children under 13 and outwith the hours of 7 am to 7 pm.

Those of us with children know to our cost how early mornings and late nights can be singularly corrosive of family life. Children are less patient with their parents in such circumstances. Much more important, tired children learn less in school. Critically, children are more exposed to all the potential health and safety risks in their workplace when they are tired.

Mr. St. Aubyn: Given that all hon. Members oppose the illegal employment of those under 13 and putting children at risk in the workplace, and that those matters are already dealt with in existing legislation on health and safety and on employment of children, how will the Bill help to address those issues?

Mr. Gardiner: I shall deal later in my speech with the very important matters not only of regulation but of enforcement of regulation, which have been mentioned by many hon. Members.

I particularly welcome clause 4(4), which stipulates:

> "No person shall employ a child to do any work which, on account of the nature of the tasks involved or the particular conditions under which they are performed, is likely to be harmful to his safety, health or development; or to his attendance at school, his participation in vocational training or guidance programmes . . . or to his ability to benefit from the instruction so received."

It seems that that is one of the central focuses of the Bill.

Part II of the Bill seeks to provide an enforcement system through the issuing of permits involving the local education authority, parents, schools and the local police. It is here that what weaknesses there are in the Bill are most manifest. Clauses 12, 13 and 16 rightly provide that the child's school must be notified and consulted at all stages on the issuing of permits and their amendment.

[Mr. Gardiner]

It would be helpful to include in clause 15 a continuing requirement not only on the employer to update the local authority record on 1 January and 1 July each year, but on schools to reassess their own agreement to the employment continuing.

Clearly, many schools, on first being approached by parents for their agreement, may say that they would be prepared to allow a child to undertake some employment, but they will want to see how the work affects the child's performance at school. Unless an automatic obligation is placed on schools to renew their consent, it may be that, as the child's achievement declines, it is forgotten that the child is in employment outside of school life; the two factors may not be correlated.

Having been a councillor in local government for many years, I am acutely aware of the ever-increasing work load placed on local authorities by the House. As has been said, it is not simply a matter of making regulations; those regulations have to be enforced. The resource implications of such enforcement are, sadly, clear to anyone involved in local government.

Local government budgets are strained in meeting their present statutory obligation to protect children. New legislation will inevitably add to that burden, but that does not mean that new legislation that attempts to codify the existing regulations is not right and necessary.

My hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) set out only too clearly the difficulty involved in providing the necessary resources that could give us confidence that we might see any real enforcement of the Bill's provisions. The split of Government responsibility for children between different Departments—the Department of Health, the Department of the Environment, Transport and the Regions, and the Department for Education and Employment—is detrimental to the resolution of the problem. I certainly echo and support my hon. Friend's call for the Government to consider appointing a Minister for children.

Employers do exploit children. Few would doubt that the reason why most employers take on children is that children are cheap, but they are also compliant. They can be got to work at times and in conditions that an adult might resist. They are also less likely to protest about harassment by their employer—and such harassment of children clearly exists. That is why any employment must be assessed and permitted for children only if it can be clearly shown that such employment is a net benefit to the individual child. It is the child who must be our primary consideration and, broadly speaking, the system of permits set out in the Bill seeks to ensure that.

Children are born to love their parents. Very soon, they grown to judge them; rarely do they end up forgiving us. Let us resolve today to remove one more obstacle to that forgiveness, and speed the Bill on its way.

12.24 pm

Shona McIsaac (Cleethorpes): I welcome the Bill, and I applaud my hon. Friend the Member for Gravesham (Mr. Pond) for the excellent and hard work that he put into the Bill and during his years working at the Low Pay Unit. He has brought a wealth of experience to today's debate and his Bill has given us the opportunity to discuss an extremely important issue.

Like my hon. Friends the Members for Preston (Audrey Wise) and for Islington, North (Mr. Corbyn), I do not think that all work is bad for children. When I was a teenager, I would have been horrified had I not been allowed my wee Saturday job in a well-known high street chemist. It gave me the opportunity to earn a bit of money to spend on the things that I wanted. As a teenage girl, I bought mainly clothes and make-up, but it was all about growing up, becoming independent and choosing to buy the things that I wanted. I did not want Mum's smelly old Vosene, for example. I wanted to buy the shampoos that I was reading about in the girls' magazines.

We cannot condemn all employment for children, but the debate is not about that. It is about the abuses of the system, and I am concerned about them. Some children work extremely long hours. When I was a teenager, my employer did not break the regulations; teenagers were paid exactly the same rates as other members of staff. However, I was lucky. At the time, some of my friends were working for a pittance, as teenagers still do today. In addition, some work in dangerous conditions. We must do all we can to protect children in those circumstances.

Like other Members, I am concerned about the impact of employment on schoolwork. When I was a teenager, I did not find that my job impacted on my performance at school, but my propensity for staying up until 2am watching trash horror films on television did.

I have discussed the issue with education welfare officers of North East Lincolnshire council, which is responsible for the towns of Grimsby and Cleethorpes. They are most concerned about abuses of the system—not just about children who might be tired at school, but about non-attendance because of work. One recent example involved a 14-year-old girl who was absent from school. An education welfare officer visited her home and found that she was being picked up in a van and driven south to a factory in Lincolnshire to pack pork pies. Her shift was from 2 o'clock to 10 o'clock, so she simply was not at school. We must stop such abuses.

In Lincolnshire, there is a tradition of gangs of children working in factories. They are hired by a ganger, who collects them and drives them to the factory. The ganger, not the factory, pays the children. The factory may be unaware that it is employing someone of 14 and may assume that he or she is 16. It is a shady form of contract work. The practice is also prevalent in the agricultural sector. At harvesting time, gangs of children are driven to work. Certainly the regulations are often breached in respect of the hours that the children work.

The education welfare officers are concerned about the agriculture sector because abuses do not occur only in the summer holidays. Sometimes it happens in term time, resulting in non-attendance at school. One of the worst examples that the officers came across recently was an eight-year-old selling flowers in the centre of Grimsby. I am sure that we all condemn such exploitation.

A couple of loopholes concern me. I hope that my hon. Friend the Minister will address them. In the food processing industry in Grimsby, 16-year-olds who have just been given a national insurance number dupe employers by saying that they have left school, when they should still be there. The processing firms have responded when education welfare officers have raised the issue with them.

The European Union directives have been mentioned. As I understand them, they will give less protection to children who work in some respects, such as start and finish time. We should be more protective of our children.

Even in winter, there are many people at the seaside in Cleethorpes on Sundays. A lot of children work there—perfectly legitimately. We must address that. Patterns of employment are not the same across the country.

I welcome the Bill and the Government's review of such important issues. The Department of Health and the Department of Trade and Industry have set up a working group, which will report by the end of the year. That shows the Government's commitment to addressing the serious issues. I hope that my hon. Friend the Member for Gravesham can work with the review, contributing some of the excellent aspects of the Bill to ensure that we protect children who are being abused in the workplace.

12.32 pm

Mr. Ross Cranston (Dudley, North): I congratulate my hon. Friend the Member for Gravesham (Mr. Pond) on introducing the Bill. I first came across his name in 1977, when he was the co-author of an important book called "To Him Who Hath". Another co-author was my right hon. Friend the Minister for Welfare Reform. The book addressed several issues that are still on the agenda, such as the relationship between taxation and poverty, and how regressive taxation can be. It also contained an interesting European dimension, showing how we were taxed less than elsewhere.

I am pleased that my hon. Friend and I were elected at the same time. Other hon. Members have mentioned his time at the Low Pay Unit, where he worked for almost two decades, producing a stream of pamphlets and articles. He took up the important issue of the exploitation suffered by many in low-paid work. I congratulate him. In a way, the Bill is a culmination of the many years that he has spent toiling on the issue.

I shall concentrate my remarks on children of pre-school-leaving age. Hon. Members have already said, I think correctly, that work can create a sense of responsibility, self-respect and self-discipline. The Bill recognises the fact that we must not eliminate the possibility of young people's entering work. However, there are three important caveats. The first is exploitation. My hon. Friend the Member for Cleethorpes (Shona McIsaac) mentioned examples of exploitation from her constituency and my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) referred to exploitation in terms of pay rates. The Low Pay Unit publication "Fair Play for Working Children" gives several serious examples of exploitation.

The second caveat is the health and safety concern. My hon. Friend the Member for Gravesham addressed that issue in his remarks and gave several examples of young people who were seriously injured while working. The third caveat concerns the impact that work can have on education, and I shall spend a few minutes on that point. The TUC commissioned an important study by the MORI organisation which found that some 28 per cent. of working children said that they were often or sometimes too tired to do their homework or their school work. Some 4 per cent. said that they played truant from school because they had to work. My hon. Friend the Member for Cleethorpes referred to such a case in her constituency.

That is a serious problem. There is strong evidence of the link between homework and achievement at school—even the previous Government acknowledged that. This Government have taken several important steps to ensure that children, who may not otherwise do their homework, can attend homework clubs. Some 8,000 such clubs are planned by the turn of the century, at a cost of £200 million. My right hon. Friend the Secretary of State for Education and Employment has emphasised the importance of homework and the fact that it makes a real difference. Even though there are advantages in young people's undertaking work, there should be limits on what they are able to do.

As hon. Members have said, the current legislation is a patchwork. It is a complex hotch-potch. The basic law is the Children and Young Persons Act 1933, and its key section—section 18—is clearly drafted. It imposes limits by stating that school-age children cannot work before 7 am and after 7 pm, and cannot work more than two hours a day, including Sunday. However, superimposed on that legislation are many other complex provisions, including the Employment of Women, Young Persons and Children Act 1920, the Children Act 1972 and local authority byelaws which, in many cases, were introduced as a result of the Employment of Children Act 1973. Although that Act was never proclaimed, draft regulations gave rise to local authority action.

There are limits on these provisions. The basic provision in section 18 of the 1933 Act covers only employment. As the hon. Member for Guildford (Mr. St. Aubyn) pointed out, the definition of employment in that Act is assisting in a trade or occupation carried on for profit, so it would not cover the job of babysitter. There are other relevant regulations, such as the Children (Performances) Regulations 1968 and the Health and Safety (Young Persons) Regulations 1997. There is a case for the Bill on the grounds of the complexity of current provisions alone.

Reference has been made to international instruments. My hon. Friends the Members for Preston (Audrey Wise), for Islington, North (Mr. Corbyn) and for Luton, North (Mr. Hopkins) mentioned ILO convention 138 on the minimum age for admission to employment. I want to correct something they said about the nature of that convention. This country has not ratified it, unlike some other European countries, such as France, Germany, Italy, Spain and Sweden. The European directive is not inconsistent with the ILO convention, and nor are the provisions in the Bill.

The ILO convention seeks to do away with child labour. Article 7 clearly states:

> "National laws . . . may permit the employment or work of persons from 13 to 15 years of age on light work"

subject to limitations. The first limitation is that it should not be

> "harmful to their health or development"

and the second is that the work should not be

> "such as to prejudice their attendance at school . . . or their capacity to benefit from the instruction received."

Paragraph 4 of article 7 enables adherents to the convention to

> "substitute the ages 12 and 14 for the ages 13 and 15".

[Mr. Ross Cranston]

It would be wrong to go away with the impression that the convention is inconsistent with part-time work for children who have not left school. It aims to do away with child labour, but it allows part-time work.

Mr. Hopkins: I referred to the ILO convention as a minimum starting point. It is a basis to work on, but I would go beyond it.

Mr. Cranston: I agree, it is a basis, and the European directive is consistent with it.

The other international instrument that has been mentioned is the convention on the rights of the child. This country is an adherent to that convention: it came into force in the United Kingdom in 1992. It sets out important rights for children. The basic right is that we must always take the best interests of the child into account. Article 12 states that we should listen to what children say, for example when we make administrative decisions. I would extrapolate on that, and say that we have to listen to children when making legislation. The TUC survey shows that children say that they do get tired, cannot do their homework and, in some cases, play truant. We must take that into account in making laws.

The key provision is article 32 of the convention, which says that children have to be protected from exploitation, and from performing work

"likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development."

To that end, article 32.2 says that states shall provide for a minimum age for admission to employment, for appropriate regulation of the hours and conditions of employment and for appropriate penalties or other sanctions to ensure the effective enforcement of the article. A number of hon. Members have referred to the under-enforcement of the current laws.

I refer also to the EC directive, to which others have referred, which contains an important provision on risk assessment in articles 6 and 7. We must ensure that, on health and safety grounds, any employment will not adversely affect children and young persons who are working. The directive also contains absolute limits on the amount of time a child can work. For example, a 12-hour limit is specified; that is different from the current law in this country where, as my hon. Friend the Member for Gravesham pointed out, a child can work up to 17 hours a week during term time. Under the directive, we are rightly obliged to reduce the hours a child of school age can work.

Article 11 of the directive states that children should have a period free of any work during school holidays. It is important for young people to have a couple of weeks free from any work. The previous Government negotiated certain opt-outs from the directive, and we have discussed one of those—the opt-out which relates to Sunday employment and the fact that children can work up to eight hours on Sundays.

I take the point that my hon. Friend the Member for Cleethorpes made about changing employment patterns in some parts of the country. However, my hon. Friend the Minister was right when he said in December that the provision allowing eight hours' work on Sundays was—to use his colourful language—"dead in the water." Children, as he said, need time with their families and friends, and for their school work. Eight hours is simply too long. In addition, my hon. Friend the Minister of State, Department of Trade and Industry said that the other provision—the two-week break during school holidays—was appropriate so that children could have a rest from school and other work.

I now turn to enforcement. Under the UN convention, we are obliged to introduce an effective enforcement regime—which, clearly, we are not doing. There are various reasons why local authorities are not able to enforce the law, but the fact is that they are not doing so.

In 1991, the Low Pay Unit confirmed that much employment was illegal and unregistered. In 1995, a GMB report showed that only 15 of the 108 local authorities had employment officers specifically dealing with children. It also showed that there were few prosecutions—only 11 in the previous year, for example. In February 1997, *Labour Research* reported that, in Blackburn, only 4 per cent. of employers who should have been registered were, in fact, registered.

Law enforcement is important not only in this area, but more generally. If a law is not properly enforced—or if it is not enforced at all—not only it, but the whole legal process falls into disrepute. I look forward to hearing from my hon. Friend the Minister about the Government's proposals to improve enforcement.

Under the 1933 Act, children under 13 may not work, but the TUC survey found that one in five 11-year-olds and one in four 12-year-olds said that they were working. It also showed that the legal maximums were not being observed and that many children were working longer than two hours a day during term time.

The Bill contains some interesting and innovative proposals on enforcement. Under clause 11, children would have to have a certificate from their parents to say that they were fit for the work that they were doing. Head teachers would be involved and the police would have to be notified. The whole enforcement regime is toughened up under part II which, I believe, is especially valuable in putting enforcement well and truly on the agenda.

Again, I congratulate my hon. Friend the Member for Gravesham. The Bill is the culmination of all his work over the years before he entered the House and it deserves a serious response from the Government. From what my hon. Friend the Minister has done in the past and said recently, I know that he will consider it seriously. The Government are committed to human rights—we shall debate the Human Rights Bill on Monday. They are dedicated to employment rights and also to children's rights. I very much look forward to my hon. Friend the Minister's response.

12.52 pm

Angela Smith (Basildon): I congratulate my hon. Friend the Member for Gravesham (Mr. Pond) on promoting the Bill. I have never understood the custom that hon. Members should be congratulated on drawing a high place in the ballot—that is a matter of good fortune—but I congratulate my hon. Friend on his choice of subject. He has considerable expertise and experience in the matter, for which he is widely respected, and I pay tribute to him for promoting the Bill. I know that he

consulted many experts in drafting it, as its length and detail testify, and I am sure that the House will recognise and applaud his commitment to the issue.

As I awoke in my constituency this morning, I heard the dulcet tones of my hon. Friend being interviewed on my local radio station. I do not share the view of some hon. Members that work for children is inherently bad. My hon. Friend described the many jobs that he had had as a child. The interviewer said, "It doesn't seem to have done you any harm, does it?" My hon. Friend replied, "I don't know; some people say it must have done, because I am now a Member of Parliament." I do not believe that it has done him any harm; indeed, perhaps it helped him in promoting the Bill.

The Bill focuses not merely on the employment of children, but on the problems inherent in child employment. I share many of the experiences of my hon. Friend the Member for Cleethorpes (Shona McIsaac), although while I was still at school I worked for a high street retail store—not a chemist—for many years. I found it a valuable experience. However, many children work in conditions that are not safe for them and they are not given the appropriate clothing or equipment. The fact that probably one in three of children in employment are injured at work, sometimes seriously, should give the House cause for concern. I was upset to hear the hon. Member for Guildford (Mr. St. Aubyn) refer to those as isolated incidents. One in three is not an isolated incident. As about 2 million children work, the fact that one third are injured at work is extremely serious and important.

We must also deal with the possibility of exploitation. My hon. Friend the Member for Islington, North (Mr. Corbyn) mentioned the Burston school strike. In the summer, I was honoured to be asked to address the annual rally in support of teachers who fought for decent education standards for children in rural areas. One reason for the Burston strike was that teachers took great offence that, come harvest time, children would regularly be dragged out of school for several hours a day, and sometimes the whole school day, to work in the fields. Perhaps, the action taken by teachers—punching the farmer on the nose—was not the best way forward. My hon. Friend the Member for Gravesham has proposed far more effective enforcement procedures in the Bill.

Educational disadvantage and the fact that children can be too tired to work effectively in the classroom have also been mentioned. I endorse that view whole-heartedly from my experience. When I was a sixth-former at Chalvedon school in Pitsea, I helped out in what was then called the remedial department for children with special needs, helping youngsters who needed a little extra coaching and support to read and write. I was a mentor to one child in particular and asked him what he did with his day. Often, he would get up at 5 or 6 am to muck out a stables—that would interest one Conservative Member—go to school, nip off at lunch time as he was employed for a short time in a local shop and then return to school for the afternoon. Sometimes, he would work in the evenings as well. He was a bright, bonny lad, full of enthusiasm for life. It cannot be a coincidence that his educational attainment was below average. He was working excessive hours.

Mr. St. Aubyn: Is the hon. Lady going to tell us that the young boy was called Richard Branson?

Angela Smith: Unfortunately not. He did not have certain advantages that would have enabled him to reach such a high place in life. Undoubtedly, he suffered from low educational attainment at school despite so many efforts by the school to help and support him.

Problems with employment are not automatic and can be tackled. Employment for children can bring certain advantages for both child and family, if properly regulated. Those include a degree of responsibility and independence. Also, such work improves social skills. Many children mix, perhaps for the first time in their lives, with people of different age groups outside their family relationships and that is a benefit.

I was fortunate in my employment as I was generally well treated and reasonably well paid. Not all my school friends were so fortunate. As for the effects on my school work, my bad A-level result had more to do with late-night television—like my hon. Friend the Member for Cleethorpes—and Hammer House of Horror films than with the shop I worked for. By enabling me to earn money when I was 14, 15 and 16, my job helped me to stay on at school at 17 and 18 and take my A-levels. The money that I brought into the household, generally for my benefit, was a great advantage in that it helped me to pursue my education.

About 40 per cent. of 11 to 16-year-olds work during the school week, which is more than in any other European country. We estimate that about 75 per cent. of those children are employed illegally. Some illegality arises from ignorance of the law. It is clear that the regulations are inadequate, but they are also not widely known. That is a great problem for employers. With some employers, it is ignorance of the law, but, with others, it is lack of regard for the law. The Bill does not try to stop children working, but seeks meaningful, practical, protective legislation. It must be workable and understandable, and strike a balance between protecting children and allowing them freedom of responsibility.

I am proud to be a sponsor of the Bill. I pay tribute to the work of my hon. Friend the Member for Gravesham. My office is three doors along from his on the same corridor. When I go home at midnight or 1 am, he is still there late at night writing his Bill, and he was up early this morning on the radio. I congratulate him. By introducing the Bill, he has given great publicity to the issue. But for the Bill, we would not have had a debate across the country about child employment. It would not have been discussed and there would not be such widespread concern. I await with interest the Minister's response. As hon. Members have said, I am sure that if the Minister works with my hon. Friend the Member for Gravesham, we can produce workable solutions to the problem and ensure that we protect our children adequately.

1 pm

Dr. Nick Palmer (Broxtowe): I welcome the Bill, for which there is a clear need because of the European directive and the significant changes in how children work. There are one or two matters where the Bill has not taken account of all those changes, to which I shall return.

It is true that the Bill adds new regulations where the situation was vague or locally variable. I would be surprised if we got through the debate without hearing the words "nanny state" from Conservative Members. I am tempted to say that a nanny state is appropriate for children, but I shall be less polemical and try to say in a little more detail why most of us feel the need further to restrict child labour and what the consequences might be.

[Dr. Nick Palmer]

Three reasons have pre-occupied the House. First, we want to avoid diverting so much time into work that children's education and reasonable free time suffer. I am not one of those who believe that childhood should be a golden age untainted by adult experience, filled with nothing but school, playground and the gathering of flowers. Let us be honest: childhood can be boring. We need to give children the opportunity to develop their interests. We should not force ideas of an idyll on them, but it is vital that they have enough time and energy to study. Everyone would agree that they should have reasonable time to enjoy life.

Secondly, we must avoid the wholesale substitution of adult labour by underpaid child labour, a point made forcefully by my hon. Friend the Member for Islington, North (Mr. Corbyn). That was not a great problem when most children worked on paper rounds because not many adults seek such work. It is now a problem, as hon. Members have made clear. We should beware of exploitation masquerading as work experience. Thirdly, we want to prevent physical and mental stress that could make children ill or affect their development into healthy adults.

The first two issues were dealt with by other speakers, so I shall add only brief comments. Diversion of time is well covered by the Bill, and I support the Government's rejection of the Conservatives' proposal to open the floodgates to full-time Sunday work. That was a very unconservative idea and I do not think that it commands wide support, even among their traditional supporters.

The under-cutting of adult labour is not directly the subject of the Bill, but it will feature in the broader discussion on the minimum wage. Attention there has so far focused on whether people aged 18 to 25 should be paid the same for doing the same work as older people. In view of the extensive child work reported in this debate, we will need to decide whether there should be a lower limit for children. It may be assumed that a child will probably not be paying rent or paying for food, and is thus less dependent on other income; but I would argue that even 13-year-olds should not be paid massively less than what an adult would receive for exactly the same work, as often happens nowadays.

I want to deal with the third point—the prevention of physical and mental stress that could affect the development of a child—in more detail. That is addressed by the inclusive and exclusive lists that are required by the European directive. The problem with the "list" concept is that it is difficult to think of every aspect in either an inclusive or an exclusive context. For example, if I understand the rules correctly, it would be illegal for children to carry milk that was not in a suitable container—presumably because of the risk of breaking glass—but legal to carry bottles of mineral water, which are heavier and equally likely to break. The Committee stage will play an important part in refining such measures as far as possible; we are required to introduce the lists by the European directive, but I think that further adjustment may be needed.

I now turn to a technological issue. I feel strongly that 13-year-olds should be allowed to do computing work, both as self-employed people and on behalf of employers, and either in offices or—as is more likely—at home. The Bill envisages clerical work in an office environment. That, I think, really means traditional office duties such as filing and photocopying—the kind of work that we are familiar with in the House. We ought to recognise that an increasing number of children are talented programmers, capable of earning a good deal over the internet from their own homes. I know of one 10-year-old who is currently grappling with the problem of opening a dollar account to handle his income from American buyers of his computer games.

I am not sure whether self-employment is covered by the current or the proposed law. I suspect that the idea of self-employed children is relatively new, but I predict that it will become fairly common in the context of computers. In any event, one of Britain's strengths is in computer skills, and we should avoid accidentally outlawing their use for pay by children in the 13-to-16 age bracket.

On the exclusion side, the European directive states that the work should be cultural, artistic, sporting, advertising, or—for 14-year-olds—

"work experience or training programmes or light work".

I could not find those restrictions in the Bill, which merely lists exclusions for 14-year-olds. Some seem to have been inherited from past legislation and byelaws, and could perhaps be reviewed today. For instance, there seems to be no real reason why a 15-year-old should not work in a cinema, or help to prepare sandwiches.

More importantly, the positive emphasis on experience and training contained in the directive seems to be missing in the Bill. If we—rightly—stress the importance of training from the age of 16, it seems reasonable to support it for working children as well. I suggest a presumption in favour of allowing work where there is an element of training for possible future full-time employment.

Overall, however, the Bill fully deserves the extensive discussion that has been devoted to it today. I am delighted that my hon. Friend the Member for Gravesham (Mr. Pond) was successful in the ballot, that he chose this topic—on the basis of his long experience—and that the Government have broadly welcomed the Bill. I hope that it will be allowed to proceed to Committee.

1.8 pm

Mr. Patrick Nicholls (Teignbridge): I agree with the hon. Member for Basildon (Angela Smith), who referred to the curious tradition of congratulating hon. Members on coming first in the ballot. I have never understood that either. In this instance, however, we can offer congratulations of a different kind. The hon. Member for Gravesham (Mr. Pond) entered the House with a formidable reputation for concern for the poor and the welfare of children. I hope that he will not mind my saying—given that we have exchanged views in various contexts over the years—that the fact that I may not have agreed with every jot and comma of what he has said about how he would go about the task in hand does not for a moment lessen my admiration for the objectives that he has set himself. The way in which he introduced the Bill was a model of its kind. I am delighted that Front Benchers duly noted that, for it was a superb performance.

During the debate, we have heard that there is a plethora of law on this subject; indeed there is. Wading through that plethora of law without the benefit of civil servants was made vastly easier by Julia Lourie in the House of Commons Library, and I am grateful to her for

her help. The key statutes are well known. We have talked about the Children and Young Persons Acts 1933 and 1963 and the curiously ill-fated Children Act 1972, which contained some good ideas that never came to fruition.

It is worth reminding ourselves of the definition of a child for these purposes. In England, a child of compulsory school-leaving age will be between 15 years and eight months old and 16 years and three months old. That is the definition that we are working to, and I think that it is accepted that it will remain.

Under section 18(1) of the 1933 Act, a child cannot be employed below the age of 13, subject to a caveat. After the age of 13, that child can be employed in certain circumstances. Under section 18(2), byelaws can be made that effectively provide for higher standards, except in relation to the circumstances in which a child below the age of 13 can be employed. Inevitably, those variations give rise to anomalies. In the main, the Bill seeks to take the good practice in the 1933 Act and the model byelaws and to ensure that that good practice—that best practice, if you like—is enshrined in the Bill.

There are two exceptions to that approach. The first is that, under the present law, it is possible, in very limited circumstances, to employ a child under the age of 13. When I was preparing myself for the debate, my reading of clause 4 was that its effect—I did not quite understand at the time whether this was also its intent—would be to make it impossible to employ a child under the age of 13 in any circumstances except one. It appears that the Bill would permit children under the age of 13 to take part in performances under the Children and Young Persons Act 1963 and in accordance with the Children (Performances) Regulations 1968. Clause 8 says:

"Nothing in this Part or in any byelaw . . . shall prevent a child from taking part in a performance".

Apart from that, the general prohibition on employing a child under the age of 13 remains.

As I say, when I came into the debate, I was not entirely sure whether that was merely the effect of the Bill or the policy intention behind it. I suspect that it was the policy intention. Either way, it is a point which needs to be addressed. Obviously, the Minister will want to take it on board when he sums up, but there are one or two comments that I want to make about it. I say that without in any sense trying to undermine the Bill's generality.

Under the present law, there are limited circumstances in which a person can be employed under the age of 13: where the employer is a parent or guardian, and the employment is light agricultural or light horticultural work. I accept to the hilt—anyone coming from a rural background or representing a rural seat would—that the farmyard is a dangerous place; we know that. However, it is not my reading of the situation that the dangers and the negligence of parents and guardians on farms are so inherently high that we have to have total prohibition.

My hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) made the point that it would be wholly unrealistic to say to farmers: "The very limited ways in which you might bring your children within farming are absolutely inappropriate." I personally would need much convincing about that—I suppose that I had better come clean and say that I do not know how I could be convinced.

I hope that, on reflection, the hon. Member for Gravesham will consider the matter. Even under the present law, there are very limited circumstances in which regulations can be made under the byelaw to allow horticultural work by someone under the age of 13. I hope that he will take that on board and think about it. The only justification for completely ruling out such work would be if the evidence was that, on the whole, the operation of that exemption has meant that a substantial number of children are being seriously injured. I do not think that that is the position, and I hope that that will be taken into account.

On a preliminary reading, I did not appreciate the significance of the definition of "work" in clause 19, which states that it

"means any tasks, duties or other work undertaken by virtue of a contract, whether express or implied and (if express) whether orally or in writing, in connection with a trade or occupation carried on for profit, whether or not the person undertaking the work receives any reward for his labour."

However, under current legislation, a person who assists in a trade or occupation carried out for profit is deemed to be employed notwithstanding the fact that he receives no reward for his labour. Those two definitions can be compared in several ways. On one reading, the Bill's definition is looser or more liberal than the one under the present law. I cannot imagine that that was meant to be the case, and I hope that the Minister will address that. If the differences are significant, we should like to know about them.

The second major difference between existing legislation and the Bill, if it or a similar one becomes law, relates to the basic provision that, in law, a child over the age of 13 in certain specified circumstances can work for up to 17 hours. Under the Bill, a child will be able to work for only 12 hours. I appreciate that it is slightly unfair for an Opposition or Government spokesman to criticise arbitrary decisions by offering such a decision of his own. One tends to do that because it comes with the territory. It is a slightly unfair form of debate, and I shall try to avoid it.

I do not share the school of thought, nor I think does the hon. Member for Gravesham, although the hon. Members for Preston (Audrey Wise) and for Islington, North (Mr. Corbyn) would—I put it more brutally than they would—that the Bill is fundamentally misconceived because it gives parliamentary approval to a practice that some people would say is in principle wrong. In one sense, that approach has the benefit of being absolutely consistent.

I appreciate that on this issue we are simply trading arbitrary possibilities. However, if 12 hours can be justified, why are 17 hours absolutely wrong? What about 18, 19 or 20 hours? There is a problem in that part of the Bill. We shall hear from the Minister, and no doubt the hon. Member for Gravesham will have discussions about the Bill, but I wonder whether the limit should be as low as 12 hours.

If the Bill is enacted in roughly its present form, the legislation will be in accordance with the EC directive. I do not wish to reveal any obsession when I say that there is an artificial aspect to the debate, because I understand that when, in due course, the EC directive is implemented, as it will have to be, it will mean that if we legislated in a way that was incompatible with that

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directive, although that is unlikely, the directive would stand. That is the effect of our accession to the treaty of Rome. That would be somewhat sad, because such policies should be decided once and for all and under whatever terms, for better or for worse, in the House. It would be sad if the initiative of the hon. Member for Gravesham merely gave us nothing more than an opportunity for debate because the legislation could be overtaken by an EC directive.

In at least one respect, the Bill as drafted is even more draconian than the directive. I should welcome the Minister's views on that. I understand that, under the terms of the directive, outside term time, children must be restricted to working no more than seven hours a day or 35 hours a week. Clause 1 restricts that to five hours a day, not seven, or to 25 hours a week, not 35. To that extent, it is more draconian. It would be useful to hear more about that. I also hope that we shall hear something—although not too much—about paper rounds. We all appear to agree that we do not want paper rounds to be prohibited, so I hope that the Minister can reassure us that that will not be a problem.

Tied up with that matter is the debate about only two hours' work on a Sunday. Given that the nature of a Sunday has changed, it is a legitimate point to raise. A number of hon. Members have suggested that the way to tackle that problem is to consider the weekend as an overall package.

I want to say a word about the prescriptive element of the Bill and about the enforcement arrangements. The hon. Member for Castle Point (Mrs. Butler) suggested that some of my hon. Friends—and, by implication, me—might undermine the principle of the Bill by criticising the enforcement arrangements. I assure the hon. Lady that I do not approach the matter in that way. If the Bill is to pass into law, I want there to be enforcement arrangements that work.

I hope that the Minister will say something about enforcement arrangements. The enforcement procedures in the Bill will produce a blizzard of paperwork. To some extent, the hon. Member for Gravesham admits that by providing a fail-safe in clause 10, to give time for the paperwork to be put in place. I wonder whether that will really happen. If the paperwork is too complicated, that will not aid the enforcement of the law. It will mean that we shall have the same problem that we have had up to now—that the law will not be enforced at all. I hope that the hon. Gentleman will reconsider and ask himself whether it is really necessary to be so prescriptive. A number of hon. Members, on both sides of the Chamber, have rightly referred to the present law's unsatisfactory nature and the fact that it is flouted, often out of sheer ignorance, as people do not know what the law is.

Under the Bill, the law will be clarified. Except in very narrow circumstances, byelaws will not come into play. There will be uniformity across the country. That should take care of enforcement. Nothing is more damaging to the implementation of the law than two people who are in similar circumstances having a discussion, with one of them saying that the law is something, and the other saying that the law is something else. Both are right, because different byelaws apply in different places. My concern about the enforcement arrangements in the Bill is that they are so tight that I can envisage their not being carried out. That is not a good idea.

I have two final points. I do not want to be unfair. I assure the hon. Member for Broxtowe (Dr. Palmer) that I had no intention of using the words that he accused me of wanting to use. As an avid listener to "Just a minute", I am not going to make the mistake of saying precisely what they were.

On the slightly different point of the different definitions of "work" and "employment", the hon. Gentleman wondered whether the Bill would cover some very young self-employed computer buffs. That point occurred to me, too. My understanding is that it would not apply to a self-employed computer prodigy, unless he decided to employ one of his less-gifted siblings, who was also below the age of 13, which would be a problem.

One or two lawyers' points appeal to me as a lawyer. I note that the Bill would repeal sections 18 and 59 of the Education Act 1944. My understanding is that they have already in effect been repealed by being consolidated under section 559 of that Act. However, that is the sort of detail that can be dealt with in Committee.

There is a great deal in the Bill that is good. It clears up ambiguity and ensures that people will know what the law is. All hon. Members can agree on its starting point.

Ultimately, if the Bill is to be a success, it will have to take on board some of the points that have been made by Opposition Members. For example, the narrow circumstances in which those below 13 can be employed should be re-examined. Moreover, I hope that the hon. Member for Gravesham—and the hon. Member for Castle Point and others—will accept that, when Opposition Members talk about enforcement arrangements, we are trying not to undermine the Bill, but to ensure that it works.

1.24 pm

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): The House owes my hon. Friend the Member for Gravesham (Mr. Pond) a debt of gratitude for enabling us to discuss an important issue. No one could bring to the issue his depth and breadth of knowledge, which is based on a lifetime's experience and work. I think that his work has influenced us all in our approach to the issue.

The Bill is an important one. Although the Government are not able to accept it, it will undoubtedly inform and shape policy development on the issue. We do intend to develop that policy. The Government's business and concern—which we share with my hon. Friend—is that children should not be exploited or endangered at work. All that we do must be designed to achieve that end.

The House should be in the business of ensuring that we protect childhood. A theme that has run through hon. Members' speeches is that nothing is more valuable than childhood—a period in which a child is allowed to grow and develop as an individual and is not circumscribed by the world of work. That is not to say for one moment that work is not valuable or that experience of work is not important to a child as he or she grows up. Nevertheless, the most valuable thing for any child is time—to grow, to play and to do all that children do—without having to worry about an employer. There is precious little time in life without those worries, and we must ensure that it is preserved for children.

This has been a good debate, not least because of the range of experience and opinion that has been shared by hon. Members on both sides of the House. However, it must be said that there is a difference between us and them—between a Labour Government's approach to the issue and the previous Government's legacy. We should not believe for a moment that, in their 18 years in power, they did not have an opportunity to act on the issue—they declined to act. Furthermore, they tried to make a fetish of deregulation.

I hear Conservative Members complain that this is the first party political speech in this debate—but that is my job. I am a Minister, and it is my job to point out where they failed. They did fail. I am glad to see the hon. Member for Guildford (Mr. St. Aubyn) beginning to stir and to give some indication that he will get to his feet. I wanted to say a few words, not too many, about him—although I shall not be as deprecating as my hon. Friend the Member for Brent, North (Mr. Gardiner), because, after all, this is a Friday. Nevertheless, there was something of a whiff not so much of sulphur but of methane about the hon. Gentleman, not so much of the pony in the back paddock but of the pony down the pit. Listening to him, one felt that had he been in the House when it discussed the Shaftesbury legislation, he would have opined that that legislation would have worked against the development of self-esteem in the young people concerned. Sitting at the checkout for hours does very little to develop a young persons's self-esteem; nor does being bussed to a pork pie factory, as described by my hon. Friend the Member for Cleethorpes (Shona McIsaac). It is our job, in which we are aided by the Bill and the work of my hon. Friend the Member for Gravesham, to make sure that that sort of thing does not happen—under Labour it will not.

Mr. St. Aubyn: This is not only 13 February but Friday 13 February. It is the Minister's unlucky day, not mine. He has said that he does not intend to support the Bill, which rather undermines his position. Surely he accepts that self-esteem is important, especially for the most disaffected children. It is those children whom he is attacking, not me.

Mr. Boateng: I said that I would spend only a short time dealing with the hon. Gentleman. It is time that I passed on to the hon. Member for Reigate (Mr. Blunt) because it was he who suggested—at least, this was his subtext—that if a child was not particularly academic, it was all right for that child to work. That sticks in our gullet, because whether a child is academic or not, there is no reason why he should be subject to exploitation. That child, too, must be protected, and we will protect him.

Mr. Blunt: As usual, the Minister is creating Aunt Sallys, which appears to be an occupational hazard for members of new Labour. They are programmed to say what they assume everyone thinks, and they then bring their assumptions to the House. If the Minister reads the text of our proceedings, he will see that I, too, object to people being categorised. I said that people should not be stereotyped; nor should our ways of dealing with them.

Mr. Boateng: We will read the text and reflect on the subtext. We must remember what the Opposition failed to do when they were in government. Let us move on.

I want to concentrate on what we are going to do, because that is what interests the nation. Let us first turn our minds to the European directive, which was adopted as long ago as 22 June 1994. The previous Government did absolutely nothing to deal with the needs and concerns that arose as a result of that directive.

We have acted. Yesterday, my right hon. Friends the Secretaries of State for Health and for Scotland signed and laid before the House the regulations that will bring the directive into effect and take forward our agenda. It is an important piece of work because the directive required member states to bring their domestic legislation into line with its minimum requirements within two years of its adoption. The previous Government did not do it; we have, and the regulations have been laid.

The major effect of the regulations will be to bring the existing protections of children into line with the requirements of the directive and, importantly, to provide greater standardisation, as is envisaged in the Bill. That has been the call from all hon. Members during the debate. We recognised that the position was unacceptable and unsatisfactory, and that we needed the standardisation that was lacking.

The regulations will extend the provisions of the Children and Young Persons Act 1933—in Scotland, the Children and Young Persons Act 1937—to include restrictions currently contained in local authority byelaws on children's working hours on Saturdays and during school holidays and on minimum rest breaks. The new regulations will also give children two weeks free from work during school holidays, and local authority byelaws will have to contain a list of jobs that 13-year-olds will be permitted to do. The controls on children's involvement in performances contained in the Children and Young Persons Act 1963, and the Children (Performances) Regulations 1968 will be amended specifically to include children employed in sport and advertising, including modelling, which is a cause for concern.

During school terms, national working time limits will be two hours for weekdays, five hours for Saturdays—eight hours if the child is aged 15 or over—and two hours for Sundays. During school holidays, national working time limits will be five hours for weekdays and Saturdays—eight hours if the child is aged 15 or over—within a weekly limit of 25 hours, or 35 hours if the child is aged 15 or over, and two hours for Sundays. Currently, some of those limits are set by local authority byelaws, but they can differ from authority to authority, and cause confusion. We have ended that confusion.

I want to say a few words about Sundays, which have been mentioned by a number of hon. Members on both sides of the House. We believe that Sunday is a special day for the family and for children to relate to their parents and their siblings. It is a day on which there ought to be a focus on family life. Children should have an opportunity to mix with friends and family and to do their homework. We all know from experience the importance of making sure that children have a space in which to do their homework.

The matter was raised by my hon. Friend the Member for Dudley, North (Mr. Cranston), when he stressed the vital nature of ensuring that we do nothing to undermine the important steps that the Government have taken to promote education. That is why we refused to go along with what the previous Government proposed, not least

[Mr. Boateng]

because it undoubtedly would have had a damaging effect, to which several hon. Members, including my hon. Friends the Members for Luton, North (Mr. Hopkins), for Preston (Audrey Wise) and for Islington, North (Mr. Corbyn), have referred, particularly in relation to employment in supermarkets. It could have resulted not only in the substitution of very young workers for teenagers and other workers, but in driving down wages and conditions in that sector.

That was never the intention of the legislation. It bears very much on the point rightly made by hon. Members that, as a nation, we must be only too aware of our need to comply with the highest international standards.

Had we allowed young children to be exploited—that is what it would have amounted to—in supermarkets on a Sunday, toys made by poor young hands in the third world could have been sold by young hands in this country, replicating the exploitation that we want to counter globally. That is the importance of our international commitments.

This country has traditionally given life and force to international treaty obligations and sought to make real the impact of international law. We want to do that for legislation on the employment of children, using International Labour Organisation convention 138 as a breath of fresh air, invigorating our system of protection for children. We take a similar view on the United Nations convention on the protection of the rights of the child. We want to make the best use of international law for our citizens.

The Government fully and unequivocally support the principles behind ILO convention 138. This country's laws relating to workers below the minimum school leaving age provide equivalent or better protection in some cases. That does not mean that we should not do better. We are actively seeking solutions to the technical problems that have so far prevented ratification of ILO 138. We hope that they will be resolved soon.

Nothing in the Bill contradicts ILO 138. If we had been able to accept the Bill, it would not have precluded us from ratifying the convention, as we are determined to do. We can take forward in another way the body of work that my hon. Friend the Member for Gravesham wants us to take into account.

Mr. Corbyn: I am interested in what my hon. Friend has said, and I am pleased that he accepts the principles of ILO 138. If and when ratification takes place, that convention will be part of British law. I assume that all legislation, including European Union directives, will have to be compatible with it.

Mr. Boateng: We are satisfied that when we have overcome the technical difficulties and taken into account the special considerations that relate to children and young people between 16 and 18 and to younger children who live on farms, no aspect of the directive or domestic law will conflict with the ILO convention responsibilities. All our work is designed to bring that about.

Mr. Nicholls: The Minister mentions farming. Are the Government prepared to consider the case that could be made for replicating the narrow circumstances in which children under 13 can currently be employed? The case for having no exceptions could be argued on its merits, but there is one exception in the Bill. If the Minister cannot tell us his view today, will he at least say that he does not have a closed mind and is prepared to consider the issue?

Mr. Boateng: We certainly do not have a closed mind, and we are actively examining that issue. It is important to explore and take on board the needs, concerns and practices of agricultural communities, and officials are currently charged with that responsibility. We are satisfied that we can move forward in this area and ratify the convention. That is our objective, and we are determined to fulfil it. I am grateful to my hon. Friends for the work that they have done in that field.

Several hon. Members have referred to the abuse of regulations and breaches of the law in this country, and local authorities' responsibilities in that regard. The hon. Member for Sutton and Cheam (Mr. Burstow) referred to the specific responsibilities of local authorities. Local authority experience varies. My hon. Friend the Member for Cleethorpes gave a good example of how the North East Lincolnshire local authority is actively involved in identifying abuse and working to solve it. I congratulate that local authority on its efforts. My hon. Friend the Member for Islington, North also has considerable experience—on which we are anxious to draw—in this area.

Abuse occurs particularly in the semi-informal sweatshops that have developed in some communities, and the local authorities are clearly having real problems dealing with it. While recognising the resource issues involved—I am afraid that I cannot give local authorities much comfort in that regard—we must ensure that we promote best practice. We must also encourage local authorities to work with voluntary organisations. The Stop Child Labour campaign is a classic example of what may be achieved when voluntary charitable organisations work in conjunction with local authorities, with the full support and co-operation of Government. We shall seek ways of advancing our agenda of good practice in this area within the limited resources currently available.

In conclusion, I turn to the future programme of work. Hon. Members have asked what the Government intend to do over and above the measures that I have outlined. I pay particular regard to the points made by my hon. Friends the Members for Bolton, West (Ms Kelly), for Broxtowe (Dr. Palmer), for Newcastle-under-Lyme (Mrs. Golding)—who speaks with considerable authority about children's issues—and for Wythenshawe and Sale, East (Mr. Goggins). I shall show the House the way forward.

We must not let the matter rest with changes to regulations designed to satisfy minimum EC standards. We envisage a larger programme of work. The Minister of State, Department of Trade and Industry and I have set up a review of all child employment legislation. The review will be undertaken by a group of officials from the Department of Health, the Department of Trade and Industry, the Department for Education and Employment, the Cabinet Office and the Health and Safety Executive, all of which are all players and stakeholders in this field. Expert practical advice will be provided by the National Child Employment Network, which provides, inter alia, a forum for people who work in the field of child employment to exchange best practice information.

The review will also seek the views of other interested parties drawn from a wide cross-section of interest in this area. We want to hear from the agricultural community and from those involved in newspaper publishing. There is no threat to the paper round, and there never has been.

I want to make particular reference to the role of the Low Pay Unit, whose work in this area is first class. It has an enormous contribution to make as we take the policy forward. I have written to ask it to participate in the research sub-group, and I hope that it will accept that invitation.

The terms of reference of the review working group are to consider the present arrangements for protecting children, including regulatory arrangements, levels of protection and enforcement; to examine any research or other evidence that it considers necessary from any source, including interested organisations and individuals; to make any necessary investigations; to draw up any proposals necessary to ensure that children's health, safety, welfare and development are strictly protected, and that they are shielded from exploitation; and to report to us by the end of 1998. We do not intend to hang around. There is much to be done, and I sense a determination in the House that we should do it.

We are enormously grateful to my hon. Friend for promoting the Bill. I hope that, in the light of my remarks, he will feel able to withdraw it, so that the work can continue. He can be sure that by this debate we have taken an important step forward in protecting the rights of all our children.

1.52 pm

Mr. Pond: With the leave of the House, Mr. Deputy Speaker, I thank the Minister for that encouraging statement. All of us know that he shares our commitment to doing something about this problem with some urgency. His statement will reassure us that action will be taken. We have waited 66 years, so I suppose that another few minutes will not make much difference.

We have had a good debate, and it has shown the importance of the subject. It has highlighted the expertise and efforts of hon. Members who have worked on this issue for many years. I am happy to say that several hon. Members made generous comments about the Bill. Such generosity does not apply to the remarks of my hon. Friend the Member for Basildon (Angela Smith), who revealed my nocturnal habits, or to those of my hon. Friend the Member for Dudley, North (Mr. Cranston), who reminded us that I have been at this since 1977. That is not as far back as 1933, but it is on the way.

In case any hon. Members still have any doubts about the importance of this issue, I should say that, a few minutes ago, I was handed a Health and Safety Executive press release. It plans a prosecution following an investigation into asbestos removal activities by a firm during 1994, 1995 and 1998. That firm employed three boys of school age in contravention of the Employment of Women, Young Persons and Children Act 1920.

The debate has been useful, because it has clarified a number of issues. There has been a difference of opinion on some of them, and much agreement on others.

My hon. Friend the Member for Cleethorpes (Shona McIsaac), the hon. Member for South-East Cambridgeshire (Mr. Paice) and others referred to the number of hours worked, and to Sunday working in particular. I was pleased to hear my hon. Friend the Minister reaffirm the fact that the proposal by the previous Government on this matter is dead in the water. We must limit work on a Sunday because it would mean a considerable expansion in the number of children working and would open up a new area of children's employment.

I say to my hon. Friend the Member for Cleethorpes that it is not only about whether work will take place—clearly it will—but about who undertakes that work on a Sunday. There was a danger that we could substitute children for adults in the Sunday trading sector.

The 12-hour limit was mentioned and I hope that the Minister will seriously consider that in the interdepartmental review he has announced. It is an appropriate limit, and not an arbitrary one. I can tell the hon. Member for Teignbridge (Mr. Nicholls) that there is evidence that once hours exceed that level, there is a trade-off in terms of educational achievement.

Some hon. Members felt that the Bill was too lax in its provisions, particularly my hon. Friends the Members for Preston (Audrey Wise) and for Islington, North (Mr. Corbyn). There were points during their speeches when I felt that the Bill was mainly concerned with building regulations—that is, that chimneys should be wide enough to allow children to go up and down them without hurting themselves. I assure my hon. Friends that my purpose was rather more progressive, and I intended to move towards the solution that they also wish to achieve.

I was pleased by the assurances from my hon. Friend the Member for Dudley, North and the Minister that there is no suggestion that the Bill would contravene ILO resolution 138, which the UK will ratify as soon as possible. The UK will also implement the EC directive without further delay. We have heard concrete statements from the Minister about the intention to move forward as we try to provide children with the sort of protection for which hon. Members have expressed the need.

We have heard a number of important assurances and I know that I and the supporters of the Bill will be looking carefully to see that the momentum is maintained in terms of achieving the objectives. I am pleased that the Low Pay Unit—which has worked so long and hard on this issue—will be an integral part of the review process. On the basis of the assurances we have received during the debate, I am sure that the Bill's supporters would feel it appropriate that I beg to ask leave to withdraw the motion.

Motion and Bill, by leave, withdrawn.

Police Bill

Order for Second Reading read.

1.58 pm

Mr. Andrew Mackinlay (Thurrock): I beg to move, That the Bill be now read a Second time.

I am pleased to introduce the Bill to the House. I say, by way of introduction, that I have been interested in police history and insignia for some time. Soon after my election as a Member of Parliament, my interest led me to being introduced to a number of police forces and their representative bodies and federations. I am pleased to have had friendships with the federations of the British Transport police, the Ministry of Defence police, the Atomic Energy Authority police and many others. I mention that because, a long time ago, I was referred to as a consultant to the Atomic Energy Authority police federation, and I want to make it clear that I am not—my association with it is one of friendship and common interest in police matters.

I was also prompted to pursue the matters that are set out in the Bill because the Port of Tilbury police are based in my constituency. Their genesis was hundreds of years ago in a police force that predated the Metropolitan police; indeed, they claim to be the second oldest police force in the United Kingdom. The Port of Tilbury police were part of the Port of London police, who were a substantial police force until a score of years ago.

The Port of Tilbury police are a proud, albeit small, force, and I pay tribute to the existing residual force and the people who have served in the Port of Tilbury and Port of London police over the decades. I am pleased to have a close association, as a friend, with their small federation.

The Bill would do a number of things. First, it would place a long overdue statutory protection on the terms "police", "police force", "constable", "constabulary" and other related titles. Parliament should jealously guard the use of those words; the custodianship of the application of those terms should be vested in the Home Secretary.

There is a danger that a plethora of individuals or organisations will describe themselves as police officers or police forces, or will use the term "constable", but have no real mandate to do so. I do not need to spell out the dangers if those terms are used lightly and devalued through flippant use. It is time that the provisions outlined in clause 1 were enacted, so that the use of the important descriptions and titles was restricted.

Clause 3 would require, for the first time, that the many police forces that are not what are collectively known as "Home Office police forces" be listed. I include in the category of "Home Office police forces" the Scots constabularies and the Royal Ulster Constabulary.

Other police forces, some of which will be well known to hon. Members, have proud traditions and are much valued by the public, with whom they have a considerable interface. I refer to the British Transport police, the Ministry of Defence police, the Atomic Energy Authority police and the Royal Parks constabulary. Within a stone's throw of the Palace of Westminster, one could meet constables in uniform from three of those forces. The schedule lists those bodies that contain officers who could be described as police officers.

Part II of the schedule lists a number of other police forces, many of which are very small numerically, but, in almost every case, wear traditional police officers' uniforms. We must limit the number of names that could be included in part II. I am not saying that there should be an embargo on the number of police forces, but I want the Home Secretary to be able, for the first time, to control the growth of police forces and to use his good offices to ensure that certain standards apply, and that there are proper inspections and management and professional controls.

The independence of the individual sworn constable should be guaranteed regardless of the commercial interests of the owning body. I say that deliberately because a number of the forces are in private ownership and are owned by companies. I very much regret that. It is not appropriate for police forces to be in private ownership, but I do not want to labour that point today. Parliament has dealt with it, most recently in the case of the British Transport police, who are largely owned by the various private railway undertakings, and so forth. Many of the harbour and ports police, who are sworn in under pretty old, Victorian legislation, are in private ownership, as are the Northern Ireland Airport police, based at Belfast international airport.

I am concerned that there is a disparity in standards. For instance, the Port of Tilbury police are subject to the work of the Police Complaints Authority and so, I understand, are the Port of Liverpool police. However, there is no logic to this as Dover Harbour Board police—not an insignificant constabulary—is not. I should have thought that the Home Secretary would want some consistency throughout police forces.

The Minister of State, Home Office (Mr. Alun Michael): My hon. Friend makes some good points about consistency, but I must ensure that he is not under a misapprehension on one point. He referred to the British Transport police being owned by a variety of private organisations. In fact, the British Railways Board continues in existence solely to act as the police authority for the British Transport police. Money goes to the board to run that authority, it acts as the single overseeing body and that is where ownership lies.

Mr. Mackinlay: I am obliged to my hon. Friend and stand corrected. Nevertheless, other forces are in private ownership and commercial considerations can sometimes impinge on the role and duties of the constable. That is what the Bill would avoid.

I also want to ensure that there are proper training standards. Some of the forces listed in part II of the schedule receive from their owning bodies—both in the public and private sector—diligent and proper training to a Police and Criminal Evidence Act 1984 standard. Some do not.

The Bill would give the Home Secretary sufficient leverage to ensure that all constables were trained to a certain standard. The term constable—a proud office—should encompass training to a minimum standard laid down by the Home Office. The Bill would enable the Home Secretary to do that and to ensure that if any organisation wanted to add to the list of police forces set out in part II of the schedule, it could do so only after they had been inspected and the Home Secretary was

satisfied about management controls, training and so forth. It is not improbable that a number of applications could be made. Indeed, the Greenwich Parks police, the Wandsworth Parks police and the Royal Borough of Kensington and Chelsea Parks police are sworn in under London local government legislation and, in theory, there could be 32 parks police in London. I think that that would be unhelpful and unwise; it underlines the fact that we need to take control of the matter.

I am not opposed to parks police in London boroughs, but if there is significant growth of such forces, there is a case for a single London parks police whose services could be hired out to boroughs. I do not want to discuss that now, but to point out that we could have 32 parks police in London. If parks police are good for London, why not for the rest of the country? We must recognise that that could happen soon. There is an urgent need for control.

I am a member of that minority that takes great interest in insignia. I look at the plate badges of police officers. The majority of people, on seeing a police officer's uniform, cannot distinguish between the Metropolitan police, the Port of Tilbury police, the Royal Parks constabulary and the Wandsworth Parks police. They see only police officers. We have a duty to ensure that they are all to a certain standard.

Mr. David Heath (Somerton and Frome): Clause 1(2)(iii) appears on cursory examination to prevent police authorities from using the word "police". I am sure that that is not the hon. Gentleman's intention. Police authorities are a key part of police governance. If they are no longer allowed to use the word "police" in their titles, an amendment may be necessary.

Mr. Mackinlay: I am sure that that is not so. Clause 1 refers to the Police Act 1996, which allows the use of such titles, but adds that their use should also be extended to the bodies listed in the schedule. If I am wrong, that is a point of detail which could be cleared up in Committee. Home Office forces clearly have such a right in existing legislation. I want to move on because several hon. Members, including Front-Bench spokesmen, have kindly given their time to be here today. I am grateful for their consideration of my Bill.

Clause 2 is important. Mr. Deputy Speaker, if you and I walked down Whitehall, we might bump into a British Transport police officer. If we witnessed a crime, the officer would have no more competence or jurisdiction to deal with it than you or I. Outside the curtilage of railway properties, such officers have no more than the common law powers of every citizen. If we continued down Whitehall to the Ministry of Defence opposite Downing street, we would probably bump into MOD police officers, whose uniforms are almost indistinguishable from those of Metropolitan police officers except for their cap badges. Again, they have no competence in the street other than as ordinary citizens. If we went through Horse Guards into St. James's park, we might meet, perhaps in Birdcage walk, members of the Royal Parks constabulary, who have competence only within the curtilage of the royal park.

Life is not simple. Things requiring the attention of police officers often occur just outside the curtilages wherein these important and professional police officers have competence and jurisdiction. Of course, they do not stand by the rulebook in such circumstances, but use their common sense to deal competently with incidents. Nevertheless, the situation is unfair to police officers, who may not be insured or who could be the subject of challenge in the courts. My Bill would mean that, in the absence of a Metropolitan police officer or a "Home Office police officer"—in the vicinity of, say, Sellafield, where the Atomic Energy Authority police patrol—officers covered by clause 1 would have the powers and competence of a constable. They could act in support of police officers drawn from the Metropolitan police or one of the county constabulary when necessary, and do so with the full knowledge that they had the powers of a constable.

Mr. Peter Atkinson (Hexham): Perhaps the hon. Gentleman can solve a mystery for me. One day last summer, outside this very building, a police officer was directing coaches that were parking opposite Abingdon green. Noticing the unusual badge on his helmet, I asked him which force he belonged to. He said that he belonged to the Royal Parks constabulary. Apparently, Abingdon green is a royal park.

Mr. Mackinlay: Abingdon green may well be, but I am not sure that the highway is. I bumped into a British Transport police officer outside St. Stephen's entrance. Although he was clearly off duty, if an incident had taken place there he might have been the first police officer available, without having the powers and competence of a police constable. My Bill seeks to remedy that.

Hon. Members will recall the news footage of the poll tax riots a few years ago, when a scaffolding bar was pushed through the windows of a police car in the vicinity of Trafalgar square. It was a British Transport police car. A couple of years ago, riots in Northumberland avenue were instigated by—supposedly—football fans following an international competition, and a Ministry of Defence police car was attacked.

The forces defined in part I of the Bill are highly professional. In some parts of the United Kingdom, MOD police are invariably armed, and the force is substantial, comprising some 4,000 officers—much more than some "Home Office police" forces. The Atomic Energy Authority constabulary is also very much an armed police force, which obviously means that we trust its members and recognise their professionalism and competence. The British Transport police are much valued by the public, and are seen every day to be carrying out their duty of maximising public order, assisting the public and, in some instances, having to arrest people. The Royal Parks constabulary also does a very professional job, especially in maintaining security and ensuring that ceremonial events are properly policed—along with other agencies.

This is a timely measure. The forces specified in part I should be given the full powers of constable where that is appropriate and necessary, in extremis. I hope that the House will also be persuaded of the need for some capacity to control standards and the growth of other smaller police forces to be vested in the Home Secretary.

2.17 pm

Mr. John Greenway (Ryedale): I congratulate the hon. Member for Thurrock (Mr. Mackinlay) on securing the debate. With typical resilience, he has pursued the issue

[Mr. John Greenway]

for several years. I agree with him that there is an issue; I am not persuaded that this is the right time or the right way in which to address it, but no doubt the Minister will say something slightly more official on behalf of the Home Office.

The issue has arisen before. The hon. Gentleman and I both commented on it in the Standing Committee considering the Bill that became the Police and Magistrates' Courts Act 1994. I suppose that anyone outside the House who heard what the hon. Gentleman has said today would think, "This seems an awfully good idea; what is the stumbling block?" When we were in government, there was always a Home Office Minister on hand to tell us what the stumbling block was, but we are now in opposition, and I have sought no official advice from the Home Office. What I shall say is entirely my own reaction to what I read yesterday when the Bill was available for the first time in the Table Office.

I do not mean to disparage the hon. Gentleman in any way, but this is not the first time in recent weeks when, at around 2.15 pm on a Friday, we have found ourselves discussing a Bill that was printed only about 36 hours earlier. It does not help us to prepare or to consult organisations that would clearly be affected by the Bill, were it to be given a Second Reading.

The issue is perhaps more relevant to police forces that are listed in part I of the schedule—particularly the British Transport police and the Royal Parks constabulary—than to those in part II. I know that the hon. Member feels equally strongly about the Ministry of Defence police, but the British Transport police do an excellent job and there is an issue as to what needs to be done, if anything, about their powers and the exercise of control over their function. Clearly, however, there are some major problems with the House accepting the Bill.

Arguably, there is an issue about whether certain police authorities should call themselves police, as they are not police in the conventional sense of the word. I do take issue with the hon. Gentleman, however, on clause 2, where he seeks to give the powers of a constable to constables in these other police forces. The powers of a constable are unique and historic. It surprises people that many of the powers that constables exercise daily are the powers that are invested in the citizen. The police whom the hon. Gentleman seeks to bring into the ambit of the Bill are able to operate for that reason; they are trained to know just what citizens' powers are available to help them with their work.

I ask whether a sufficient case has been made about the mischief that the Bill seeks to address. I take the hon. Gentleman's point that, given the growth of the private security industry, we would not wish to have a plethora of other police forces, but all the existing police forces work in either public or extremely tightly controlled areas such as docks or Atomic Energy Authority establishments. Doubtless, we shall want to have the time and opportunity to delve into the history of all those forces. I am sure that we would find that they are properly constituted.

I could say much more about this matter, but I want to leave the Minister ample opportunity to respond. I am not entirely clear whether this is the view of the official Opposition, but my personal view is that there are issues here that should be addressed. The Minister is likely to agree. It will be for the Government to consider how that might be taken forward. I feel sure that Conservative Members would want to co-operate and to take part in any consultation on these matters which the Government thought fit to introduce.

2.23 pm

The Minister of State, Home Office (Mr. Alun Michael): I welcome the opportunity to debate the jurisdiction of the larger non-Home Office forces. I pay tribute to my hon. Friend the Member for Thurrock (Mr. Mackinlay), who has been tireless in promoting and representing the interests of non-Home Office police forces. His persistence in bringing the issue of their jurisdiction to the Floor of the House is legendary and explains all the relationships to which he referred. I remember his energetic efforts in this area during the passage of the Police and Magistrates' Courts Act, and I agree that we need to be clear and precise about the issues: who is a police officer, what is a police force and, equally, what is not a police force and who is not a police officer.

During the debates on that Act, a variety of different organisations were referred to and I cannot resist the temptation to refer again to the Barnet Dog Handlers, which, we discovered, was technically a police force, although it did not really exist and it did not have any employees. They do not seem to have been sighted over the past three or four years or, indeed, for several decades before that.

Other forces are clearly part of the police family and observe the same standards, supervision and training. That is especially true of the British Transport police, who deal daily with members of the public, albeit in the limited environment of the railways, and who have to observe exactly the same standards of behaviour and arrest, and so on, as the police generally.

Such non-Home Department forces are an important and intrinsic part of policing and of the maintenance of law and order. Because of the Government's desire to deliver the best policing, we welcome the idea that we should provide an effective and efficient working relationship between Home Department forces and other forces. Therefore, I sympathise with the Bill's good intentions. We are already considering some of the issues that my hon. Friend raised.

We need to balance the desire for an extension of jurisdiction for some non-Home Department forces against the necessity of maintaining clear areas of responsibility and accountability between them and Home Department forces. Above all, we must guard against leaving scope for confusion over responsibilities or for conflict in operations between the forces. The arrangements in the Bill are directed at a clear target on which we are agreed, but they may have accidental and unintended consequences in that they would give jurisdiction in areas where my hon. Friend would not want it. That is the basic problem with the Bill. It attacks a mischief, a problem that needs to be resolved. However, we must make sure that it does precisely what it intends to do and does not accidentally have effects that were not intended.

It is important to bear in mind the fact that any legislation needs to be justified by the facts and to have proportionate objectives. The naming of police authorities

has been referred to. There are such residual elements in the context of the naming of joint bodies. The Police Federation, the Association of Chief Police Officers and the Superintendents Association are allowed for by legislation. I am sure that such issues should also relate to joint bodies such as the Police Information Technology Organisation, and so on, to ensure consistency.

The Bill's provisions are the main issue. As the hon. Member for Ryedale (Mr. Greenway) said, the Bill was published just yesterday, and there has not been time to go through it in detail. I appreciate the reasons for that. It is difficult for a Back Bencher to introduce legislation covering all the bases, but my hon. Friend the Member for Thurrock has made a brave effort in bringing important issues to the House.

The Bill contains provisions for regulating the use of the term "police" and related terms, and for amending the law on the powers of certain constables. The clauses would radically alter the existing arrangements for the so-called non-Home Office forces. First, they would place new statutory restrictions on the use of some terms describing police officers and forces and, secondly, they would provide for enlarged jurisdiction for constables in non-Home Office police forces so that they could wield their full powers and privileges anywhere in England and Wales. Of course, there are corresponding provisions for Scotland and Northern Ireland.

I understand that, broadly, the condition is that the constable must think that the circumstances require him or her to exercise those powers and that either another constable is asked for help or there is no other constable available. The Bill also seeks to regulate the power of the Secretary of State in respect of non-Home Department police officers. I can see the attraction in the proposal to extend the jurisdiction of all constables in non-Home Office forces, so that they can exercise their powers anywhere in England and Wales to assist the public or a local police force. Members of the British Transport police who have left transport territory and are perhaps travelling by car between one railway station and another to pursue their duties could come across an incident and face a problem. The fact that they should be able to give assistance to the local police force because of their experience makes sense, but it is a complex area that needs careful consideration.

The main point is constitutional. The limited jurisdiction of some of the forces reflects their constitutional position. By and large, the non-Home Office forces are not about policing the general public. As I have said, the British Transport police do, but that is not the case for some of the other forces listed in the schedule. Some of them are about protecting private property; some are about protecting specific interests. It would be wrong—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 6 March.

Remaining Private Members' Bills

ELECTIONS (VISUALLY IMPAIRED VOTERS) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 March.

NATIONAL HEALTH SERVICE (EQUITY OF FUNDING) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 July.

PUBLIC HOUSE NAMES BILL

Mr. Deputy Speaker (Sir Alan Haselhurst): Not moved.

COMPANIES (MILLENNIUM COMPUTER COMPLIANCE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 March.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 March.

EMPLOYMENT RIGHTS (DISPUTE RESOLUTION) BILL [*LORDS*]

Order read for consideration (as amended in the Committee).

Hon. Members: Object.

To be considered on Friday 20 March.

EMPLOYMENT (AGE DISCRIMINATION IN ADVERTISEMENTS) BILL

Order read for resuming adjourned debate on Question [6 February], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 3 July.

CHRONICALLY SICK AND DISABLED PERSONS (AMENDMENT) BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 March.

COMMUNITY CARE (RESIDENTIAL ACCOMMODATION) BILL

Order for Third Reading read.

Hon. Members: Object.

To be read the Third time on Friday 20 March.

REFORM OF QUARANTINE REGULATIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 March.

Iraq

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.33 pm

Mr. Tam Dalyell (Linlithgow): As reported in *Hansard* on 10 February, I asked the Foreign Secretary:

"Does the House have the clear, unambiguous undertaking that, before military action is taken, we will return to the Security Council of the United Nations for its clear, unambiguous endorsement of that military action?"

The Foreign Secretary replied:

"A large number of diplomats in the Foreign Office have been working towards precisely that objective for several days. We hope to table the resolution in New York this week and I hope that the resolution will gain the support of the Security Council, so I certainly give my hon. Friend that assurance."—[*Official Report*, 10 February 1998; Vol. 306, c. 149.]

In the Queen's counsel opinion of my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews), that is a watertight undertaking. I ask my hon. Friend the Minister whether that is still the position.

On 12 February 1998, in column 561 of *Hansard*, I asked for an assessment of the situation between Iran and Iraq and about the story in that day's edition of *The Times*. I should like to tell my hon. Friend the Minister that, in October, my wife and I went on holiday to Iran on—I hasten to say—a paid-for bus tour. In Tehran, in Tabriz, in Kashan, in Hamadan, in Yazd, in Shiraz and in Isfahan, one sees war memorials of the type that one would see in many villages and towns in Britain. They are war memorials of the quite appalling Iran-Iraq war, in which the Iranians lost the kind of casualties that we lost in the first world war.

The truth is that the Iranian people loathe Saddam Hussein. Yet it was the view of all the people we met, and certainly the official view of the Iranian Government, that they are absolutely against any type of proposed British-American air strike against Iraq.

What discussions have the Government had with the Government of Iran? After all, Iran and Iraq are neighbours, and supposedly one of the objects in taking action would be to prevent any attack—either with biological or chemical weapons, or with other nasty weapons—that Saddam Hussein could make against his neighbours.

It was on 24 July 1968 that I had the misfortune—I think that I was the last hon. Member to have had such a misfortune, which is duly recorded in columns 587 to 666 of the *Hansard* of that date—to be called to the Bar of the House, with Mr. Speaker King putting his black cap on, because of my talking too freely to the late Lawrence Marks about chemical and biological weapons at a Select Committee visit to Porton. So I have had over 30 years of intense interest in the problems of chemical and biological weapons.

I should therefore like to go through a letter that has been written both to the Defence Secretary and to the Foreign Secretary—about which I rang his office this morning—from a man whom I have known for over 35 years: Stephen Rose, of the department of biology in the Open university and director of the brain

and behaviour research group. He says to my right hon. Friends that he is writing as someone

"with more than 25 years of direct personal and professional experience of the use of chemical weapons in general, and by Saddam Hussein against Iran and the Kurds in particular, to try to impress upon you the enormous potential genocidic hazard of your declared intentions to attempt to destroy the Iraqi"—

chemical, biological and nuclear—

"capability by sanctioning bombing."

Professor Rose says that he does not deny the need to attempt to enforce United Nations sanctions. Neither does he deny the evidence that the Iraqi regime is manufacturing and has putative stockpiles of those agents. He continues:

"But your military advisers will surely have pointed out to you that bombing such stockpiles will not destroy more than a fraction of the agents. Most will be dispersed into the air, much as was the case during the last Gulf War and in the attempt to destroy the Iraqi stockpiles subsequently. You will be aware of the claim that Gulf War syndrome was caused at least in part by low level exposure to such released agents. You must also know of the difficulties that the US has experienced in safely destroying its own stockpiles by incineration.

So if the bombing is effective we are faced with the inevitable uncontrolled release of large quantities of lethal agents, including presumably nerve and mustard gas, as well as anthrax and radioactive materials. These agents will drift over significant areas of Iraq, resulting in further illness and death amongst its already impoverished citizenry, and will not stop at Iraq's borders, with potential but incalculable danger to citizens of neighbouring friendly states. The result will be that by a sort of dreadful collusion with Saddam, the US and UK governments will be directly contributing to genocide.

Whatever the logic of threatening military action to back up diplomatic pressure, its use in this context can only be disastrous, increasing innocent people's misery, bringing no obvious political gains, and casting a lasting shadow over the UK's claims to be embarking on an ethical foreign policy. I urge you, even at this late stage, to accept a political compromise, even if imperfect, rather than take this doom-laden step."

I would ask for some comment on Professor Rose's analysis.

I shall address myself to the Foreign Secretary and then to the Prime Minister; but first to the Foreign Secretary. I shall read out a resolution drafted not by me—I was slightly late for the meeting, having listened to two former Secretary-Generals of the United Nations, Boutros-Ghali and Pérez de Cuéllar, explaining that they believe that the proposed action was unlawful—but by Deputy Provost Councillor Allister Mackie, chairman of the Linlithgow constituency Labour party, and the Deputy Provost of the area of West Lothian which the Foreign Secretary and I represent.

The resolution reads as follows:

"That Linlithgow Constituency Party of the Labour Party views with dismay the threats and statements made by the Prime Minister, Tony Blair, and the Foreign Secretary, Robin Cook, in relation to the British Government's policies towards Iraq.

Although opposed to Hussein's Regime in Iraq, this CLP believes that Britain and the world's interests would not be better served by a war of aggression on the part of the American and British Governments, without unambiguous world support.

Further, we are of the view that, taking into account the Government's proposals to reduce financial support to One Parent Families, introducing tuition charges to students, the proposals to reduce payments to disabled persons, and the continuing pressure on local Government to reduce levels of service, due to lack of adequate financing of local Government, the finances of the UK could be put to better use than waging war on an innocent people, whose sole criticism is that they were governed by an unacceptable leader.

Thus we call upon the 2 above-named Government Ministers to consider if they are pursuing personal agendas rather than the interests of the people of the UK, who they were duly elected and appointed to serve.

It is the view of the Members of this CLP that their conduct in relation to this matter is irrational and indeed illegal, and therefore we call upon Mr. Blair and Mr. Cook to reconsider with urgency further pursuit of their war-inducing threats and statements.

In particular, we call on the Government, in view of the stated doubts of two former UN General Secretaries and several international lawyers to make public the legal basis on which military action would be taken."

I had the opportunity when he kindly saw me for some 25 minutes to put into the hands of my right hon. Friend the Prime Minister the legal opinion of Mr. Marc Weller, an international lawyer at the centre of international studies in the university of Cambridge—supported by other international lawyers whose names I have given to Downing street.

For 21 years, I had the privilege of representing the people of Broxburn and Uphall. I do not think that they want their present representative, my right hon. Friend the Foreign Secretary, prancing around the middle east trying to drum up support for allowing the British to use bases from which to launch weapons of awesome destruction. I not only think, but know, that some of their representatives and former representatives are as dismayed as I am at my right hon. Friend's recent action and attitude.

For 35 years, I had the privilege of representing Stonyburn, a former mining village in West Lothian which is now in the Livingston constituency. The people of Stonyburn have spoken through their councillor, Provost Joe Thomas of West Lothian council. He told me this morning that he was aware of widespread concern among my former constituents in Stonyburn at the uncompromising nature of the threatened war against Iraqi people. He said, "Violence does not solve problems. Violence creates problems." I have to tell my right hon. Friend the Foreign Secretary that there are people in Stonyburn praying that no action is taken. Those people sent me, and now my right hon. Friend, to the House of Commons. If there is military action, we can imagine pictures many times those of Dunblane flashing round the world.

I am one of comparatively few—a dwindling number of hon. Members who have actually worn the Queen's uniform, done gunnery and experienced the smell of cordite. Perhaps we are a bit less relaxed about unleashing war than those who have never been in a military situation. I am hesitant to claim great military virtue, but I wear the tie of the Royal Scots Greys, now the Scots Dragoon Guards, and I had the opportunity of sitting in his room and reading to my right hon. Friend the Prime Minister the letter from the colonel of the regiment to *The Times*. I spoke to Field Marshal Sir John Stanier and I repeat part of the letter that I read out to my right hon. Friend:

"The conduct of a successful air war is a politicians dream; it avoids the mud and blood of a ground campaign and enables wars to be fought without getting your hands dirty. Unfortunately air wars are never successful in isolation. If you wish to expel an invading dictator from say, Kuwait or the Falklands, you have to go there and drive him out. The same applies to stopping him from doing some things that you don't like."

[Mr. Tam Dalyell]

He concludes:

"Perhaps if we attempted to improve the lot of Saddam Hussein's people by offering a reduction in sanctions in exchange for evidence of his abandonment of weapons of mass destruction, a more realistic result might be achieved."

When my right hon. Friend the Prime Minister goes up the Downing street staircase at night, with the pictures of his predecessors on the wall, he might pause for a moment to look at the picture of Anthony Eden. Saddam Hussein is no Gamal Abdel Nasser. Nasser was an impressive figure. I had the good fortune to be asked to see him in his house in Cairo in 1964. Unless we are very careful, Saddam Hussein will be perceived in large parts of the Arab world—and not only the Arab world—as another Nasser. Is that what we want?

2.50 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): My hon. Friend has a reputation for having a long-standing and principled interest in these matters. I fear that when he comes to read the record of his speech, he will be disappointed with its content, not least because—somewhat out of character—he has quoted others to cloak personal attacks on my right hon. Friends the Prime Minister and the Foreign Secretary. That is unworthy of him. I fear that he will regret it when he reads his speech.

I welcome the opportunity to reply to the debate and bring my hon. Friend and the House up to date with diplomatic activity. I have just returned from the middle east, where I spoke to leaders in Oman, the Emirates and Egypt. Three key points emerged from those discussions.

First, there was unanimous strong support in each of those countries for the notion that Saddam Hussein must comply with the Security Council resolutions. There is no need to remind those countries of the threat that Saddam Hussein poses to the region. Their Arab cousins in Kuwait know that. My hon. Friend quoted Field Marshal Stanier. Saddam Hussein, the dictator, was driven out of Kuwait by military action. That action was necessary, but it was not supported at the time by my hon. Friend. If we had taken his preferred course of action then, the countries in the Gulf that I have visited this week would have been under even greater threat from the weapons of mass destruction that Saddam owns and is developing.

Secondly, there was wholesale support for exhausting every diplomatic opportunity. The United Kingdom agrees with that. I shall tell the House in a few moments about some of the actions that we are taking.

Thirdly, there was a strongly held view that if Saddam Hussein did not take the opportunities provided by diplomacy, he alone would be responsible. Those opportunities are available to him. All that we are asking is that he should abide by Security Council resolutions.

My hon. Friend quoted several authorities. I shall quote no authorities; just one basic principle. In diplomacy, a word given should be a word honoured. The word that Saddam Hussein gave when he agreed to allow the United Nations Special Commission inspectors to do their work is being broken. We know Saddam Hussein's record. We now know that his word is worth very little. A basic tenet of diplomacy is that a word should be followed and a promise that is committed should be carried through.

Those three principles were clearly reinforced by my contacts in the Gulf and the middle east this week. All those countries want UNSCOM to do its work without restriction so that it can find the biological and chemical arsenal that exists within Iraq. My right hon. Friend the Foreign Secretary published the extent of that arsenal last week and referred to the success that UNSCOM has already enjoyed in locating weapons of mass destruction.

In his opening remarks, my hon. Friend recognised by implication the danger that Iraq poses to other countries in the region. At no point during his 18-minute speech did my hon. Friend try to deny that Saddam Hussein has chemical and biological weapons. My hon. Friend recognises that fact. If he were to talk to those in the Arab countries near Iraq—rather than those who enjoy the comfort of Westminster—he would appreciate the real threat that those weapons represent.

UNSCOM must be allowed to do its work without restriction. There is no reason for agreeing to any position less than that which is enshrined in the Security Council resolutions. Our basic principle is that those resolutions must be agreed to, implemented and complied with.

I told my hon. Friend that I would inform him of the diplomatic efforts that are being made. The United Kingdom has played a leading role in those efforts. A meeting of European Ministers in Panama on Wednesday issued a statement, which I draw to the attention of the House. European Union representatives at the meeting called upon Iraq to comply with the relevant United Nations Security Council resolutions, and in particular to permit UNSCOM to carry out effective inspections of sites where it suspects that vital information or chemical and biological weapons are concealed.

A Gulf Co-operation Council meeting of Foreign Ministers on Wednesday also issued a very strong statement condemning Saddam Hussein both in terms of his denial of the United Nations and his arsenal of weapons of mass destruction. The United Kingdom's position is supported by countries such as Australia, Canada, Poland—and the list continues. It is clear that no one in the United Nations does not want to see Iraq comply with the United Nations Security Council resolutions.

Some claim that we should not consider the military option and that we should ask Saddam Hussein to play the game in a decent way—the old public school rules. I suppose that we could go to the palace in Baghdad and say, "Isn't it about time, Saddam, that you allowed the arms inspectors to do their job?" Does anyone imagine that Saddam Hussein would respond by opening the door to Richard Butler and the arms inspectors and allowing them to get on with their business? It is fanciful to believe that that will occur.

There is pressure on Saddam Hussein to allow the inspectors to do their job because he understands the consequences of his failure to comply with the United Nations Security Council resolutions. The military option, to which my hon. Friend refers regularly, is key to our ability to negotiate and ensure that there is compliance. Without that option, the diplomatic process could not be successful. We have always sought—and continue to seek—a diplomatic resolution.

The representatives of the five permanent members of the Security Council met yesterday, and they will continue to have further meetings in the hope and the expectation

that a Security Council resolution will be forthcoming in the next few days. That will enable the diplomatic process to continue to work towards our sole objective: ensuring compliance with Security Council resolutions.

Without the pressure and without the potential risk to the regime in Baghdad, there would be no possibility of compliance with Security Council resolutions. In the past seven years, Saddam Hussein has denied weapons inspectors access to sites. My hon. Friend is right to say that chemical and biological weapons are wicked and evil. He should join the campaign that we are waging to ensure that Iraq is clear of weapons of mass destruction.

The history of this century shows us that if we play the game in such a way as to appear to offer appeasement to dictatorship, the consequences are more horrific than standing up to a dictator. That is why we have taken this position.

Mr. Dalyell: Will my hon. Friend give way?

Mr. Fatchett: No, I must finish. My hon. Friend had 18 minutes, and left me with a shorter time to reply.

My hon. Friend rightly referred to the state and condition of the people of Iraq. We share his humanitarian concerns. That is why the United Kingdom Government are leading the call for an extension of the "oil for food" regime. The people of Iraq should have greater access to oil revenues, so that their humanitarian needs can be meet. That is crucial.

I hope that my hon. Friend applauds that humanitarian gesture. He should ask himself what has happened to the "oil for food" scheme and resolution 986 in the past few years. Why have the Iraqi people been denied access to food? It is not because of the United Nations or the United States. If the red smoke of envy and resentment can be cleared from Saddam Hussein's eyes, he will see that. Nor is it because of the actions of my right hon. Friend the Foreign Secretary. It is because of the actions of Saddam Hussein and his treatment of his own people.

I applaud the position taken by both the Conservative party and the Liberal Democrats. The Government are determined to ensure that the United Nations resolution is upheld. Over the years, my hon. Friend has been a great supporter of the United Nations. If we back down, and if Security Council resolutions become negotiable, the legitimacy and integrity of the United Nations will be damaged for ever. We are the friends of the United Nations, and we respect international law. We are determined to ensure that Saddam Hussein complies with Security Council resolutions, because that is the only way to make progress.

My hon. Friend raises these issues time and again, and he will do so on Tuesday. I ask him to think about the consequences of appeasement, and of not pushing Saddam Hussein hard to ensure compliance. We have taken the right course, and we shall continue to follow it, because that is in the best interests of the people of Iraq, the people of the region and the United Nations.

Question put and agreed to.

Adjourned accordingly at two minutes past Three o'clock.

House of Commons

Monday 16 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

CULTURE, MEDIA AND SPORT

The Secretary of State was asked—

Television Licences

2. **Mr. Crausby:** What plans he has to reform the rules that concern the issuing of concessionary television licences. [27585]

The Minister for Arts (Mr. Mark Fisher): The Government's agreement with the BBC provides for a review of future funding arrangements prior to March 2002. It will include a detailed consideration of licence concessions.

Mr. Crausby: I thank my hon. Friend for that reply. Does he agree that the concessionary television licence system is both unfair and over-bureaucratic? Does he accept that it would make much more sense to deliver a consistent television licence concession to all pensioners of, say, 50 per cent., or at least to link the system to ability to pay?

Mr. Fisher: I entirely agree. The concessionary scheme which we inherited is full of anomalies, and causes a great deal of frustration and irritation to pensioners and others. I think that everybody would agree that it is highly imperfect and unsatisfactory. The distinct problem is that reforming it would simply create new anomalies and be hugely expensive—anything up to £450 million a year.

Sir Sydney Chapman: Does the Minister agree that the concessionary television licence is a classic example of an exception from which anomalies pour forth? Although that is, of course, nothing to do with the new Government, it is a long-standing irritant to so many people. There must be some review—some ordered, logical way in which to address the problem. I am sure that the Minister would get support from many Members on both sides of the House if he addressed the argument honestly, given that the BBC television licence is the best possible value for the services provided.

Mr. Fisher: I entirely agree with the hon. Gentleman. The system is a classic example of a well-intentioned concession leading to enormous unhappiness and problems. The best time to consider the matter will be when we very shortly look at all funding arrangements for the BBC.

National Lottery Grants

3. **Mr. Barnes:** What representations he has received recently concerning the distribution of national lottery grants; and if he will make a statement. [27586]

11. **Mr. Skinner:** If he will make a statement on the equity of lottery grant distribution. [27595]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): We have received more than 1,000 letters since our White Paper was published, in addition to nearly 600 direct responses. The responses were overwhelmingly in favour of our reforms of the lottery, and we are now implementing our proposals through the National Lottery Bill. Among other things, it makes provision for us to be able to ensure a fairer geographical spread of lottery awards.

Mr. Barnes: I appreciate that many of my constituents make use of town-centre facilities, especially in Sheffield and Chesterfield, and to some extent in London, so that lottery awards to those areas also benefit my constituents. Are not poorer people much less mobile and, therefore, unable to make use of such facilities? Such maldistribution of lottery moneys, much of which is contributed by poorer people, is quite obscene. There is almost a 1,000-fold distinction between funding received in richer constituencies and in poorer ones. Hopefully, that is being tackled by my right hon. Friend's measures.

Mr. Smith: My hon. Friend is absolutely right. By ensuring that lottery distributary boards draw up a strategy for the deployment of lottery resources, we shall ensure that, among other things, they help to tackle social exclusion. I look forward to discussing the matter further with my hon. Friend when I meet him in a few weeks' time.

Mr. Skinner: Some authorities—those mentioned by my hon. Friend the Member for North-East Derbyshire (Mr. Barnes), Bolsover and others in Derbyshire and elsewhere—do not get a fair crack of the whip. In view of that, will my right hon. Friend make sure that he meets the people from Creswell crags—one of the oldest archaeological sites in the northern hemisphere—who tried to get money from the Conservative party without success? They were led up the garden path by the right hon. Member for South-West Surrey (Mrs. Bottomley), who was then in charge, with the result that they receive nothing like what they should. Is it too late to stop Heseltine's folly—the dome? There would then be even more money for redistribution.

Mr. Smith: I would be delighted to meet my hon. Friend's constituents to discuss Creswell crags. At this stage, I cannot give any commitment on funding, but I shall be happy to discuss the matter with them.

Mrs. Virginia Bottomley: The right hon. Gentleman will be aware of the growing dismay in the heritage, arts and sports fields about the fact that they will be

£60 million a year less well off than they anticipated. As a result, many applications that otherwise could have been confident of success are being rejected. Will the right hon. Gentleman publish the agreements he reached with the distributing bodies, because he has informed us that they have voluntarily given up that £60 million a year to put it into the new opportunities fund in advance of legislation? The arts, heritage and sports groups that spoke to me were very surprised that the councils had reached such an agreement voluntarily.

Mr. Smith: As usual—this is her usual question—the right hon. Lady is wrong. The amount that each of the existing distributors will have over the seven years of the franchise is £1.8 billion, as was anticipated when the lottery began. No money has been taken away from that amount.

Mr. Maude: Will the right hon. Gentleman seek to allay the growing torrent of criticism of his Department from luminaries of the arts world by making a firm commitment not to reduce the percentage of lottery proceeds devoted to the arts below what he currently intends?

Mr. Smith: The gentle criticism expressed by one or two figures in the arts world has been related entirely to the figure that the Conservative party put into the Red Book a year ago. I have no intention whatever of reducing that figure of £1.8 billion, which the arts, heritage, sports and charities always knew that they would get.

Digital Television (Wales)

4. **Mr. Gareth Thomas:** If he will make a statement on the introduction of digital television in Wales. [27587]

The Minister for Film and Tourism (Mr. Tom Clarke): Digital television services, via satellite, cable and terrestrial delivery, are due to start this year throughout the UK. Current terrestrial plans will deliver digital services to 74 per cent. of the population of Wales within 16 months of the start of digital transmissions.

Mr. Thomas: In view of the challenges facing broadcasters in Wales as a result of the implementation of digitalisation, can my hon. Friend confirm who will be the next chairman of S4C?

Mr. Clarke: The Government have invited Ms Elan Closs Stephens to succeed Mr. Ifan Prys Edwards as chairperson of S4C from 1 April this year. Ms Stephens is a senior lecturer in the department of theatre, film and television studies at the University of Wales, Aberystwyth, and deputy chairman of the Welsh Language Board. We wish her well.

Mr. Gale: The Minister will be aware that as a result of the hurried deal done between BSkyB and the Rugby Football Union during the passage of the Broadcasting Act 1996, there are millions of people in Wales who—with or without digital television—will be unable to watch the England v. Wales international at Twickenham, which is being broadcast only on Sky Television. While recognising the legitimate rights of sporting interests to raise money for their sports, is it not time that we recognised that there are certain national events, such as the five nations tournament and test match cricket, which ought to be included on a limited list?

Mr. Clarke: That is a matter for the advisory group on listed events.

Children's Development

5. **Mr. Woolas:** How the reforms to the national lottery will help children's development out of school hours. [27588]

Mr. Fisher: The new opportunities fund will allocate £400 million to out-of-school-hours activities, providing new educational, creative and sporting opportunities in half of all secondary schools and a quarter of all primary schools, as well as child care for up to 1 million children.

Mr. Woolas: I thank my hon. Friend for that reply. Will voluntary organisations—such as Oldham Child Minders Association, which co-ordinates child care in our borough—be entitled to apply for new opportunities funding, or will only those who provide services directly be eligible?

Mr. Fisher: Details of how the fund will operate will be released shortly.

Mr. Tyrie: Under what statutory authority have the shadow accounts for the new opportunities fund been created?

Mr. Fisher: Under the National Lottery Bill

Mr. Maclennan: Is the Minister aware that, while he is giving with one hand, he is drawing away with the other hand opportunities for schoolchildren throughout the country to learn musical instruments? Local authorities are withdrawing their support, owing to the unacceptably tight settlements that they have been given. What does he intend to do to stop the collapse of skilled instrumental teaching in this country?

Mr. Fisher: The right hon. Gentleman refers to a growing problem which has increased over recent years and is causing terrific difficulties for children and for the teaching of music, and he is right to draw attention to it. We believe that the new opportunities arising from the National Lottery Bill will allow us to begin to address some of those difficulties.

Televised Test Cricket

6. **Mr. Pickthall:** If he will make a statement on the future status of televised test cricket. [27589]

Mr. Chris Smith: As my hon. Friend will know, I have established an advisory group to consider this issue in general and I expect it to publish recommendations before Easter.

Mr. Pickthall: My right hon. Friend knows that the audience for live coverage of test matches on the BBC is about 2.5 million; that that is important for the

maintenance of enthusiasm for and participation in cricket at all levels; and that, by contrast, the audience for one-day test matches on Sky is only 413,000. Does he agree that it is absolutely vital for cricket to maintain its mass audience on television, and that it is wrong for cricket fans who cannot really afford it to be effectively blackmailed by delisting into subscribing to Sky?

In any case, the England and Wales Cricket Board is perfectly entitled to sell broadcasting rights to the BBC and to Sky. Will my right hon. Friend champion the millions of cricket fans out there by ensuring that cricket remains free to air?

Mr. Smith: My hon. Friend will know that at present, some cricket is on the list of events that have to be shown on free-to-air television. Lord Gordon and his team are currently reviewing the list, and one of the criteria that we have clearly set in place is that if an event has a special national resonance, and not simply a significance to those who ordinarily follow the sport concerned, it should be considered for listing. The committee will bear those principles in mind when it comes to advise me later this year.

Public Libraries

7. **Ms Moran:** What plans he has to develop information services in public libraries. [27591]

Mr. Fisher: We are currently considering a report from the Library and Information Commission, which recommends the development of information technology in public libraries. We will respond to the report's recommendations soon.

Ms Moran: I welcome that response. Will my hon. Friend take into account the fact that, in some areas, access to libraries is the only access to information for many households? For example, Luton central library in my constituency was lucky enough to receive the largest grant from the Department, and grants from the Wolfson Libraries Challenge fund and Vauxhall Motors to secure access to information and information technology for households for which access to books, let alone computers, is severely limited. Will he use that as a model to ensure that resources are targeted to those in greatest need, so that there is the widest possible access to the national grid for learning?

Mr. Fisher: I would have thought that hon. Members on both sides of the House would agree that one of the greatest problems is the growing gap between the information-rich and the information-poor. The public library service can probably act most readily as a mentor to bridge that gap.

Mr. Evans: Does the Minister agree that the introduction of information technology to libraries would be a new lease of life for some of them and would attract some people who would never have dreamt of going into a library before? Will he also pay due regard to rural libraries? It is important that we make IT facilities available to them, as many of my constituents cannot afford the £1,000 to £2,000 to buy the equipment for their homes. We should not create an IT subclass, in rural areas or elsewhere, and we should not deny people the enjoyment of junk e-mail or of the world wide web, which could provide communities with additional learning facilities.

Mr. Fisher: Mr. Matthew Evans's commission recommends a public library network, which will meet many of the hon. Gentleman's points.

National Lottery (Matched Funding)

9. **Mr. Sheerman:** What steps he is taking to tackle problems encountered by groups that win lottery funding but fail to raise matched funding. [27593]

Mr. Chris Smith: Any applicant who experiences difficulties in raising partnership funding should speak to the distributor, who will consider the best way in which to proceed in each case. Our reforms to the lottery will ensure that distributors have a more flexible approach to partnership requirements.

Mr. Sheerman: I am grateful to my right hon. Friend for that answer, but is not the matched funding scheme very regressive? Will he go back to his Department, knock a few civil servants' heads together and ask the following question? Why did we get into matched funding in the first place, as the poorest areas of the country have the most difficulty? As a Labour Government, we should be tackling this problem.

The Earth centre in Doncaster is struggling to be completed because there is not so much industry there as in London and the south-east. I hope that my right hon. Friend will knock a few heads together and kick a few bottoms in his Department.

Mr. Smith: I have already done precisely that. My hon. Friend will know that the National Lottery Charities Board requires no partnership funding whatever. He will also know that the Millennium Commission, which funds the Earth centre, had a very strict rule of 50 per cent. partnership funding. That rule was put in place by the right hon. Member for South-West Surrey (Mrs. Bottomley) and her predecessors. However, I am pleased to say that we are strongly encouraging the other distributors to be much more flexible about their partnership requirements, in particular to take into account the needs of projects in areas where the group proposing a project does not have ready access to private sector money.

National Lottery (Disbursement)

10. **Mr. Green:** If he will make a statement on his plans to change the mechanism for disbursement of lottery money. [27594]

Mr. Fisher: The National Lottery Bill implements many of our plans to reform the distribution of lottery funds.

Mr. Green: Will the Minister confirm what I was told by one of the existing grant-giving bodies in the south-east region—that, because of the changes proposed in the Bill, perfectly good sports and arts projects, which would previously have been approved, are being turned

down and discouraged because of the Government's desire to get their hands on money that will amount to £1 billion over the lifetime of this lottery licence? Will he apologise to those sports and arts bodies that want to do good in their local communities, but are being prevented from doing so by the fact that the Government are grabbing their money?

Mr. Fisher: The hon. Gentleman clearly was not in the House a few minutes ago, when my right hon. Friend the Secretary of State answered the question of the former Secretary of State, the right hon. Member for South-West Surrey (Mrs. Bottomley). If he had been, he would have heard the answer. Each board was always going to receive £1.8 billion; that is exactly the planning total that they will receive.

Ms Walley: May I draw my hon. Friend's attention to the real concern in my constituency? Although larger organisations may find it easy to make applications for lottery bids, small groups find it difficult to do so. Will he ensure that such groups have a way in which to obtain help from the lottery in making their bids?

Mr. Fisher: Yes. My hon. Friend makes a good point. It is difficult for small groups and bodies to access the lottery, which is why some of the reforms in the new National Lottery Bill will be welcome—in particular, the small grants scheme.

National Lottery (West Midlands)

14. **Mr. Corbett:** What plans he has to make applications for lottery funding simpler for small community organisations in Birmingham and the west midlands. [27598]

Mr. Fisher: The National Lottery Bill will help to ensure that more lottery money reaches small-scale projects in local communities throughout the United Kingdom.

Mr. Corbett: I thank my hon. Friend for that reply and welcome the small grants scheme that is to be brought into being. Also, I urge my hon. Friend to consider the need in some circumstances for small local voluntary organisations to get help with revenue funding either of proposed projects or the expansion of projects, especially when that seed money can help them to develop extra funding for what they are trying to do within the community. There is a big gap between bodies such as the Royal Opera house, which can put its hand out and get millions tipped into it, and voluntary bodies doing important jobs in their communities in inner-city areas.

Mr. Fisher: I suspect that hon. Members on both sides of the House would agree. The purpose of reforming the national lottery is precisely to tackle such problems and to ensure that the benefits of the lottery get into constituencies throughout the country and right down to the grass roots—to village halls, community halls and small projects that can really benefit the quality of local community life.

Mr. Steen: The problem is not merely in the west midlands—

Madam Speaker: Order. The question was on the west midlands—precisely that.

Film Industry

16. **Mr. Forth:** If he will make a statement on prospects for the British film industry. [27600]

Mr. Tom Clarke: The British film industry is undergoing a huge renaissance and the prospects for the future are better now than they have been for many years.

Mr. Forth: I thank the Minister for that response with which I am completely satisfied.

Mr. Clarke: I am grateful that the right hon. Gentleman is satisfied and I hope, therefore, that he will rejoice with me about the number of nominations for the Oscars. We wish all of them well. I hope, too, that he will join me in looking forward to the publication at the end of March of the review that I am co-chairing with Mr. Stewart Till of Polygram.

Mr. Pike: While recognising that the British film industry has recently made many good films, can my right hon. Friend assure me that he is satisfied that the film distribution system ensures that good British films are shown everywhere in the world?

Mr. Clarke: My hon. Friend raises a significant question. I am not satisfied with distribution outwith Great Britain or even in the domestic market. Therefore, I am extremely pleased that the sub-group that has been dealing with that important issue, realising that a number of extremely good British films are not even being seen in British cinemas, is tackling the issue with the assiduousness that my hon. Friend would expect.

Mr. Ian Taylor: Does the Minister agree that one way in which to promote British films is to encourage the transition to digital television? Can he explain why the Department for Culture, Media and Sport has been so flabby in terms of giving up the guidelines that the Department of Trade and Industry set when I was a Minister? The aim was that we should switch after five years or when there was 50 per cent. coverage. The move to digital and encouraging films are the ways in which to stimulate the British industry and his Department has completely flunked it.

Mr. Clarke: I find it astonishing that the hon. Gentleman should argue that we should take television from 50 per cent. of the people and that that would improve either television or film. People in the film industry, including consumers, have a far better approach and are a great deal better informed about those matters than the hon. Gentleman. When he reads our report in March, he will be able to put an informed question to the House.

17. **Mr. Gareth R. Thomas:** What progress he is making in increasing the figures for British cinema audiences watching British films. [27601]

Mr. Tom Clarke: Increasing numbers of British cinemagoers are enjoying our top British films, which have started to make a significant mark on the UK box

office. In 1997, British films almost doubled their share of UK box office takings, accounting for 23 per cent. of total box office revenues.

Mr. Thomas: I welcome my right hon. Friend's reply and the number of measures that the Government are taking to boost the British film industry. Is he aware that some 50 per cent. of British films fail to get a release in this country? Will he assure the House that he will continue to monitor that situation with exhibitors and distributors, and consider the need for other measures further to boost the British film industry?

Mr. Clarke: I am grateful to my hon. Friend, who will have noticed that the objective that my right hon. Friend the Secretary of State set in Cannes of doubling the audience was achieved in eight months. Those of us who are concerned about the British film industry want the improved distribution that my hon. Friend mentioned. We have an excellent record. Films such as "The Full Monty", "Bean", "Regeneration", "Mrs. Brown" and others are a credit to Britain. That is all the more reason to want more audiences to see such good films.

Mr. Bercow: When did the Minister last go to the cinema, which film did he see and what was its certificate?

Mr. Clarke: I thought that I should see "Brassed Off" again, so I saw it a second time last week. It has a 15 certificate, but some of its intellectual aspects may be above the hon. Gentleman's head.

Theatre

19. **Mrs. Ellman:** What plans he has to increase the proportion of public financial support for theatre which is devoted to activities. [27603]

Mr. Fisher: As part of our reform of the national lottery, we want an increased proportion of money to be directed to arts activities rather than buildings or capital works.

Mrs. Ellman: Will the Minister give an assurance that he will do all in his power to ensure the reopening of the Playhouse theatre in Liverpool and continued proper backing for the Everyman theatre? Liverpool's theatres are a vital part of its assets. They are important to the city itself and to its continued economic regeneration. Does he agree that it is essential that equitable public funding is given to theatres throughout the north-west and the country?

Mr. Fisher: I entirely share my hon. Friend's admiration for the work of the Playhouse and the Everyman in Liverpool. Those who love theatre will be concerned by the state of the Playhouse. We are determined to address the problems by getting money not only to the fabric of buildings, but to cultural activities. That reform of the lottery will be welcomed by Government and Opposition Members.

Mr. Steen: Is the Minister aware that the D'Oyly Carte Gilbert and Sullivan opera company closed at the end of December because the Arts Council refused to put it on its little list? It allows hundreds of other organisations that have been on the list for years and years to remain there, but refuses to save one of our great British national institutions. More than 103 Members have signed an early-day motion, but the Secretary of State and his Department have been unable to save one of the most important English light operetta companies. The chairman of the Arts Council says that it will not get on to his list for more than 100 years because so many organisations are already there. What will the Minister do to save the D'Oyly Carte and Gilbert and Sullivan before 2000?

Mr. Fisher: I am aware of the matter because the hon. Gentleman led a distinguished delegation to see me about it. His advocacy was persuasive, but, as he knows from our discussion, this is a matter for the Arts Council. I gather that he also led a delegation to its chairman. I am not sure what the joy of that was.

Mr. Steen: Useless.

Mr. Fisher: The hon. Gentleman says that it was useless. I am sure that the Arts Council will take note of his interesting comment on that meeting.

Mr. Hanson: Will my hon. Friend take the opportunity to examine the possibility of cross-border funding for theatres such as my own, Theatr Clwyd, which is in Wales, but which also attracts audiences from England? Will he examine ways in which organisations such as the lottery and the Arts Council of England could help to fund theatres based in Wales that serve audiences from England?

Mr. Fisher: My hon. Friend has made a good point. The audience for Theatr Clwyd in Mold includes people from Stoke on Trent, like me, from Manchester and from other places. There is a funding problem not only in north and south Wales but in Scotland, and the creation of the individual nations' arts councils has not fully addressed it. We must consider it with energy and vigour.

Press Complaints Commission

20. **Mr. Chope:** When he plans to meet the chairman of the Press Complaints Commission to discuss its code of practice. [27604]

Mr. Chris Smith: On 25 September 1997, I welcomed Lord Wakeham's proposals for strengthening the newspaper industry's code of practice, and added that I intended to discuss further with him protection for people in all walks of life. I propose to do so in due course.

Mr. Chope: Has the right hon. Gentleman considered discussing with the chairman of the Press Complaints Commission the possibility of extending his code of practice to cover the conduct of the Lord Chancellor? Has he considered telling the chairman that the Government are absolutely in favour of self-regulation of the press and that they do not intend to make it subject to control by the courts, as proposed in the Human Rights Bill?

Mr. Smith: Of course that is not what is proposed in that Bill and my right hon. Friend the Home Secretary

may have something to say about that subject in a few moments when he introduces its Second Reading. The code of practice for the press should apply to everyone no matter how high or how mighty and no matter what office of state that person might hold.

Mr. Maude: Does the Secretary of State agree with the Lord Chancellor that the Human Rights Bill introduces a privacy law, or with the Prime Minister, who believes that it does not?

Mr. Smith: The Government believe in the self-regulation of the press. We have no intention of introducing any privacy law, by the front door or the back door.

Drug Abuse

22. **Mr. Timms:** How many representations he has received from organisations concerned with drug abuse in response to the national lottery White Paper. [27606]

Mr. Tom Clarke: Of the 496 organisations that responded to the proposals in the White Paper, three were concerned with drug abuse: the Standing Conference on Drug Abuse; Liverpool drug action team; and Adfam National. A copy of the analysis of the responses to the White Paper is available in the Library.

Mr. Timms: I thank my right hon. Friend for that answer. He will be aware that the submission of the Standing Conference on Drug Abuse made the case for a larger share of lottery funding to be directed at organisations tackling the problems of drug misuse, such as the excellent Newham drugs advice project in my area. Is my right hon. Friend sympathetic to such arguments?

Mr. Clarke: I congratulate my hon. Friend on the activities in his constituency, and I assure him that we are sympathetic to such projects. Indeed, the Bill will confirm the Government's commitment to combat drug abuse through measures such as new opportunities, after-school clubs and our approach to young people in the healthy living centres. I hope that by working together we can deal with an extremely serious problem.

Musical Instrument Tuition

25. **Mr. David Heath:** What discussions he has had with the Secretary of State for Education and Employment on the future of musical instrument tuition. [27609]

Mr. Chris Smith: I have had a number of discussions with my right hon. Friend the Secretary of State for Education and Employment on musical instrument tuition and a number of other matters of mutual and important interest.

Mr. Heath: I thank the right hon. Gentleman for that reply and I am glad that he is having such discussions. A number of extra-curricular activities connected with culture and sports in education are the province of his Department. Will he assure me that a joint action plan will be launched to ensure that musical instrument tuition is available to all pupils whatever their education authority?

Mr. Smith: I can indeed offer the hon. Gentleman that assurance. The pattern of musical instrument tuition in our schools has been in decline for many years and it is patchy in terms of the quality of provision, as highlighted by the recent report of the Associated Board. I am now in intensive discussion with my right hon. Friend the Secretary of State for Education and Employment, the board, the Performing Rights Society and others about specific proposals, which I hope to be able to introduce within the next few weeks.

Football

27. **Mr. Bob Russell:** If he will provide financial support for football clubs in the lower divisions of the Football League and feeder leagues to improve spectator facilities. [27611]

Mr. Chris Smith: I recognise the importance of having good-quality spectator accommodation at all levels of football. My hon. Friend the Minister for Sport was pleased to be able to announce last year that £20 million will be available to the Football Trust over the next four years from the Football Association and the national lottery to support football at all levels. I am pleased that the lottery is having such a positive impact on football generally, with our national game being the second largest beneficiary of awards to date.

Mr. Russell: Does the Secretary of State agree that the sum he has mentioned would barely pay the wages of one premier division football team; that the gap is widening between the premier league and the rest of the teams that make up the football pyramid; and that that is not in the interests of the national sport? Will he give an assurance that he will use his best endeavours to ensure that football money is spread more fairly and more evenly among all the professional clubs?

Mr. Smith: That is precisely what that £20 million is designed to do, now that the premier league clubs have all transformed their grounds into all-seater stadiums. The job now is to get that help further down the tree to clubs below premier league level, which is precisely what the money is designed to do.

MINISTER WITHOUT PORTFOLIO

(MILLENNIUM EXPERIENCE)

The Minister was asked—

Management

30. **Mr. Loughton:** What representations he has received on the advantages of the millennium dome project being run on a commercial basis by a leisure management company with expertise in this area. [27614]

The Minister without Portfolio (Mr. Peter Mandelson): There have been no such representations since the Conservatives decided that the project could not be delivered by a private sector company and duly

nationalised it. I have every confidence in the New Millennium Experience Company and its ability to deliver a major first for Britain.

Mr. Loughton: If the Minister is so confident about the mass appeal of the millennium dome, which has become a quasi theme park, why is he not offering the project for professional management and funding by a leisure company such as Walt Disney, which has a track record and expertise in this area, rather than depending to such a large extent on lottery funds, so that the million visitors a month he envisages enticing for a meander around the internal organs of a 150-foot silver representation of the Madonna can do so safe in the knowledge—[HON. MEMBERS: "Question?"]—can do so safe in the knowledge—

Madam Speaker: Order. The hon. Gentleman obviously did not hear my statement last week. Will he now come to his question? There is very little time in this period.

Mr. Loughton:—so that people can use it in the knowledge that so much public funding has not been detracted from other more worthy community-based projects?

Mr. Mandelson *rose—*

Hon. Members: What was the question?

Madam Speaker: Order. The Minister has the Dispatch Box at his disposal.

Mr. Mandelson: I am not quite sure what the question is, so all I can say to the hon. Gentleman is that the structure that was created by his party when it was in office has served the project well. It is a unique non-departmental public body, which has involved many private sector personnel and disciplines and I have full confidence in the company's ability to continue to perform as well as it has done to date.

Ms Abbott: Will the Minister without Portfolio agree that running the Millennium Experience Company along commercial principles would at least have the advantage of not costing the public money? As it stands, the Millennium Experience Company is spending £750 million of what is, in effect, public money, yet to this day we have not seen interim accounts which would enable us to find out how that money is being spent.

Mr. Mandelson: It is simply not the case that more than £750 million of public money is being spent on the project. As little as £399 million is coming from lottery funds, not from public expenditure, with the rest coming from private sector sponsors, commercial income and activities and ticket sales. I am pleased to be able to say that the prospects for private sector investment are very good, despite the report in today's *Daily Mail* about British Telecom. This morning, I spoke to Sir Peter Bonfield, the chief executive of British Telecom, who stated categorically, "Are we going to pull out? No, we are certainly not going to pull out." BT will not pull out because it is a company not of the old school and of the old Britain, unconfident and unambitious, but of the future, confident and vibrant—like the new Britain we are trying to create. That is why it will remain in the vanguard of the millennium project.

Mr. Maude: It is wonderful to hear that paean to privatisation. On the topic of expertise, as Minister with responsibility for the presentation of Government policy, how does he explain the fact that the millennium dome—the only policy for which he has direct responsibility—is a presentational disaster that deepens every day?

Mr. Mandelson: I do not accept for one moment that it is a presentational disaster. I only wish that Conservative Members—who say that they support the project but do everything that they can to impede its progress—would choose to support a national project that will be a tremendous success for our country.

Regional Content

31. **Mr. Mitchell:** If he will make a statement on the regional content of the millennium experience. [27615]

Mr. Mandelson: The overarching theme of the experience—"Time to make a Difference"—will encourage participation by individuals in all areas of the United Kingdom through a national programme of events and activities, which will be reflected in the dome's contents.

Mr. Mitchell: I hope that, as a fellow northern MP, the Minister will try to ensure that there is a substantial measure of regional content in the experience itself—something beyond fish and chips and avocado mousse. It will be a disaster if that huge statue becomes known as the angel of the south—which, being androgynous, may well be what happens. I wonder whether he shares my hope that he, as a Minister, will stay with the project and eschew all promotion offers. One Minister should be accountable for the project from start to finish, and I am sure that no one has a better prospect than he of making a success of it, or of telling us that it has been a success if it has not.

Mr. Mandelson: I am sure that the Prime Minister will take my hon. Friend's advice on this, as he does on so many other matters. As for the Angel of the North—which, I should remind the House, yesterday started its journey from Hartlepool—we should not underestimate the public in considering great ventures. The public recognise vision and imagination, and they know how to take pride in another British first. Just as that has been the case with the angel of the north, so it will be with the millennium dome.

Mr. Spring: Will the hon. Gentleman confirm that a focus of the dome's contents will be a giant-size reclining statue? Will he tell the House out of what substance the statue will be made, and whether it will be male, female or gender neutral?

Mr. Mandelson: I really do not want to spoil the hon. Gentleman's fun: I will let him wait a little longer, if he does not mind, for those matters to be fully determined. All I know is that it will be a very fine figure indeed, creating opportunities of great educational value and inspiration for all those who have the chance to travel round its body.

Mr. Skinner: Will my hon. Friend bear in mind the fact that there are loads of people in Britain who have not been

carried away with the type of enthusiasm that he displays for the millennium dome, which was a folly of the Tory Government when it began its journey? Has the dome passed the financial point of no return? Is there still a possibility of saving some of that money so that it can be spent, for example, on a millennium hospital—rather than on Heseltine's folly?

Mr. Mandelson: No. The funds that were set aside by Parliament for the millennium celebration could not otherwise be spent on education or hospitals. It is worth reminding the House that only 20 per cent. of the Millennium Commission's expenditure on the millennium celebrations is being devoted to the dome, and that 80 per cent. is being devoted to major, landmark projects and to tremendous investment in community organisations, projects and enrichment in every part of the United Kingdom.

Visitors

32. **Mr. David Heath:** What estimate he has made of the number of people from the south-west of England who will visit the millennium experience. [27616]

Mr. Mandelson: The New Millennium Experience Company estimates that 12 million visits will be made to the millennium experience. Well over 8 million of those will be from the United Kingdom, and I hope that very many of those will come from the south-west.

Mr. Heath: Would the hon. Gentleman be surprised if I told him that I cannot find a single one of my constituents in Somerset who has the slightest intention of going to south-east London? Will he accept that, if some hon. Members are not enthusiastic about the millennium dome, it is not because we are philistines or because we lack any vision or imagination, but simply because we have a different set of priorities?

Mr. Mandelson: The hon. Gentleman probably underestimates his own constituents. I think they are capable of being challenged and inspired by this great celebration, and I look forward to welcoming very many of them to Greenwich to the millennium dome.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Ethical Investment

40. **Ann Clwyd:** What recent review the Church Commissioners have undertaken on ethical investment. [27624]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The Commissioners' investments have always been subject to ethical criteria and are continually reviewed. The ethical investment working group, set up in 1994, plays an important part in developing the ethical investment policy of the Commissioners and of the Church's two other main central investing bodies, the Central Board of Finance and the Church of England Pensions Board.

Ann Clwyd: As the Church has considerable investment in GKN, which is the parent of a company called Glover Webb, which both manufactures and sells armoured personnel carriers and water cannon to Indonesia, where they have been used against unarmed civilians in peaceful protests, may I suggest that the Church reconsiders its investment in GKN?

Mr. Bell: I am always grateful for my hon. Friend's interventions and we shall take her up on that and have a look at that investment, but I should tell the House that the Commissioners do not invest in companies whose management practices are judged by us to be unacceptable. We have a clear policy in relation to the sale of armaments. Although armaments are avoided, we believe that some investment in the defence industry is justifiable, and the Church generally accepts the rights of nations to defend themselves and to engage in peacekeeping initiatives, and believes in the legitimacy of an indigenous defence industry supplying equipment under Government licence.

Mr. Simon Hughes: When the leaders of the Anglican Church around the world meet this year at the Lambeth conference, will they have on their agenda an agreement about a policy on ethical investment which will bind all the Churches of the Anglican communion around the world in unanimous agreement? If not, will he use his best endeavours to ensure that that is put on the agenda, so that what we do can be acceptable to our sisters and brothers all over the world?

Mr. Bell: I am grateful to the hon. Gentleman for his question and I will convey his question to Lambeth palace and give him a response. The ethical investment policy of the Church Commissioners has moved towards a more positive ethical assessment of the companies in which we invest. For example, we seek to invest in companies that will successfully develop their business financially in the interests of their shareholders, but which also demonstrate responsible employment practices and are conscientious concerning issues of corporate governance and human rights. The hon. Gentleman's point is well taken.

Clergy

41. **Mr. Baker:** What plans he has to transfer resources from higher-paid clergy to lower-paid clergy. [27625]

Mr. Stuart Bell: I am grateful to the hon. Gentleman for his interest in Church matters, and I look forward to meeting him, with the Church Commissioners, later this week. In its debate in December 1995, the general synod

upheld the principle of clergy differentials, and the commissioners, as the Central Stipends Authority, are required by legislation to

"have due regard to any resolution of the General Synod in respect of matters of general stipends policy."

Mr. Baker: Does the hon. Gentleman feel comfortable with the fact that the average bishop costs £124,000 and that bishops' salaries and other costs account for 10 per cent. of Church Commission funds? At the same time, many at the sharp end are living in near poverty on a pittance. Is this a case of, "To them that have, more shall be given"?

Mr. Bell: We are always interested in and concerned about those living at the sharp end. The commissioners' statutory obligations include supporting the bishops and the cathedrals, as well as the service pensions of all former parochial clergy. The commissioners also seek to maximise the sums provided for the support of the ministry in poorer parishes. We have released about £14 million a year—money that is currently directed to the needier dioceses for this very purpose.

Mr. Pike: Is there any truth in the rumour that the bishops of Liverpool and Southwark have not yet been appointed so as to fill clergy vacancies lower down? Is there any other good reason why those posts have not yet been filled?

Mr. Bell: I am grateful for the question, but the appointment of bishops is entirely a matter for the Prime Minister. I would not wish to pursue a path that would lead me straight to 10 Downing street.

Mr. Lansley: Have the Church Commissioners undertaken any assessment of the implications of the introduction of a national minimum wage for Church of England clergy? How, for instance, is the record keeping to be undertaken; what will the costs of compliance be; and to what extent are clergy's stipends likely to be directly affected?

Mr. Bell: I am happy to tell the House that the clergy are well enough paid to avoid the national minimum wage—but the point is a good one. We shall take it up and keep it under review.

European Convention on Human Rights

42. **Mr. Bradshaw:** What representations he has received about the effect on Church finances of incorporating the European convention on human rights. [27626]

Mr. Stuart Bell: I am grateful to my hon. Friend for his interest in Church affairs. The European convention on human rights enshrines the right of religious freedom as well as other rights. I have had a number of representations raising various issues relating to the effect on the Church of making the European convention directly enforceable by the United Kingdom courts.

Mr. Bradshaw: Does my hon. Friend agree that human rights do not come free? Does he also therefore agree that it is unacceptable that the Church, of all organisations, should seek exemption from the Human Rights Bill?

Mr. Bell: Concern has been expressed in a number of quarters to the effect that the definition of "public authority" in the Bill will mean the Church of England and other Churches finding themselves subject to decisions of the courts on doctrinal matters. I have spoken to my right hon. Friend the Home Secretary about these anxieties; he will refer to them in his opening remarks on Second Reading of the Human Rights Bill, which is to begin shortly.

Land Assets

43. **Mr. Chope:** If he will make a statement on the commission's policy on management of land assets. [27627]

Mr. Stuart Bell: I am sorry to have to tell the hon. Gentleman that the Church does not own property in his constituency. The prime responsibility of the Church Commissioners is to manage all the investments entrusted to them so as to maximise financial support for the ministry of the Church of England. Subject to that responsibility, the commissioners' policy is to manage their land assets in a way that takes account of the needs of the environment and local communities.

Mr. Chope: I am grateful for that reply. May I draw the hon. Gentleman's attention to a hot issue relating to the churchyard of St. Mary's church in Southampton? It has been a site of worship for a thousand years; there is a Saxon burial ground there. The parochial church council and the team rector propose, however, to develop the churchyard as part of an inner-city redevelopment scheme. That is causing massive local concern. Will the hon. Gentleman agree to receive a deputation from people who are worried about this but who do not seem to have the ear of the team rector?

Mr. Bell: The hon. Gentleman is perfectly right to raise a matter of concern to his constituents. The Church Commissioners will be glad to look at any representations he makes and to see what response we can give.

MINISTER WITHOUT PORTFOLIO

(MILLENNIUM EXPERIENCE)

The Minister was asked—

Cost

35. **Mr. Baker:** If he will assess the possibility of creating a worthwhile millennium dome project at a significantly lower cost. [27619]

Mr. Mandelson: The Government undertook a thorough review of the project immediately after the election. That concluded that it was not possible to create such a unique, once-in-a-lifetime project at lower cost. Only half the cost is being met from lottery money, and the cost includes the national programme, which will start a year in advance of the opening of the dome.

Mr. Baker: Can the Minister explain why the millennium project is costing £758 million, when the former creative director, Stephen Bayley, said that something stunning could be created for £100 million?

Mr. Mandelson: I hope the hon. Gentleman will forgive me if I say that I do not think that Mr. Bayley's advice on that aspect is any better than he was qualified to offer on any other aspect of the millennium dome, which is why he is not still with us.

Mr. Mackinlay: Will the Minister reflect on the fact that there is growing unease among the constituents of many hon. Members that the millennium dome might become a monument to Mammon, and that we might lose sight of the fact that part of the purpose of the millennium is—coincidentally, it would seem—to celebrate the 2000th anniversary of the birth of Christ? Should there not be some reflection of that in all the celebrations, and particularly in the millennium dome?

Mr. Mandelson: I entirely agree with my hon. Friend. The millennium project is not a monument to Mammon. It is an opportunity for people to take stock, to pause and to reflect on the nature of our society in all its dimensions—spiritual as well as any other—and to consider what sort of country and society we want to live in as we enter the new century and the new millennium. In that sense the project will be inspiring and challenging, as well as enormous fun.

Points of Order

3.31 pm

Mr. Francis Maude (Horsham): On a point of order, Madam Speaker. The Minister without Portfolio mentioned previously that he proposed to make an announcement—on Tuesday next week, I think—about the contents of the millennium dome. The matter was raised with you last week. Have you received any indication from Ministers whether the House will be the first to know what the contents of that great project will be, or whether that will be announced in a press conference or unveiling outside? Given the huge amounts of public money, whether taxpayers' or lottery money, to be spent on it, I am sure that you would agree that the House should hear first.

Madam Speaker: I refer the right hon. Gentleman to the response that I gave to the point of order last Thursday. The answer to his second question is no, I have not heard that a Minister is prepared to make a statement next week, but I am told that on the morning of the day that a statement is to be made.

Mr. Barry Sheerman (Huddersfield): On a point of order, Madam Speaker. This is not a criticism of you, but that was the first time that we have had 10 minutes of questions to the Minister without Portfolio. Those of us who strongly support the millennium dome and project feel that very few of the hon. Members who were called for questions and supplementaries take our view, which is the overwhelming view of both sides of the House. We feel that we are not getting our fair share of the 10 minutes at Question Time.

Madam Speaker: Perhaps the hon. Gentleman should put the point to the President of the Council on Thursday, so that we get even more time with the Minister without Portfolio.

Mr. Andrew Lansley (South Cambridgeshire): On a point of order, Madam Speaker. You will be aware that several hon. Members attended the House in the hope of raising questions specifically related to questions on the Order Paper and were frustrated from doing so by the absence of hon. Members whose questions were on the Order Paper—in my own case, relating to lottery distribution in East Anglia. Can you offer us some protection or assistance in that respect, to ensure that we can raise questions when questions are on the Order Paper and are not withdrawn beforehand?

Madam Speaker: I can do nothing about questions that are withdrawn, but I am not sure that the hon. Gentleman tabled a question about East Anglia. Is that the point that he is making? *[Interruption.]* Hon. Members should table questions to get the answers that they require, and not rely on the substantive questions of other hon. Members. I am not prepared to go on calling supplementary questions so that hon. Members can come into the House and latch on to the substantive questions of other hon. Members. They must take the initiative themselves. I thought that I had made that clear last week.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. On Friday 13 February, in column 740 of *Hansard*, I referred to a question that the Foreign Secretary had answered earlier in the week. It reads:

> "Does the House have the clear unambiguous undertaking that, before military action is taken, we will return to the Security Council of the United Nations for its clear, unambiguous endorsement of that military action?"—[*Official Report*, 13 February 1998; Vol. 306, c. 740.]

That question was not replied to in the Adjournment debate—which is not a matter for the House on a point of order. However, on Sunday's "The World at One" programme from Chatham House, my hon. Friend the Minister of State, Foreign and Commonwealth Office, appeared to give the impression—it is difficult to follow his exact words—that no such watertight undertaking had been given.

Have you, Madam Speaker, had any requests from the Foreign Office to clarify that crucial question? Have you received any requests from the Foreign Office to put an explanation in the Library before tomorrow's debate of the legal reply to Mr. Marc Weller from the centre for international studies at Cambridge and other international lawyers who challenge the legal validity in international law of the proposed military action against Iraq?

Madam Speaker: The hon. Gentleman will appreciate and understand that I have no responsibility for outside broadcasts or for what is said in those broadcasts. In answer to the thrust of the hon. Gentleman's point of order, I have received no indications from Ministers about a statement to be made today or tomorrow, or what they might say in the course of the debate tomorrow. It will be for the hon. Gentleman and others who are interested to press the points that he has just made. Those on the Treasury Bench have heard his comments and may relay them to Ministers at the Foreign Office.

Mr. Dale Campbell-Savours (Workington): On a point of order, Madam Speaker. Will you allow me simply to defend those who were unable to attend Question Time today? You may not be aware that many hon. Members are stuck on British Rail trains and cannot get into London in time to attend Question Time. Many Members from the north of England, including me, have missed Question Times because of Railtrack and the rail operators.

Madam Speaker: I do not want this to be a debate between the hon. Gentleman and myself, but there are telephones on railway stations and on trains. Many hon. Members withdraw their questions at the last moment because they are in exactly that position.

Orders of the Day

Human Rights Bill *[Lords]*

Order for Second Reading read.—[Queen's consent, on behalf of the Crown, signified.]

Madam Speaker: I should inform the House that I have selected the amendment in the name of the Leader of the Opposition.

3.37 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, That the Bill be now read a Second time.

Three hundred and nine years ago, Parliament enacted the 1689 Bill of Rights. That Bill delineated the relationship between Parliament, the Crown and the courts. It was a foundation stone of representative government, curbing unelected power and establishing a constitutional monarchy. One reflection of that is in the mutual respect shown by Her Majesty and the House. So I have it in command from Her Majesty the Queen to acquaint the House that Her Majesty, having been informed of the purport of the Human Rights Bill, has consented to place her prerogative and interest, so far as they are affected by the Bill, at the disposal of Parliament for the purposes of the Bill.

This is the first major Bill on human rights for more than 300 years. It will strengthen representative and democratic government. It does so by enabling citizens to challenge more easily actions of the state if they fail to match the standards set by the European convention. The Bill will thus create a new and better relationship between the Government and the people.

Nothing in the Bill will take away the freedoms that our citizens already enjoy. However, those freedoms alone are not enough: they need to be complemented by positive rights that individuals can assert when they believe that they have been treated unfairly by the state, or that the state and its institutions have failed properly to protect them. The Bill will guarantee to everyone the means to enforce a set of basic civil and political rights, establishing a floor below which standards will not be allowed to fall. The Bill will achieve that by giving further effect in our domestic law to the fundamental rights and freedoms contained in the European convention on human rights.

The convention is a treaty of the Council of Europe, now a body of some 40 countries. The Council was established at the end of the second world war as part of the allies' programme to reconstruct civilisation on the mainland of Europe. The United Kingdom was a prime mover in the convention and played a major and dignified part in its drafting. One of its draftsmen, David Maxwell Fyfe, later became, as Lord Kilmuir, a distinguished Lord Chancellor in the Conservative Government from 1954 to 1962. The United Kingdom was also among the first countries to sign the convention, which we did on the first available day. We were the first to ratify it, in March 1951.

The United Kingdom's international commitment to the convention has continued ever since. In 1966, we accepted the right of individuals to bring cases against the United Kingdom. The United Kingdom has also set a good example in responding to any adverse findings of the European Court of Human Rights in Strasbourg. For nearly 50 years, there has been broad political support for what the convention does and what it stands for, with a fundamental recognition that, in practice, decisions of the Strasbourg court must be implemented.

Mr. Julian Brazier (Canterbury): Does the Home Secretary not recognise that, under existing legal arrangements, the Government can derogate under exceptional circumstances and, on one occasion involving terrorist suspects, did so? Can he see no occasion—not even the matters that we will debate tomorrow—on which a democratically elected Government might feel the need to depart from the findings of the European Court and, with the consent of Parliament, pass a law that changes that?

Mr. Straw: I can indeed. To reassure the hon. Gentleman, the derogation to which he refers is enshrined in schedule 2 to the Bill, on page 19.

Since the convention's drafting nearly 50 years ago, almost all the states that are party to it have gradually incorporated it into their domestic law. Ireland and Norway have not done so, but Ireland has a Bill of Rights which guarantees rights similar to those of the convention, and Norway is in the process of incorporating the convention. Several other countries with which we share our common law tradition, such as Canada and New Zealand, have provided similar protection for human rights in their legal systems.

The effect of non-incorporation on the British people is a practical one. The rights, originally developed by Britain, are no longer seen as British, and enforcing them takes far too long and costs far too much—on average five years and £30,000 to get an action into the European Court at Strasbourg once all domestic remedies have been exhausted. Bringing these rights home will mean that the British people will be able to argue for their rights in the British courts, without inordinate delay and cost. It will also mean that the rights will be brought much more fully into the jurisprudence of the courts throughout the United Kingdom, and their interpretation will thus be far more woven into our common law.

There will be another benefit: British judges will be enabled to make a distinctively British contribution to the development of the jurisprudence of human rights across Europe. It is also now plain that the approach that the United Kingdom has so far adopted towards the convention has not stood the test of time. The most obvious proof of that lies in the number of cases in which the European Court has found that there have been violations of convention rights in the United Kingdom. It is only natural that people of all political persuasions have asked, "Why do individuals in the United Kingdom have to go to Strasbourg to enforce their British rights? Why can they not rely on them before our domestic courts?"

In 1976, the then Labour Government published a Green Paper on this subject. In 1987, the then Conservative Member of Parliament and Chairman of the Home Affairs Select Committee, Sir Edward Gardner QC, introduced a private Member's Bill on incorporation of the convention. When doing so, he said of the language of the articles:

"It is language which echoes . . . down the corridors of history. It goes deep into our history and as far back as Magna Carta."

The hon. and learned Gentleman also said:

"If anybody suggests that these"—

he was referring to the convention—

"are foreign laws which are foreign to our minds and spirits, I suggest that he has not read the convention's articles."—[*Official Report*, 6 February 1987; Vol. 109, c. 1224.]

The baton then passed to the Liberal Democrat peer, Lord Lester of Herne Hill, who introduced two Bills on incorporation in 1994 and 1996. None of those attempts bore fruit, but they highlighted the growing consensus for change.

It was the late John Smith who first committed Labour to the path of incorporation.

Mr. A. J. Beith (Berwick-upon-Tweed): May I draw the Home Secretary's attention to the fact that a prominent former Conservative Minister, Sir Geoffrey Rippon, withdrew his Bill to enable me to bring before the House a Bill that had passed through another place, which was designed to achieve the same purpose. That measure had been introduced by Lord Wade. In the past, there has been much more distinctive Conservative support for such a measure than now seems apparent.

Mr. Straw: The right hon. Gentleman is entirely correct. The importance of what he says, however, is that it is apparent that many Conservative Members here and in another place support incorporation in practice. Three Conservative peers spoke in favour of incorporation on Second Reading in another place.

Following John Smith's commitment to incorporate the convention, in December 1996, the Under-Secretary of State for Health, my hon. Friend the Member for Brent, South (Mr. Boateng), and I published a consultation document entitled "Bringing Rights Home". Many people helped us with the drafting of that document, including Lord Lester, to whom I pay tribute for his indefatigable work in bringing the issue to public attention. Many others responded helpfully to the paper, and they have continued to make their knowledge and advice available to me and my colleagues. The response to our paper convinced us that we should make incorporation a manifesto commitment.

Alongside the Bill, which had its First Reading in another place on 23 October, I published a White Paper entitled "Rights Brought Home", setting out the case for the Bill and how it would work. The Bill does not create new substantive rights, but it makes the existing convention rights more immediate and relevant. Under the Bill, all courts and tribunals will be required to have regard to these rights.

Having decided that we should incorporate the convention, the most fundamental question that we faced was how to do that in a manner that strengthened, and did not undermine, the sovereignty of Parliament. Some had argued that the courts should have power to set aside primary legislation, whether past or future, on the ground of incompatibility with the convention. That is a feature of many, though by no means all, government systems with a basic law enshrined in a written constitution. It is also true that, under the European Communities Act 1972, enacted by the then Conservative Government, European law with direct effect automatically takes precedence over our domestic law and Parliament, whatever Parliament wants to do otherwise.

That is not the road that we are going down. The Bill, important though it is, has the limited function of bringing the British people's rights home. It is no part of the project to call into question constitutional arrangements that have evolved in this country to make us one of the world's most stable democracies.

The sovereignty of Parliament must be paramount. By that, I mean that Parliament must be competent to make any law on any matter of its choosing. In enacting legislation, Parliament is making decisions about important matters of public policy. The authority to make those decisions derives from a democratic mandate. Members of this place possess such a mandate because they are elected, accountable and representative.

To allow the courts to set aside Acts of Parliament would confer on the judiciary a power that it does not possess, and which could draw it into serious conflict with Parliament. As the Lord Chief Justice said on Second Reading in another place, the courts and the senior judiciary do not want such a power, and we believe that the people do not wish the judiciary to have it.

Although the Bill does not allow the courts to set aside Acts of Parliament, it will nevertheless have an impact on the way in which legislation is drafted, interpreted and applied, and it will put the issues squarely to the Government and Parliament for future consideration. It is important to ensure that, for their part, the Government and Parliament can respond quickly.

In the normal way, primary legislation can be amended only by further primary legislation. As we all know—in normal circumstances, this is entirely correct—that can take a long time. One of the consequences of not having a special procedure to remedy defects in legislation is a degree of paralysis. Until now, the remedy has been through the Strasbourg Court. The best example I can give, which should command the House's attention, is the decision almost two years ago of the European Court in Strasbourg in the Chahal case.

Chahal had been detained in prison by direction of the Secretary of State because it was considered that his presence in this country was not conducive to the public good, on national security grounds. The then Home Secretary's right to make that decision without Chahal having a right of independent appeal was challenged. The matter was fought all the way to the Court in Strasbourg, which found in favour of Chahal, who then had to be released from prison.

There was no provision, as in this Bill, for the law to continue in force unless and until it was corrected. Someone whom the previous Home Secretary had decided, on the best evidence, should be excluded from this country, on the basis that his presence here was not conducive to the public good, on national security grounds, went free. Meanwhile, it was impossible for my predecessor, and it remains impossible for me, to exercise the powers under the Immigration Act 1971 to exclude anyone from this country on national security grounds.

The previous Government put in train preparations for an amending Act, and we have sought to get that legislation through both Houses as quickly as possible. That Bill commands support on both sides of the House, but it is taking many months to grind through all its stages. Consequently, the position that we are stuck with is to no one's advantage. Individual rights have not been

[Mr. Straw]

properly brought back into line with the convention; nor, as important, is any Secretary of State for the Home Department able to exercise his duties under the 1971 Act.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does the right hon. Gentleman accept that hon. Members who support the principle of incorporation remain deeply concerned about the provisions of the remedial order procedure, which depend on secondary legislation Orders in Council? Can he reassure us that, in the great generality of cases, primary legislation will be amended only by primary legislation, and that the provisions in clauses 10 to 12, which deal with the affirmative resolution procedure, will be activated only in instances of real emergency? If he were able to say that, he might gain much more support in the House than would otherwise be forthcoming.

Mr. Straw: I understand the concerns expressed by the right hon. and learned Gentleman; they were raised in the other place and were the subject of extensive debate. I cannot give him the undertaking that he seeks. However, I can say, first, that occasions on which the courts declare an Act of this Parliament to be incompatible are rare; there will be very few such cases. Secondly, the purpose of remedial action is to try to resolve the current paralysis, which is to nobody's advantage. It is not to take away anyone's rights; it is to confer rights. Thirdly, hon. Members will have every opportunity to discuss this matter in great detail in Committee.

In our judgment, these fast-track provisions offer far more safeguards than were provided under the European Communities Act 1972, which the right hon. and learned Gentleman's party supported. Under the 1972 Act, Parliament cannot vote on any declaration of the European Court of Justice that our law is outwith the ECJ; the law must be changed. Furthermore, the Bill provides a better and fairer procedure for deregulation than that laid down by the previous Administration.

Mr. Dominic Grieve (Beaconsfield): May I pick up what was said by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg)? Many Conservative Members who sympathise with the Government's aims feel that, if the Bill is to work, the House of Commons—or, rather, Parliament—must be seen to be working with the courts to allow human rights to exist and to be enforced. We feel that any derogation—leaving aside what earlier Governments may have done, and the presence of the Henry VIII clause—is massively undesirable.

Mr. Straw: I understand the hon. Gentleman's point, but, in Committee, I hope to convince both him and the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) that, in practice, the Bill will ensure that people's rights—which the courts have declared to be rights—are brought to fruition, and also that we do not repeat the position relating to Chahal, which is unsatisfactory all round. That, however, remains to be seen.

Mr. Simon Hughes (Southwark, North and Bermondsey): The Home Secretary will know that I fully support the Government's incorporation of the convention into domestic law, and that I have worked towards that end in the Council of Europe. May I, however, ask him to test the central point that he is making against the example that I am about to give?

If a Government introduced legislation or other rules banning members of an organisation such as Government communications headquarters—GCHQ—from belonging to a trade union, would they be able to go to a British court immediately for a remedy that would give them the right to union membership, freedom of expression and freedom of association? If Parliament voted by a majority to prevent those people from having that right, would it be able to maintain the denial of liberties that the convention requires them to have?

Mr. Straw: The Bill makes the position clear, in clause 4(6) and elsewhere. Clause 6 excludes the Houses of Parliament from the category of public authorities, for very good reasons. What the Bill makes clear is that Parliament is supreme, and that if Parliament wishes to maintain the position enshrined in an Act that it has passed, but which is incompatible with the convention in the eyes of a British court, it is that Act which will remain in force.

There is, however, a separate question, which is why, in most instances, Parliament and Government will wish to recognise the force of a declaration of incompatibility by the High Court. Let us suppose that a case goes to Strasbourg, where the European Court decides that an action by the British Government, or the British Parliament, is outwith the convention. According to 50 years of practice on both sides, we always put the action right, and bring it into line with the convention. One of the questions that will always be before Government, in practice, will be, "Is it sensible to wait for a further challenge to Strasbourg, when the British courts have declared the provision to be outwith the convention?"

Mr. Kevin McNamara (Hull, North): The problem for many of us is not the existence of the provision, but the fact that the Court has not an absolute right to strike down legislation. If we are to have the declaration of incompatibility, will there be a time scale within which the Government will correct the position? Otherwise, as often happens in such cases, someone who might not be the most perfect person—someone who might attract considerable moral opprobrium, and no sympathy from the community or, certainly, the popular press—might bring a case and be left dangling in regard to the correcting of the position relating to a particular right.

Mr. Straw: I do not believe that writing a timetable into the Bill would be desirable, or consistent with the scheme of the legislation. It would challenge the sovereignty of Parliament. In practice, however—even under the current arrangements—Governments always move to remedy a matter if it has been found in Strasbourg to be outwith the convention. The best example from my hon. Friend's point of view is the decision that the European Court made in 1995 in respect of the three people—I think that they were Provisional IRA terrorists—who were shot dead in Gibraltar. The previous Government certainly did not like the decision in that case, but they acted in accordance with the judgment.

Before I turn to the detail of the Bill, I should like to comment on two issues that have gained particular prominence: the positions of the media and the Churches. Both have concerns that centre on the provisions of clause 6, relating to public authorities, so I must briefly explain the principles underlying that clause.

Under the convention, the Government are answerable in Strasbourg for any acts or omissions of the state about which an individual has a complaint under the convention. The Government have a direct responsibility for core bodies, such as central Government and the police, but they also have a responsibility for other public authorities, in so far as the actions of such authorities impinge on private individuals.

The Bill had to have a definition of a public authority that went at least as wide and took account of the fact that, over the past 20 years, an increasingly large number of private bodies, such as companies or charities, have come to exercise public functions that were previously exercised by public authorities. Under UK domestic common law, such bodies have increasingly been held to account under the processes of judicial review.

As was generally acknowledged in debates in another place, it was not practicable to list all the bodies to which the Bill's provisions should apply. Nor would it have been wise to do so. What was needed instead was a statement of principle to which the courts could give effect. Clause 6 therefore adopts a non-exhaustive definition of a public authority. Obvious public authorities, such as central Government and the police, are caught in respect of everything they do. Public—but not private—acts of bodies that have a mix of public and private functions are also covered.

I shall now deal with the position of the media under the Bill. The convention contains two articles of particular concern to them: article 10, the right to freedom of expression, and article 8, the right to respect for private and family life. Given the concerns of the press and the Press Complaints Commission about the possible implications of incorporation for a law of privacy, it is worth pointing out that, in practice, the convention has already been extensively used to buttress and uphold the freedom of the press against efforts by the state to restrict it. There are at least four leading United Kingdom cases in which the Strasbourg Court has done that—and not one on privacy has detracted from such a line.

I am placing in the Library a paper prepared by my Department that contains details of cases on freedom of expression. Among others, there is the 1979 case concerning *The Sunday Times*, where the European Court found that an injunction preventing publication by the newspaper of material on the thalidomide disaster amounted to a violation of article 10. In its judgment, the Court referred to

"a principle of freedom of expression that is subject to a number of exceptions which must be narrowly interpreted."

There was the 1991 "Spycatcher" case, where the European Court held that the continuation of an injunction preventing newspapers from printing excerpts from the book was contrary to article 10. In that case, the Court used the following words, with which I agree, and which I think the media would also endorse:

"the dangers inherent in prior restraints are such that they call for the most careful scrutiny on the part of the Court. This is especially so as far as the press is concerned, for news is a perishable commodity and to delay its publication for even a short period may well deprive it of all its value and interests."

I could also quote from other United Kingdom cases where article 10 has been successfully invoked—for example, the 1995 Tolstoy libel case on the amount of damages awarded in defamation actions, and the 1996 Goodwin case concerning the anonymity of press sources. There is also Strasbourg case law involving other convention countries, all supporting the view that the European Court of Human Rights accords a high value to the right to freedom of expression and recognises the crucial role of the press to a healthy democracy.

One benefit of incorporation for the press is that United Kingdom courts will be required to take account of European Court judgments and will thereby develop more positive concepts about the right to freedom of expression.

I emphasise that point with good reason. We have repeatedly stated our support for the freedom of the media and our opposition to a statutory law of privacy. We do not believe that the Bill is contrary to that position. We do not believe that it will lead to the courts developing the common law in a way that will inhibit legitimate press investigations into matters of public interest. Nor do we believe that it will lead the courts to issue injunctions in respect of stories in which there is a public interest in publication.

Despite all that, I recognise that the press are bound to be alive to any possibility that their freedoms might be eroded gratuitously by legislation before the House. In turn, the Government and Parliament have a corresponding duty to seek to assuage those anxieties if we possibly can. That is precisely what we have done in respect of data protection. We have proposed legislation on data protection, not because of any manifesto commitment but because of the imperative of an EU directive passed by the previous Administration.

The press—through the chairman of the Press Complaints Commission, Lord Wakeham—raised serious concerns about the impact of the data protection directive in the Bill on investigative journalism. I therefore readily agreed that the Under-Secretary of State for the Home Department, my noble Friend Lord Williams of Mostyn, should hold discussions about those concerns with Lord Wakeham. The outcome of those discussions was fruitful and satisfactory, and is now to be found in clause 31 of the Data Protection Bill.

Under that clause, the duty that would otherwise be placed on the press to disclose data that they held on those they were investigating is abrogated if the data are being processed for a journalistic, literary or artistic purpose, and

"having regard to the special importance of freedom of expression publication would be in the public interest".

One key test of public interest in practice is whether there has been compliance with the Press Complaints Commission code—thus preserving the self-regulation of the press.

The Human Rights Bill is, of course, different from the Data Protection Bill, but, at their root, the anxieties expressed by the media about both Bills are the same: whether they will interfere with freedom of expression; whether they will lead to much greater use of injunctions that halt publication in advance; and, in the case of the Human Rights Bill, whether the Bill itself will encourage the development of a privacy law.

To try to allay these anxieties, Lord Williams and I have been involved in detailed discussions with Lord Wakeham. In particular, we have considered whether

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safeguards similar in framework to those set out in clause 31 of the Data Protection Bill could be brought into this Bill, without compromising its essential purpose.

I am pleased to tell the House that these discussions have borne fruit, and we have reached an understanding with Lord Wakeham, on behalf of the Press Complaints Commission, on a framework for amendments to the Bill which we believe would satisfactorily safeguard the position of the press in a way that is more comprehensive than providing an exemption for the Press Complaints Commission under clause 6.

The precise wording of the amendments has not yet been agreed, and I should be happy to discuss their terms not only with Lord Wakeham, but with the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney), the right hon. Member for Berwick-upon-Tweed (Mr. Beith) and the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan).

The components of such an amendment would be, first, an explicit provision that no relief or remedy is to be granted regarding article 8 on respect for private life unless the respondent is either present or represented, or the applicant has taken all practicable steps to alert the newspaper against which the application is brought—that would virtually rule out pre-publication injunctions being granted ex parte; secondly, an explicit provision that in any case in which a person applies for relief or a remedy on article 8 grounds related to respect for private life, and the granting of a remedy would raise issues concerning an article 10 convention right, the court must have particular regard to freedom of expression—this would be consistent with the jurisprudence of the European Court, which already lays great emphasis on article 10 rights, but it could also constitute a useful signal and reminder to the United Kingdom courts; thirdly, a requirement for the court—in the case of an application involving journalistic, literary or artistic material—also to take into account the extent of the public interest in the publication in question, whether the newspaper had acted fairly and reasonably, and whether it had complied with the provisions of the Press Complaints Commission's code.

Provisions along those lines, modelled broadly on clause 31 of the Data Protection Bill, would not be inconsistent with the convention, but would send a powerful signal to the United Kingdom courts that they should be at least as circumspect as judgments of the European Court of Human Rights have been about any action that would give the article 8 rights any supremacy over the freedom of expression rights in article 10. I hope and believe that an amendment along those lines will deal satisfactorily with the concerns of the press.

Mr. Gerald Kaufman (Manchester, Gorton): Many of us will want to see the text of that amendment before coming to a judgment on it. I hope for a positive and clear answer to the following question: if my right hon. Friend seeks to make an amendment to ensure that article 8 does not have supremacy over article 10, will that amendment also ensure that article 10 does not have supremacy over article 8?

Mr. Straw: I cannot satisfy my right hon. Friend on that matter, because to do so would plainly make the safeguards entirely circular, and we do not want to do that. I acknowledge that he has not had the opportunity to see our amendments, and I shall be happy to show them to him in due course.

Mr. Hogg: I welcome what the Home Secretary is saying, but does he acknowledge that, through the amendments that he wants to agree with my noble Friend Lord Wakeham, he is in reality seeking to amend the circumstances in which the courts can address the two articles? Has he asked himself whether those amendments, which would change the circumstances in which a right could be asserted under the convention, would be upheld by the Strasbourg Court, which is not bound by what he has just told the House? The judges there may well conclude that what he has just said is in itself a derogation from the convention.

Mr. Straw: The answer is yes: we have indeed asked ourselves that question, and I said only a moment ago that we were certain that provisions along those lines would not be inconsistent with the convention and would be fully consistent with the jurisprudence of the Strasbourg Court. As I explained, that fact was well set out in several judgments, including those on "Spycatcher" and on *The Sunday Times* and thalidomide. In those judgments, the European Court itself gives precedence to article 10 over article 8 when the freedom of the press and other media is involved.

Mr. David Ruffley (Bury St. Edmunds): In the context of articles 8 and 10, would the BBC and independent television companies be public authorities for the purposes of clause 6?

Mr. Straw: That is ultimately a matter for the courts, but our judgment is that the BBC will be regarded as a public authority under clause 6; independent television companies will not, but the Independent Television Commission will be.

Several hon. Members *rose—*

Mr. Straw: I shall give way first to my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) and then to the hon. Member for Aldershot (Mr. Howarth).

Mr. Kaufman: Will my right hon. Friend assure the House that the arrangements are the only ones arrived at, and that there is no question of the Press Complaints Commission being excluded from the definition of a public authority under clause 6?

We have before us, in the annexe that lays out the convention, a series of rights and freedoms that will be available under this legislation to all citizens of the United Kingdom. My assumption, when the Bill was introduced, was that all those rights and freedoms would be given equal weight. My right hon. Friend now appears to be telling the House—only a satisfactorily drafted amendment could possibly allay any misgivings on the matter—that the article 10 right will have greater weight than the article 8 right. Many Labour Members would be seriously disturbed by such a change.

Mr. Straw: The answer to my right hon. Friend's first point is that we do not propose to table amendments that

would exempt any particular body, including the Press Complaints Commission, from the operations of clause 6. There are a number of reasons for that; we can go into detail in Committee. We do not believe that exemptions are the appropriate means of dealing with clause 6, about which I shall speak in a moment.

On my right hon. Friend's second point, I ask him to look carefully at the document that I shall deposit in the Library, which sets out the development of jurisprudence by the European Court in Strasbourg on matters relating to articles 10 and 8. It is always the case that some legal concepts have greater force than others; it happens to be the case that the European Court has given much greater weight to article 10 rights of freedom of expression than to article 8 rights to privacy. We want to reflect that in our domestic law.

Mr. John Bercow (Buckingham): Will the right hon. Gentleman give way?

Mr. Straw: I promised the hon. Member for Aldershot that I would let him intervene, after which, if the hon. Member for Buckingham (Mr. Bercow) will forgive me, I must continue; many hon. Members want to speak in this debate.

Mr. Gerald Howarth (Aldershot): I am grateful to the Home Secretary for giving way. Obviously, we need to see the detail of his proposals on how to reconcile articles 8 and 10. However, I am not clear about his proposals on injunctions that are sought ex parte in advance of publication. As he knows, once something defamatory has appeared in print, it is difficult to undo any damage that may have been caused. Does he intend, in effect, to abolish a citizen's right to seek an injunction in advance of publication?

Mr. Straw: The hon. Gentleman is talking about ex parte injunctions in cases of defamation, but the Bill does not deal with the law on defamation; it deals with convention rights. It will ensure that it is extremely difficult to gain an ex parte injunction without notice in cases concerning convention rights. That is entirely right and proper in the circumstances that we have laid out, and it is also entirely consistent with the jurisprudence of the Strasbourg Court in the case that I have already cited.

The Churches have expressed concerns about the Bill's impact on them if they are held to be public authorities in carrying out some of their activities—for example, in conducting marriage ceremonies or running religious schools. They fear that the convention rights will be used against them, so that they will have to carry out those activities in contravention of their religious beliefs. As introduced in another place, the Bill did not require them to act against their conscience. In particular, it could not be used to require the Churches to conduct marriages between homosexual couples or divorcees, or to appoint atheists as head teachers of Church schools.

The convention places great store by religious freedom. Indeed, article 9 guarantees freedom of thought, conscience and religion. We therefore think that the Churches have much to gain from the convention rights being given further effect in our law. None the less, before coming to a final conclusion on the amendments that were made in another place, I shall be happy to discuss those questions further with representatives of the Churches, and I shall put arrangements in hand to do so.

Miss Ann Widdecombe (Maidstone and The Weald): Will the right hon. Gentleman give way?

Mr. Straw: The right hon. Lady will forgive me for not giving way, as I am anxious to proceed.

I shall now deal briefly with the detail of the Bill and explain exactly how it will bring rights home. Clause 1 lists the convention rights to which the Bill will give further effect in our domestic law. Clause 2 ensures that, in giving effect to those rights, our domestic courts and tribunals have regard to Strasbourg jurisprudence.

Clause 3 provides that legislation, whenever enacted, must as far as possible be read and given effect in such a way as to be compatible with convention rights. We expect that, in almost all cases, the courts will be able to interpret legislation compatibly with the convention. However, we need to provide for the rare cases where that cannot be done. Consistent with maintaining parliamentary sovereignty, clause 3 therefore provides that if a provision of primary legislation cannot be interpreted compatibly with the convention rights, that legislation will continue to have force and effect.

A declaration of incompatibility will not affect the continuing validity of the legislation in question. That would be contrary to the principle of the Bill. However, it will be a clear signal to Government and Parliament that, in the court's view, a provision of legislation does not conform to the standards of the convention. To return to a matter that I discussed earlier, it is likely that the Government and Parliament would wish to respond to such a situation and would do so rapidly. We have discussed how that would operate and no doubt there will be further detailed discussions in Committee on the Floor of the House.

Clauses 6 to 9 cover the second main way by which the Bill gives effect to the convention rights. Clause 6 makes it unlawful for public authorities to act in a way that is incompatible with a convention right, unless they are required to do so to give effect to primary legislation. I have already discussed the approach that we have taken in the Bill to defining a public authority.

Clause 7 enables individuals who believe that they have been a victim of an unlawful act of a public authority to rely on the convention rights in legal proceedings. They may do so in a number of ways: by bringing proceedings under the Bill in an appropriate court or tribunal; in seeking judicial review; as part of a defence against a criminal or civil action brought against them by a public authority; or in the course of an appeal. Clause 7 ensures that an individual will always have a means by which to raise his or her convention rights. It is intended that existing court procedures will, wherever possible, be used for that purpose. Clause 8 deals with remedies.

Mr. McNamara: Will my right hon. Friend give way?

Mr. Straw: If my hon. Friend will forgive me, I need to press on.

If a court or tribunal finds that a public authority has acted unlawfully, it may grant whatever remedy is available to it that it considers just and appropriate.

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Clause 9 serves two main functions. It preserves the general principle of judicial immunity when a court or tribunal is found, or alleged, to have acted in a way that is made unlawful by clause 6, and it provides for the possibility of damages being awarded against the Crown in respect of a judicial act, to the extent necessary to comply with article 5(5) of the convention.

Clause 13 confirms that a person's reliance on a convention right does not restrict any other right or freedom that he enjoys under United Kingdom law. Clauses 14 to 17 cover derogations from, and reservations to, the articles of the convention and its associated protocols. Clause 18 is concerned with the appointment of judges to the Strasbourg Court.

Clause 19 is a further demonstration of our determination to improve compliance with convention rights. It places a requirement on a Minister to publish a statement in relation to any Bill that he or she introduces. The statement will either be that the provisions of the legislation are compatible with convention rights or that he or she cannot make such a statement, but that the Government nevertheless wish to proceed with the Bill.

I am sure that Ministers will want to make a positive statement whenever possible. The requirement to make a statement will have a significant impact on the scrutiny of draft legislation within Government and by Parliament. In my judgment, it will greatly assist Parliament's consideration of Bills by highlighting the potential implications for human rights.

Finally, clauses 20 to 22 deal with various supplemental matters with which we need not detain the House.

Mr. Kaufman: I am sorry to interrupt again, but my right hon. Friend has gone through the clauses and, as is the usual practice, has not found it necessary to refer to the schedule. In schedule 1, at the top of page 18, paragraph 2 of article 10 states that "the exercise" of "freedoms"

"may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society",

and goes on to state that such provisions include

"the protection of the reputation or rights of others",

and

"preventing the disclosure of information received in confidence".

Will he explain the significance of the word "and" in line 3? Does the "and" combine "necessary in a democratic society" with "prescribed by law"?

Mr. Straw: Yes. That is usually how such matters are interpreted, particularly as there is no comma between "by law" and "and". Although I defer, of course, to our learned friends in the Strand, I think that I can give my right hon. Friend a clear and categorical answer to that question.

The Opposition amendment seeks to block the Bill's Second Reading on three main grounds: that it will further increase the power of the Executive; that it will diminish Parliament; and that it will politicise the judiciary. As I hope I have shown, none of them has any serious foundation.

The power of the Executive will be reduced by the Bill because the state will be made far more accountable for its acts and omissions to its citizens. The Bill enhances parliamentary sovereignty in practice, and the scheme that we have chosen ensures that the judiciary will not be involved in politics.

It is interesting that none those concerns cut any ice with the then Conservative Chairman of the Home Affairs Committee, Sir Edward Gardner, when he introduced his Bill on incorporation 11 years ago. More than 50 Conservative Members voted for it, with four members of the present Conservative Front-Bench team, including the shadow Health Secretary. The only difference between the two Bills is that this one gives far greater protection to the sovereignty of Parliament.

There is another matter that the Opposition may have forgotten in tabling their amendment. In 1977, the architect of modern Conservatism, Lady Thatcher, supported the incorporation of the European convention on human rights. She had the then Mr. Leon Brittan move amendments to the Scotland Bill to do that. *[Interruption.]* From a sedentary position it is said that Lady Thatcher was not always right, but many Conservative Front-Bench spokesmen think that she was always right.

If the Conservatives were correct then, why are they wrong now? We not only have the benefit of Lady Thatcher's views on incorporation 20 years ago, but, just four months ago, we had the view of the shadow Lord Chancellor, Lord Kingsland. On the day that the Bill was published, he said in a radio interview that he was "satisfied" with it. He added:

"From my vantage point we are not in principle against incorporation. The two concerns that we have about it, first of all, parliamentary sovereignty, and secondly, too big a shift of power from Parliament to judges. These concerns do not appear to be serious ones in the context of this Bill."

What makes the amendment all the more puzzling is the question of where the Tories intend to go next on the issue. Our Bills meets their concerns.

Sir Nicholas Lyell (North-East Bedfordshire): The Home Secretary was pushing his luck a bit when he talked about Mrs. Thatcher. As he made great play of Sir Edward Gardner's Bill, does he recall that she instructed our former colleague Sir Patrick Mayhew, then Solicitor-General, to oppose it?

Mr. Straw: No. I recall what the then Leader of the Opposition required Mr. Leon Brittan to do and what she said in the 1977 Conservative campaign guide and in *Hansard* of 13 January 1976 about the need to enshrine the Bill of Rights in the devolution statute.

I know that the Conservatives press the self-destruct button with alarming regularity but the question is where they are going to go next. Are they really going to go into the next general election on the promise, "Vote Conservative and we will take away your human rights"? Is that to be the badge of the modern Tory party?

Let me conclude by placing the Bill in a wider setting. Our manifesto commits us to a comprehensive programme of constitutional reform. It has four objectives: decentralised government; responsive government; open and honest government; and modernised government. The Bill falls squarely within

that constitutional programme. It is a key component of our drive to modernise our society and refresh our democracy. It is part of a blueprint for changing the relationship between the Government and people of the United Kingdom to bring about a better balance between rights and responsibilities, between the powers of the state and the freedom of the individual. I commend the Bill to the House.

4.28 pm

Sir Brian Mawhinney (North-West Cambridgeshire): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House, while confirming its strong belief in human rights, expresses its deep concern at the constitutional implications and deficiencies of the Human Rights Bill *[Lords]* because the Bill weakens one of the foundations of everyone's human rights and fundamental freedoms, which is an effective political democracy; because the Bill creates in the United Kingdom an additional, separate, and potentially incompatible, constitutional framework; because the Bill fails adequately to respect and maintain the principle of separation of powers between the executive, legislature, and judiciary fundamental in a democratic society and will therefore lead to a further increase in the power of the executive, the diminution of Parliament, and the politicisation of the judiciary; and declines to give the Bill a Second Reading."

In a long and closely argued speech, the Home Secretary dealt in some detail with the main provisions of the Bill. As I hope to show, however, he conveniently skated over the importance of such issues as sovereignty and the fast-track approach and also the definition of a public authority. The House will have also noticed his total silence on the role of the Lord Chancellor, to which we will return.

I welcome the right hon. Gentleman's initial comments that, for many years, there has been broad political agreement on the issue. I should like to confirm that again. The Conservative party's commitment to human rights is just as strong as that of the right hon. Gentleman and the Government of the day. Our commitment to the European convention on human rights is as strong as his and that of the Government of the day. I am happy to put that on the record. In common with the right hon. Gentleman, I recognise that the convention reflects rights, freedoms and liberties that have long been embodied in the statutes and common law of the United Kingdom.

If I may offer a slightly broader interpretation of human rights, in the past 18 years our Conservative Government extended human rights as my right hon. Friend Baroness Thatcher worked with President Reagan—with the intermittent support of the Labour party—to free eastern Europe. That led to the removal of the Berlin wall and enabled human rights to be experienced in a way that had not been known previously in that part of Europe.

With the support of the Labour party, my right hon. Friend the Member for Huntingdon (Mr. Major) helped to extend human rights in Kuwait after its invasion. Without any help from the Labour party, our Government extended the human rights of trade unions by removing the closed shop.

People like the Lord Chancellor, of whom I would have expected it, and the Home Secretary, of whom I would not have expected it, who wish to promote the line that the convention should be incorporated into United Kingdom law, often pray in aid the so-called fact that the number of court judgments given against the United Kingdom, at 50, is second only to Italy, at 98, and just ahead of France, at 43. Such people, including the Home Secretary, fail to make a proportionate judgment about those figures. He should recognise that if a country has been a signatory for a long time, it is more likely to have been exposed to adverse decisions than a country that has recently become a signatory. The size of the country is also a factor in such matters. When one takes account of the size of the population and the length of time that a country has been a signatory, the number of human rights violations per 100,000 of the population per annum suggests that there are 12 countries with a worse human rights record than the United Kingdom in terms of decisions of the Court. That provides a different picture from that painted by the Home Secretary.

Incorporation of the convention into domestic law is no guarantee of a good record in human rights, as the records of a number of countries with a Bill of Rights show.

As part of the background to the Bill, it is also worth putting it on the record that in nearly 40 years of convention application, primary legislation has been brought forward in this country only 10 times in order to implement the judgments of the European Court of Human Rights.

We strongly support the convention and as the right hon. Gentleman recognised, when in government, the Conservative party has always complied with the Court's judgment. In 1996, the right hon. Gentleman issued a document entitled "Bringing Rights Home", in which he stated on page 10:

"There are no cases where a UK Government has failed to act in response to an adverse Strasbourg ruling."

With the Bill, the Government want to incorporate the convention into British law. They argue, as the Home Secretary argued, that cases could be brought more quickly and more cheaply; that the convention would better respect our traditions and way of life and that the United Kingdom would have more influence over the European Commission. We support all those aims, but they can be met—indeed, they are already being met—without incorporating the convention into British law.

I was surprised that the Home Secretary did not refer to the position taken by the Conservative Government. We believed that it was better to reform the European institutions than to incorporate the convention, which is why we supported protocol 11. No doubt, in Committee, we can explore the Government's view on protocol 11. Once signed by all member states, that protocol will abolish the European Commission of Human Rights and create a single court that can decide both the admissibility and the merits of a case. It will also divide the court into a number of committees and chambers and so reduce legal costs and enable it to deal with cases more quickly.

We also believe that the convention should be applied in a way that is sensitive to our way of life. Currently, the European Court does not put judgments into effect: that is the responsibility of our elected Members of Parliament, who ensure that its judgments are implemented in a way that respects our culture and traditions. That will be changed by the Bill.

We agree that our system of law has much to offer the Court. As the Home Secretary said, the convention was drafted by two British Government lawyers and the

[Sir Brian Mawhinney]

UK was one of the original signatories, but there is no reason why the Court should not currently refer to our common law.

Why has the Bill been introduced? The Lord Chancellor is the midwife. Lord Lester of Herne Hill said in another place:

"I should like to pay tribute to the great and crucial contribution of the noble and learned Lord the Lord Chancellor"—

I understand why reference to the Lord Chancellor embarrasses the Home Secretary, but I fear that there will be more embarrassment before I sit down—

"both when in Opposition in convincing the Labour party of the case for incorporation and now as Lord Chancellor in helping the Home Secretary and his other colleagues to shape the Bill. Indeed, many of its provisions are stamped with his powerful and personal imprint."—[*Official Report, House of Lords*, 3 November 1997; Vol. 1709, c. 1238.]

We know whence the driving force behind the Bill comes, even though it is a Home Office Bill. Normally in our history the thought that a Bill was being advanced by the Lord Chancellor would add to the confidence with which many would view it—but not this Lord Chancellor. He is a man to whose head power has positively rushed—a man who thinks nothing of spending huge sums of public money for his own style and comfort and does not mind adding to the relevant works contracts a clause requiring the signing of the Official Secrets Act. How ironic that a man who lectures us on the importance of freedom of information and of giving people rights to hold the Government in check should behave in such a fashion. Well, he has made his £10,000 bed and he will have to lie on it. He represents yet another example of a Minister saying one thing, but doing another.

Before coming to detailed consideration of the Bill, I should like to remind the House that the Lord Chancellor—who was far more forthcoming in the other place than the Home Secretary has been today—told us that we shall be able to take our human rights concerns to

"any court or tribunal in the United Kingdom."—[*Official Report, House of Lords*, 3 November 1997; Vol. 1709, c. 1228.]

Indeed, the misleading soundbite "bringing rights home" so beloved of the Labour party heralds a whole new field of legal activity, so perhaps the Minister who winds up the debate will tell us the Government's estimate of how many cases they believe will be brought before each level of court in the land in each of the next three years and how much extra public expenditure the Government have earmarked for that extension of legal activity. Who is going to train our judges and magistrates and how long will that take?

Mr. Gareth Thomas (Clwyd, West): Does the right hon. Gentleman not accept that it is extremely expensive and onerous not only to individual litigants but to the Government and to the public purse for cases to be brought in Strasbourg that could be adjudicated in Britain by British judges?

Sir Brian Mawhinney: The hon. Gentleman has a point, and I think that everyone realises that there is a cost to be borne. However, he has probably underestimated the cost to be borne by the judicial system when everyone in the country is told that, whenever they believe that one of their human rights has been denied by a public authority, whichever authority it may be, they can head off to their nearest court.

The Bill will alter the balance of power between the legislature and the judiciary. In the United Kingdom, we have always had a separation of powers. Hon. Members are elected to the House, and hon. Members and those in another place usually pass laws following the Government's proposed legislation. Judges subsequently apply those laws in specific cases. However, all that will change.

In the Bill, our courts will not be bound by decisions of the Strasbourg Court—although the Home Secretary was right to say that a matter will go to Strasbourg if Parliament is unwilling, under the fast-track procedure, to accept the judgment of our judges. As my noble Friend Lord Kingsland said in reply to the Lord Chancellor, the Strasbourg court's decisions will have a "persuasive but not obligatory" effect.

Therefore, courts will consider cases in the context of United Kingdom law and with the convention in mind. As the Home Secretary said, the Bill will give courts the right to make a declaration of incompatibility when it decides that there is a conflict between the two. If primary legislation is found to be incompatible with convention rights, a higher court can declare incompatibility. We are told that, in some cases, subordinate legislation could be struck down without any reference to Parliament. In his speech, the Home Secretary did not manage to mention that enormously significant change in how we have done our business for a very long time—that, in some circumstances, judges will be given the right to strike down subordinate legislation.

As the Home Secretary made clear in reply to my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), under the Bill, primary legislation may be amended not by new primary legislation but by order. I shall deal with that point later in my speech.

Mr. Straw: Does the right hon. Gentleman not understand that British courts have always had the power to strike down subordinate legislation if they find that it is ultra vires to the parent statute? In principle, that is no different from the provisions of this Bill—which will also be an Act of the British Parliament.

Sir Brian Mawhinney: The right hon. Gentleman is a lawyer and I am not; therefore, I shall be diffident. However, it seems that there is a difference between ultra vires and intra vires, and that that difference is at the heart of the difference between us. He provides an example of a law that is struck down because it is ultra vires, whereas the Bill would give courts power to strike down subordinate legislation that perfectly accords with the primary legislation from which it stems. That is a departure from our current system, and it comes as a great surprise to many hon. Members that the Home Secretary did not bother to mention it.

Mr. McNamara: I think that the right hon. Gentleman failed to follow the point made by my right hon. Friend the Home Secretary—which I was planning to make also: the courts already have power to declare legislation ultra vires. The right hon. Gentleman suggests that subordinate

legislation is intra vires the parent Act, but presumably the case is being brought against subordinate legislation. If the case is brought against the parent Act, there may be a declaration of incompatibility. If there is subsequently an action against subordinate legislation, it may be declared ultra vires.

Sir Brian Mawhinney: I think that I understood precisely what the Home Secretary said, and I think that I made a real and important point—to which we can return when the House considers the Bill in Committee. However, I should like to help the hon. Member for Hull, North (Mr. McNamara), because, in replying to his intervention, the Home Secretary was not as forthcoming as the Lord Chancellor was in another place. The hon. Gentleman asked about a time limit. In Lords *Hansard* of 3 November 1997, at column 1231, the Lord Chancellor said that, in practice, the time limit would be 40 days. It is perhaps not surprising that 40 days commended itself to Cardinal Wolsey.

Mr. McNamara: Yes—the King's good servant but God's first. The right hon. Gentleman has again misread the situation. The point that was being made in the other place was on the making of subsidiary legislation. A normal rule in the House is that statutory instruments require affirmative resolution. The other place was talking about that—not the nonsense that he is talking about.

Sir Brian Mawhinney: I suggest that the hon. Gentleman reads the Lord Chancellor's speech.

The Bill's effect is clear: it would require courts to interpret the convention's broad and general provisions and apply them to policy spheres affecting individuals' rights and freedoms. Courts will therefore become involved in public policy matters that were previously the sole responsibility of Parliament. That consequence will be inevitable and is outwith the quality of the judiciary.

In his speech, the Home Secretary said that the Bill would not necessarily affect sovereignty; but it goes to the very heart of the sovereignty of the United Kingdom Parliament. The Government say that a declaration of incompatibility would protect Parliament's rights and will not change the law. The Home Secretary told the House that the declaration will only tell Ministers that judges think that a law should be changed, and that Ministers will decide on how to proceed. However—as the Home Secretary made clear in answer to an earlier intervention—those statements are, at best, disingenuous. If the Government do not respond to a declaration of incompatibility by judges, a litigant may go to Strasbourg. Therefore, the presumption is that when judges say that something in UK law must be changed—and, by the way, do it pretty quickly, old Parliament—Ministers will respond.

Judges will therefore consider cases in the light of UK law and against the background of the convention—which is not detailed but consists of broad principles that are entirely worthy but unexceptional. Article 2 states that everyone has a right to life. Article 4 states that

"No one shall be held in slavery or servitude."

Article 8 says that

"Everyone has the right to respect for his private and family life, his home and his correspondence."

Article 10 says that everyone has the right to freedom of expression.

All of those articles are hugely important to every hon. Member, in whichever corner we sit. They represent in our society—national and international—the highest moral ground. However, frequently judgments will have to be made between two or more of those articles in a particular case. How will those judgments be made?

Mr. David Lock (Wyre Forest): Does the right hon. Gentleman realise that, in his analysis of what he proposes to do, he is issuing a great insult to British judges? He is saying, "I do not trust British judges to work out where the convention has been breached; I would prefer to trust the judges in Strasbourg," and he trumpets the fact that the previous Government were happy to change the law if the Strasbourg judges declared it, but he is not prepared to do so when our judges make the same finding. Is not that an insult to the British judges?

Sir Brian Mawhinney: I gave way to the hon. Gentleman too soon. Had I kept going a little longer, I would have addressed that point.

I return to the question—how are judges to decide? Normally, and historically, judges decide on the basis of decisions taken in this place. We pass legislation; we say what the law should be. We give them guidance to let them know what we intended by the legislation that we passed, and judges use that to determine the outcome of specific cases. However, in this new circumstance British judges will say, "This piece of law is outwith this convention article, in my judgment". They will say, "In my judgment," because the House will have set down no Act of Parliament to enable the judges to determine how else to proceed.

Mr. Hogg: Is not the real change that the Bill is achieving that, in the past, the House has always laid out statutory provisions with great particularity, stating very clearly what the House wishes to provide by way of rights or obligations? The Bill, by incorporating the convention, is stating rights in very general terms, leaving the application of the particular facts to each case and thus the enlargement of particular rights to the judges. That is a fundamental transformation in the way in which we conduct our affairs.

Sir Brian Mawhinney: I entirely agree with my right hon. and learned Friend. He put it more elegantly than I did, but, in our own way, we both said the same thing. He is right to point out the fundamental nature of the change which this represents, and over which the Home Secretary skated earlier.

Judges will not be obliged to abide by European Court of Human Rights judgments, so they will make their own judgments. Will they be influenced by the sense of existing United Kingdom legislation? Perhaps, but, by definition, they will not be bound by it in the cases that they hear, for they will have judged the UK law to be incompatible. So they will make new judgments in the specific, as my right hon. and learned Friend the Member for Sleaford and North Hykeham says, and they will break new ground. On what basis will they do so? They will do so on the basis of their own views and, as these will be in the area of human rights, judges will, in effect, be producing a judicially driven United Kingdom Bill of Rights.

[Sir Brian Mawhinney]

Other countries have not developed or incorporated a Bill of Rights on the basis of judicial decisions in case law. Other countries have caused to be brought before their Parliament a Bill—historically, the way in which we have done it—which says, "This is what the Government believe should constitute a Bill of Rights", but the present Government have not done so.

Mr. Rhodri Morgan (Cardiff, West): When the right hon. Gentleman says that, historically, that is the way that we have done it, does he recall the example of the Defamation Act 1996, passed in the previous Parliament, and the change to the 1688 Bill of Rights that was enacted by the Conservative Government on the application of Neil Hamilton and a bunch of his friends from the Back Benches of the Conservative party, and which the Conservative Government were happy to change without formally declaring that this was a new Bill of Rights?

Historically, was that not more important as a change, and done with less forethought and less of a declaration that we were changing the 1688 Bill of Rights than is the case now? I can see that the right hon. Gentleman is getting coaching from the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), but, on the Richter scale of historical changes to the British constitution, was not the change embodied in the Defamation Act 1996 even greater than what he is complaining about today?

Sir Brian Mawhinney: No is the answer. The change to which the hon. Gentleman refers was by a Bill before the House. That is precisely my argument, and I am deeply grateful to him for reinforcing it.

This is not modernising the constitution. This is not modernising Britain. This is tearing up our fundamental separation of powers. The Government plan to give effect to change by way of a declaration of incompatibility and, as the Lord Chancellor delicately put it:

"the declaration is very likely to prompt the Government and Parliament to respond."

That is the point.

The present Government have taken disingenuity to a new level. "Of course it has nothing to do with us," they say. "We are not in favour of undermining the sovereignty of Parliament," they say. "We would not dream of introducing a privacy law by the back door," they say. But they pass the legislation to undermine the sovereignty of Parliament and give judges new rights.

The Lord Chancellor said in another place,

"We have taken the view that if legislation has been declared incompatible, a prompt parliamentary remedy should be available."—[*Official Report, House of Lords*, 3 November 1997; Vol. 582, c. 1231.]

This afternoon the Home Secretary confirmed that.

The Government want to change the legislation by introducing an unamendable order. My right hon. and learned Friend the Member for Sleaford and North Hykeham was right to pressure the Home Secretary earlier. The Government want to introduce an unamendable order, perhaps in a matter of weeks, on the say-so of judges who, drawing on their judicial experience and their socio-political views, decide that some bit of British law is incompatible with a convention article.

Mr. Gareth Thomas: Will the right hon. Gentleman give way?

Sir Brian Mawhinney: I have already given way. Let me make progress.

The Government want to amend primary legislation by an unamendable order. In Committee, we shall ask the Home Secretary to give us examples that we can discuss, from a variety of fields, of Governments overturning primary legislation by means of an unamendable Order in Council.

Mr. Straw: I can give the right hon. Gentleman two examples. Section 2 of the European Communities Act 1972 provides for very limited powers of scrutiny by the House, where the European Court of Justice makes a judgment that our law is outwith their—

Sir Nicholas Lyell: It is totally different.

Mr. Straw: The former Attorney-General says that it is totally different. It is indeed totally different, because the provisions of the Bill before us provide far more safeguards to the House than did the European Communities Act 1972. The Deregulation and Contracting Out Act 1994 was another example, where it is far less justified, in our judgment, than in the Bill before us.

The right hon. Gentleman asked for examples. I gave him the detailed example of the Chahal case. Does he believe that it is satisfactory, where there has been a two-year delay, both in according individual rights and in giving force to the provisions of the Immigration Act 1971, for a Secretary of State to be allowed to declare someone's presence not conducive to the public good?

Sir Brian Mawhinney: The answer is: no, I do not think it is a satisfactory situation. We are now 10 months into this Parliament, and we are looking for a change. Arguing that things are not satisfactory, however, and arguing that that is sufficient basis for this legislation are two different things. We shall explore them further in Committee.

Mr. Bercow: I apologise for interrupting the eloquence of my right hon. Friend's flow. Does he agree that for such an important debate, and on a cause so close to their hearts, it is extraordinary that only one representative from the Liberal Democrats is in the Chamber?

Sir Brian Mawhinney: I find it all the more surprising because the Bill is part of the secret deal between the Government and the Liberal Democrats on constitutional issues. Over time, we are finding out what sort of price the Government are prepared to pay for Liberal Democrat support. The fact that the Liberal Democrats are not here today suggests to me that they have already done their deals and so do not need to sit in the Chamber. Perhaps we can learn more about that from the one who is present—the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan).

So it appears that we are heading for a UK Bill of Rights, not enacted by Parliament, and driven by judges who may take account of, but are not bound by, European Court precedent or parliamentary legislation. I stress that none of this amounts to an attack on judges. This country owes much to their fine minds and judicial experience. Our quarrel is not with the judges or the European Court: our quarrel is with the Government.

The Bill represents the most obvious example yet of the contempt in which the Government hold Parliament and—even worse—the sovereignty of Parliament. Other examples are Prime Minister's Question Time, devolution, and Parliament being the last to be informed. Now the very sovereignty of Parliament is being undermined.

Speaking to a conference on a Bill of Rights for the United Kingdom on 4 July last year, the Lord Chancellor said:

"The British constitution is firmly based on the separation of powers. It is essential that incorporation is achieved in a way which does nothing to disturb that balance."

The Bill does not meet that criterion. Unelected judges will be enabled to override elected Members of Parliament—such are the priorities of this Government.

Let us look at a specific example. Parliament has always resisted the introduction of privacy legislation. It has taken the view that, warts and all, a free press operating within the framework of firm libel laws is a powerful guardian of freedom in our democracy. Of course, press invasion of private lives causes real pain for those concerned; if it is unwarranted intrusion, the pain is mixed with justifiable anger. We all agree that the private lives of members of the public should remain private. Their privacy should not be swept aside just to sell newspapers. When someone's reputation is at stake, it is important that lies should not become the common currency of everyday conversation.

The right to privacy, however, should not become a cloak behind which to hide matters of legitimate public interest. No one, certainly not the Government, has yet drafted a privacy law that could distinguish between unwarranted press intrusion and the legitimate and necessary inquiries of a free press. An unfree press is bad news in a free society.

The Government say that they are in favour of a voluntary code of self-regulation. All of us welcomed the tightening of the voluntary code by the Press Complaints Commission in response to the public mood and anguish after the death, last summer, of Diana, Princess of Wales. Those tighter rules were voluntarily agreed under the leadership of Lord Wakeham, chairman of the PCC—a leadership held in high regard on both sides of the House, as the Home Secretary was generous enough to say earlier.

Yet, as it stands, the Bill provides for privacy legislation—or at least the danger of privacy legislation—by the back door. The Prime Minister says that he is against a privacy law, yet the Bill was allowed through the other place. The Lord Chancellor is fanatically in favour of allowing the judges to produce a privacy law. According to him, judges would decide—at the moment they still will decide—but they would not have to act in a vacuum, for they can look to the Lord Chancellor for guidance. We know that he was against newspapers printing anything about the life of the Foreign Secretary. We know that he was appalled at the newspaper stories criticising Ministers and wanted Ministers to sue the papers concerned. We know that he favoured prior restraint. We know that, left to himself, he would like to transform the PCC, which is not his creature anyway, into a different type of body for which PCC would stand for Prior Censorship Commission. Editors would have needed to seek approval before they could publish stories.

Of course, the editors would not do that; the PCC was aghast, as Lord Wakeham made clear; and the owners would not pay for it. But it all tells us a great deal about the Lord Chancellor's thinking—and judges pay considerable heed to his thinking.

The Home Secretary's record is an unenviable one. The last time he spoke on Second Reading of a Bill in the House, he had to throw doubt on one of the Bill's central tenets in the middle of his speech. It must therefore be difficult for him to come to the House today and, again, to have to throw doubt on a central tenet of another Bill. It represents a humiliating U-turn by the Government, a slap in the face for the Lord Chancellor—and an about-face for the Prime Minister himself.

I had a look at last Wednesday's *Hansard*, Mr. Deputy Speaker, from which I should like to quote the following exchange:

"Mr. Hague: When the Lord Chancellor says that the Human Rights Bill will lead to a privacy law, does the Prime Minister accept his judgment?

The Prime Minister: No, it will not lead to a privacy law.

Mr. Hague: . . . Will he now agree to amend the Human Rights Bill so that there is no risk of its introducing a back door privacy law?

The Prime Minister: We do not believe that that is the case.

Mr. Hague: . . . It is a bizarre situation when the Lord Chancellor says that we are to have a privacy law and the Prime Minister denies it. It is a shame that the Prime Minister does not take the Lord Chancellor seriously"—

Mr. Deputy Speaker: Order. The right hon. Gentleman may wish to quote *Hansard*, but he should not use surnames.

Sir Brian Mawhinney: I did say that I was quoting from *Hansard*—

Mr. Deputy Speaker: Order. I am giving a ruling. The right hon. Gentleman should not use surnames.

Sir Brian Mawhinney: I accept your ruling, Mr. Deputy Speaker. I shall simply say that the Leader of the Opposition said:

"It is a shame that the Prime Minister does not take the Lord Chancellor seriously when the Lord Chancellor takes himself so seriously. Is it not wrong to say that he opposes something while actually introducing it?"—

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): On a point of order, Mr. Deputy Speaker. Is it not usual, even for Front Benchers, to paraphrase comments of this kind and not to read out the minutes in this fashion?

Mr. Deputy Speaker: The right hon. Gentleman is not out of order at the moment.

[Mr. Deputy Speaker]

Sir Brian Mawhinney: The Leader of the Opposition continued:

"Is it not wrong to say that he opposes something while actually introducing it, to introduce a form of censorship under cover of human rights, and to speak of the rule of law while introducing the rule of lawyers? Will the right hon. Gentleman at least consider amending the Bill to deal with that point?"

The Prime Minister replied:

". . . this is yet another example of the right hon. Gentleman beginning a campaign with no purpose and no conviction"—[*Official Report*, 11 February 1998; Vol. 306, c. 362-4.]

—a campaign with no purpose for about five days, until the Home Secretary stands before the House today and says, "On reflection, it was a campaign with a purpose—a campaign that was right on the button." I am happy to hear today not that the Home Secretary and the Chancellor have been talking to Lord Wakeham, but that the Home Secretary has been talking to Lord Wakeham and that he will table amendments to this part of the Bill.

On behalf of the Opposition, may I say that I welcome the fact that the Government have heard the views of the Leader of the Opposition, my views and those of others. I am glad that the Government have listened to the views of the PCC, Lord Wakeham and the newspaper industry. However, given what we know of the Lord Chancellor's views and his influence at No. 10, we will await the details of the amendment before claiming that the battle has been won and that the Government have been defeated on the issue. It would be rash to do otherwise.

I am happy to accept the Home Secretary's invitation to have discussions, and with his permission I will bring with me my right hon. and learned Friend the Member for North–East Bedfordshire (Sir N. Lyell), the former Attorney-General.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I am grateful to the shadow Home Secretary, as the one section that he did not quote from my right hon. Friend the Prime Minister was the section in which my right hon. Friend said:

"We are already, as the right hon. Gentleman knows, consulting the newspaper industry and others on the issue."—[*Official Report*, 11 February 1998; Vol. 306, c. 363.]

Those consultations have now borne fruit. I am pleased that the shadow Home Secretary has welcomed that. Will he now accept that we have been straight with the House and let the House know what has been going on? That has been particularly successful, has it not, and a bit galling?

Sir Brian Mawhinney: I am deeply grateful to the hon. Gentleman for extending his question, so that I could get my laughter muscles under control.

One thing that we will want to do in particular, as the Home Secretary will understand, is to examine how far the amendments still leave the PCC at risk. From what he said, it did not sound as though what he had in mind would give total protection to the PCC, but we shall await the amendments and the discussion that he promised us and to which we look forward.

Before concluding, I shall deal with one other fundamental aspect of the Bill.

"Clause 6 makes it unlawful for a public authority to act in a way which is incompatible with the convention"—[*Official Report, House of Lords*, 3 November 1997; Vol. 582, c. 1231.]

—again, those are the Lord Chancellor's words. The Bill, he tells us, refers to public authorities "however defined". The Home Secretary made it clear this afternoon that, yet again, Parliament is to be denied a say in determining what should constitute a public authority. He was being extremely coy.

One must ask why Parliament should not define a public authority. The Lord Chancellor would not allow that to happen in the other place. It is clear that the Home Secretary, with his huge majority, will not allow it to happen in this place, even though we shall probe. If the Home Secretary is not prepared to define a public authority by identifying bodies, why will he not at least define a public authority by characteristic?

I tabled a parliamentary question last week for answer last Thursday. I asked—not unreasonably, I think—whether a public authority is defined by the spending of taxpayers' money—that is a fairly public activity—or by fulfilling a statutory function—that is a pretty public activity—or by having one or more Government appointees on its governing body. The answer that I got last Thursday was "I will reply soon to the right hon. Gentleman." The House will not be surprised to know that "soon" is not before today's Second Reading.

I tabled another question last week for answer on Friday, listing a series of bodies and asking the Government to give us an idea which of those bodies might constitute a public authority and which might not. I got a reply on Friday from the Minister, saying that he would reply soon. Of course, "soon" is not before the Second Reading of the Bill.

Why the coyness? If the Government do not want to set out a list of bodies, why will they not at least define the characteristics of a public authority? We know, from what the Home Secretary and the Lord Chancellor said, that public authorities includes Government Departments, the police, the BBC but probably not ITV, although perhaps the Independent Television Commission, and the Press Complaints Commission.

That may be changed by amendment, but the PCC came as something of a surprise, for it is an entirely private body in the ownership of the newspaper industry, funded by the newspaper industry and not fulfilling any statutory function; yet it is to be a public authority. The Home Secretary will have managed to scare charities throughout the country this afternoon by suggesting that they may also be characterised as public authorities.

Mr. Edward Leigh (Gainsborough): Has no answer been given about what constitutes a public authority because the answer may be too embarrassing? While a huge organisation such as the Murdoch newspaper empire may be considered a private body, a small local parish church will be considered a public body because it conducts marriages, and will therefore be liable to be sued.

Sir Brian Mawhinney: My hon. Friend may be right. That may be to spare the Government embarrassment. It may be because the Government do not know. It may even be because the Government do not much care. If the latter were the case, it would be in the spirit of the Bill, which is the spirit of a Government washing their hands of their

primary responsibility to Parliament, while giving power to the judges, which secretly the Government do not mind, but do not have the nerve to do directly through the House.

I welcome the Home Secretary's announcement that he will consult with Churches about the amendments that were carried in another place against the Lord Chancellor and the Government in respect of Churches and Church schools. The House will have heard what he said about the legislation. It roughly corresponded to what the Lord Chancellor told another place. Another place did not accept those assurances and legislated accordingly.

The Opposition attach considerable significance to the changes that were introduced in another place. Were the Home Secretary, in the spirit that he has already displayed, to invite me to come in and talk to him about this issue also, I would be more than happy to accept his invitation.

Mr. Straw *indicated assent.*

Sir Brian Mawhinney: I am grateful to the Home Secretary for indicating that I can look forward to such an invitation.

This is a Home Office Bill which owes much to the Lord Chancellor. It is not about whether hon. Members support human rights for UK citizens; we do. It is not about whether we support the convention and its interpretation by the European Court of Human Rights; we support the former, and most of the time the latter. When, occasionally, we have not agreed with the Court, we have nevertheless amended our law, as is required of convention signatories.

The Bill is not even about giving human rights to our citizens—they have them already. Whether intentional or not, the Bill is about diminishing the sovereignty of Parliament; it is about weakening our democracy and changing fundamentally the balance of the separation of powers between the Executive, the legislature and the judiciary. The result will be a further increase in the power of the Executive, the diminution of Parliament and the politicisation of the judiciary.

No Act of Parliament will set out how the broad statements of the European convention should be understood in British law or to whom they should apply. Members of Parliament elected from 659 constituencies across the nation to protect the public interest will be mere bystanders as the courts interpret the meaning of the convention and, perhaps inappropriately, gag our press. The Government like to claim that they keep their promises—they say that even when they are breaking them. Before the election, the Government did not promise the British people that they would undermine the sovereignty of Parliament—but that is what they are doing in this Bill. For that reason above others, we do not support the legislation.

ROYAL ASSENT

Mr. Deputy Speaker (Mr. Michael J. Martin): I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Act:

Public Processions (Northern Ireland) Act 1998

Human Rights Bill *[Lords]*

Question again proposed, That the amendment be made.

5.21 pm

Mr. Terry Davis (Birmingham, Hodge Hill): As leader of the United Kingdom delegation to the Council of Europe Parliamentary Assembly, I am delighted that the Government have introduced the Bill at such an early stage in this Parliament.

The Bill is welcome for two important reasons. First, it has intrinsic importance. The shadow Home Secretary is correct to agree with the Home Secretary in saying that the Bill does not extend human rights. However, it does extend the effective implementation of those human rights, which is extremely important. Human rights are not simply a matter of legislation, convention and treaties. It is important that we are able to implement human rights. People must be able to obtain redress: they must be able to go to an independent body, plead that their human rights have been infringed and have that body adjudicate on the issue. An independent body exists in the form of the European Court of Human Rights in Strasbourg, which is one of the most important institutions of the Council of Europe. However, the Court is located in Strasbourg. The Bill enables British people to go to courts in this country to argue that their human rights have been infringed and obtain redress. My right hon. Friend the Home Secretary should be congratulated on bringing the Bill before the House of Commons.

While listening to the shadow Home Secretary, I was struck by the fact that he seemed to have only four arguments against the Bill. He did not argue against human rights: he made it clear that he agreed with and supported the convention on human rights. He could do little else: even the modern Conservative party accepts the convention on human rights, as did its predecessors over the past 50 years. The shadow Home Secretary argued that this is a bad Bill for four reasons.

First, the right hon. Gentleman said that the Bill would lead to judge-made law. He made it clear that he was not a lawyer. I do not claim to be a lawyer either, but I seem to recall that a great deal of law in this country may be regarded as judge made, as a result of centuries of British jurisprudence. Therefore, I do not think that the shadow Home Secretary's argument carries much weight.

Secondly, the shadow Home Secretary argued that the Bill would introduce a privacy law by the back door. He made great play of exchanges during Prime Minister's Question Time. I remind the shadow Home Secretary that Conservative Members seem to be having it both ways. During a debate in the Council of Europe Parliamentary Assembly in September, the hon. Member for Bournemouth, East (Mr. Atkinson)—the leader of the Conservative Members in the delegation—argued that we needed a privacy law and greater protection of privacy in view of the events surrounding the death of Diana, Princess of Wales.

It was Labour delegates who argued that, despite concern about those events, we should not hasten to legislate or devise a new convention on privacy, lest, in our haste and concern, we took an unbalanced view and impinged on the freedom of the press to publish reports about improper behaviour by public figures. There are

[Mr. Terry Davis]

many examples of such behaviour: I am thinking back over decades, rather than the past few months. People—not least Robert Maxwell—have used the law successfully to prevent the publication of details of their financial transactions, business practices and so on. Labour Members are particularly concerned to ensure that we do nothing to strengthen the hand of Robert Maxwell's successors in the City of London and elsewhere, and thus enable them to avoid unwelcome publicity. However, the hon. Member for Bournemouth, East argued in favour of stronger privacy laws and called for a new convention to introduce them.

Thirdly, the shadow Home Secretary said that the Bill would lead to a conflict between the judiciary and Parliament. On the one hand, he said that the judges would use the convention to extend our rights and, on the other, he said that judges would use the convention to conflict with laws enacted by Parliament. We shall have to wait and see, but I think that that is most unlikely. However, if judges decide that an Act of Parliament passed by any parties represented in this place—parties dedicated to the concept of human rights and supporting the European convention on human rights—contravenes that convention, I think that we should be grateful to those judges for drawing that fact to our attention. I put it no stronger than that. Nothing in the Bill affects the sovereignty of Parliament. If the House of Commons and the House of Lords decide, in their wisdom, to stand against the convention on human rights, we shall do that—and pay the consequences in terms of our membership of the Council of Europe. However, I cannot conceive of that occurring. It has not happened in the past 50 years, and I cannot believe that hon. Members would be so cavalier as to disregard the convention's provisions.

Fourthly, the shadow Home Secretary's real motivation was revealed in a point that he made early in the speech. He said that introducing the procedure to enshrine these rights in British law and to involve the British courts would mean that more people would take action to secure their rights. I believe that a right is a right only if it can be obtained. It is no good having paper rights: rights are real things. People must be able to obtain redress quickly and cheaply. They should not incur the delay and expense involved with going to the Court in Strasbourg. That process takes far too long.

One criticism that I have of the Council of Europe is the time that it takes to bring a case before the European Court of Human Rights. By contrast, the shadow Home Secretary believes that it is a mistake to make it easier for people to exercise their rights. I do not agree—and neither do my right hon. and hon. Friends. We believe that if human rights are to be effective, it must be possible to obtain them quickly and cheaply. That means going to the British courts rather than waiting to bring cases before the European Court of Human Rights in Strasbourg—although that safeguard will remain.

Mr. Ruffley: Does the hon. Gentleman foresee an extension in the take-up of legal aid or the legal aid budget as a result of individuals seeking to claim their rights in United Kingdom courts? If so, where will the money come from?

Mr. Davis: It is quite possible—indeed, it was implied by the shadow Home Secretary, but has now been made explicit by the hon. Member for Bury St. Edmunds (Mr. Ruffley)—that people will apply for legal aid and get it; otherwise, they will not be able to get their rights. Rights that are available only to the rich are not rights at all. My hon. Friends and I believe that for human rights to be real rights, they have to be available to everybody, not just to those who can afford to go to court.

Mr. McNamara: Is my hon. Friend aware of the case of Airey *v.* Ireland, where the Court of Human Rights in Strasbourg said that to be able effectively to seek justification of a right, there was a duty on the public authorities to ensure that justice was accessible?

Mr. Davis: My hon. Friend, who is an active member of the Legal Affairs and Human Rights Committee of the Council of Europe Assembly, is absolutely right. He spends a great deal of his time ensuring that people have access to human rights in other countries in Europe. He is right to remind us, and to support my contention, that we should do everything that we can to make it possible for people in this country to have access to human rights and to ensure that those rights are observed, regardless of the depth of their pockets. That is an important consideration. I do not think that my right hon. Friend the Home Secretary would accept for a moment that human rights should be restricted only to those who have the means to go to court.

There is a second reason to welcome the Bill: its symbolic importance. It is important from the point of view of relations with the whole of Europe not only that we are involved in the campaign for human rights in eastern, central and western Europe, but that we are seen to be concerned about human rights in our own country. By introducing the Bill, my right hon. Friend has demonstrated that the Government are concerned that human rights are part not just of our foreign policy, but of our domestic policy, and that human rights and the conventions of the Council of Europe are an integral part of our approach to Europe.

The convention on human rights is not being imposed on anybody. Every signatory to the convention has signed it because the Government of the member state and, in almost all cases, the Opposition agree with it. By integrating the convention on human rights into our law, we are showing that we are an integral part of the best part of European developments.

For all those reasons, my right hon. and hon. Friends deserve to be congratulated, and on behalf of the delegation to the Council of Europe Assembly, I do so.

5.32 pm

Miss Ann Widdecombe (Maidstone and The Weald): I shall devote my remarks to one particular issue, on which the Home Secretary touched equally briefly in his speech—the Church.

I raise this point almost with reluctance, because if the Division lists are right, when the original amendment was voted on in the House of Lords, it was defeated by a margin that was smaller than the number of Lords Spiritual who were not present. It continually amazes me that the Church of England can see danger ahead, yet never seems to pipe all hands to the deck. I object to the fact that it is often left to the laity to clear up clerical derelictions. However, that said, we should look at the two amendments that were considered in another place.

In raising this issue, I speak personally as a Christian and not just for the Christian Church, because if the second amendment has the effect that we fear it will have, it will affect all Churches regardless of denomination. It will, for example, affect ethnic minority Churches just as much as the established Church of the country.

I would have preferred that the first amendment that was considered in another place had been carried. It sought simply to exempt the Church from the provisions of clause 6, so that religious bodies would not be able to be defined as public bodies. That amendment was lost by a narrow margin, as I have said.

A subsequent amendment—to provide a defence for a Church, on the ground of religious belief, against actions that might be brought against it in its capacity as a public body—was carried in another place. Although I welcome that amendment and congratulate Baroness Young and Lord Alton of Liverpool on their sterling efforts to get it through, it is very much a second-rate option. I hope that the first option will be tested in this place.

Germany has decided that it is right to introduce additional safeguards for Churches and religious bodies. It did so because it does not share the interpretation of article 9 that the Home Secretary seemed to be putting forward. We would do well to follow the German example and make a point of protecting our Churches.

Having made rather disparaging remarks about the Lords Spiritual in another place, I must now tell the Home Secretary that he, too, was at fault, because the Churches were not consulted on this. Indeed, it appears that the definition of a public body was made clear only in Committee in another place. That seems a most extraordinary way in which to address the important issues that are in a Bill of such magnitude.

Mr. Leigh: Does my right hon. Friend agree that it would be extraordinary if the Government did not accept the amendment that was passed by the other place, because it merely puts on the face of the Bill what the Lord Chancellor assured the other place would be the position once the Bill was passed?

Miss Widdecombe: Yes. As I have made clear, I would prefer that we test the rather stronger option of exempting the Church altogether.

Although the Home Secretary did not consult the Churches earlier, I welcome the offer that he made at the Dispatch Box today. I very much hope that it will be taken up. I would like to get in an early request to meet him on that basis.

Arguably, clause 6 goes much further than the European Court of Human Rights, which has always treated Churches as religious groups and autonomous bodies.

Article 9, on which the Home Secretary relies, is concerned with the religious freedom of the individual. Indeed, if article 9, which guarantees the religious freedom of the individual, is not balanced by the protection of the freedom of a Church, an individual clergyman in, say, the Church of England, could make a public statement that he did not believe in God and claim a religious freedom of conscience, and the Church would have no defence to its sacking him. That could happen if an individual's rights in article 9 were not balanced by an overriding right of a Church to its religious beliefs and practices.

The Home Secretary named one or two anomalies that could arise, and said, "These can't happen." With respect, he did not demonstrate that to the House. If Churches are classified as public bodies for certain functions, abortion clinics could demand to be allowed to advertise in the Roman Catholic press; people who are entitled under civil law to remarry following divorce could demand the same from the Roman Catholic Church; and ethnic minority religions that do not practise equality of opportunity would be compelled to do so. If the Home Secretary thinks that that is impossible, I ask him carefully to study the speech of Lord Alton of Liverpool in another place, which includes examples of where such intolerance has been practised following the subjugation of the Church's religious function to civil rights and, probably, to the politically correct lobby.

We are told that the purpose behind the Bill is to protect the rights of the individual against the state. It appears, however, given the Churches' position, that individuals and Churches will lose their rights of religious freedom and will be suppressed by state law. I find that odd.

To turn away from the Church, I have little respect for a Bill that talks about the right to life and extends that right to absolutely everyone except the weakest life of all—that in the womb.

5.40 pm

Mr. Kevin McNamara (Hull, North): I listened to the shadow Home Secretary, the right hon. Member for North–West Cambridgeshire (Sir B. Mawhinney), having listened to my right hon. Friend the Home Secretary. The more I listened to my right hon. Friend, the more convinced I became of the value of the Bill. The more I listened to the right hon. Member for North-West Cambridgeshire, the more I thought that he did not understand the Bill. For him, as someone who from time to time introduced statutory instruments of 160 or 250 articles—for example, the Education Reform (Northern Ireland) Education Order 1989—that could not be amended anywhere to suggest derogation from parliamentary sovereignty was, I found, a bit rich.

I shall talk about the Bill. I am disappointed that it does not contain the whole of the preamble of the European declaration on human rights. Two of the introductory paragraphs from the preamble demonstrate the underlying principles behind the declaration, which we should be welcoming and accepting as the spirit of the proposed legislation that is before us.

The paragraphs refer to the signatory Governments in terms of

> "Reaffirming their profound belief in those fundamental freedoms which are the foundation of justice and peace in the world and are best maintained on the one hand by an effective political democracy and on the other by a common understanding and observance of the human rights upon which they depend;
>
> Being resolved, as the governments of European countries which are like-minded and have a common heritage of political traditions, ideals, freedom and the rule of law, to take the first steps for the collective enforcement of certain of the rights stated in the Universal Declaration".

We should be proud that we are putting those sentiments into our legislation. We should be proud also that it was British draftsmen who played a major part in setting them out. We should delight in the fact that, as we are about to celebrate the 50th anniversary of the Council of Europe,

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the provisions to which I have referred are to be incorporated in our domestic legislation. We should all be proud of that.

We are following in the great tradition of liberal and freedom legislation, which has its roots in our own Bill of Rights and in the American declaration of independence. The convention's rights lie also in the writings of Tom Paine and the declaration of the rights of man of the French revolution—indeed, all those great things that make for individual human liberty. Contained within the convention are all the great ideas for which people were fighting in the course of 19th century liberalism. It is sad that only at the end of the 20th century are we incorporating such rights in British law.

The main defect of the proposals before us is that they are concerned primarily with 19th century liberalism. Economic, cultural, ethical and other freedoms are not included in the Bill, except briefly and in a negative way in only one of the clauses.

The Bill is probably the most far-reaching and important of all the constitutional measures that have been introduced by the present Administration. It will require common law henceforth to be developed consistently with the European convention on human rights. It will require also that all primary and secondary legislation be henceforth construed as far as possible so as to be compatible with the provisions of the convention. What can possibly be wrong with that? Which of the human rights as listed do we not accept?

Mr. Hogg: The hon. Gentleman might care to focus on the problem that although the language of the convention is, of course, perfectly acceptable, rights are expressed in very general terms. For more than 40 years, the European Court has interpreted those rights to an extent quite beyond that ever contemplated by the founding fathers. It is a moving convention. It is a mistake, therefore, to talk about it as a fixed system of law. The problem is that it is a constantly changing system of law that is developed by a continuing stream of judicial interpretations outwith the contemplation of the founding fathers.

Mr. McNamara: What a splendid point. English common law developed in exactly the same way through attitudes and interpretations. Once judicial interpretations begin, we have judicial interpretations of judicial interpretations of judicial decisions.

I am surprised that Opposition Members, many of whom are learned in the law, find it strange that judges should be examining declarations and interpreting them, bearing in mind the generality of so many of the laws that we have introduced.

More important is that the breadth of the Bill is enhanced by the fact that all courts and tribunals will have to have regard to its terms, including all public authorities. I take the point made by the right hon. Member for Maidstone and The Weald (Miss Widdecombe). They will be bound to act consistently with convention rights as set out in the Bill.

It seems that that causes problems for Opposition Members. Some of them ask, "What will happen to the Churches?" I understand that argument and I take it on board. The answer is that we shall have interpretations. Ultimately, however, the issue could still go to Strasbourg, followed by an interpretation that Opposition Members may not like. It seems that those on the Opposition Front Bench would be prepared to accept such a ruling. In other words, the position remains the same—unless the Opposition are arguing that we should start to pick and choose, accepting some interpretations and rulings but not others. We cannot do that and remain in the overall organisation.

Sir Brian Mawhinney: Does the hon. Gentleman think that Churches should be public authorities in terms of the Bill?

Mr. McNamara: No, I do not. Whether they are or are not, decisions will be made in Strasbourg, despite what my right hon. Friend the Home Secretary may say. I think that we can find a way of removing the Churches from that definition. Indeed, I welcomed what my right hon. Friend said. I hope that I can be a member of the happy club that will talk to him about these matters, with an archbishop here and a cardinal there, along with the right hon. Member for Maidstone and The Weald and a spokesman for the Liberal party. We might even go to a remote island to sort things out while at a spa, for example.

Mr. Terry Davis: Iona.

Mr. McNamara: Perhaps not at this time of year. Given the attitude that some Opposition Members are taking, it might be better to go to Lough Derg.

Miss Widdecombe: The hon. Gentleman said that he would be quite happy to remove Churches from the definition. I take it that if the Opposition were to table the original Lords amendment in this place, the hon. Gentleman would support it.

Mr. McNamara: I never give hostages to fortune, especially in the form of Conservative amendments. I shall wait and see before reaching my own decision. I merely add that I would have loved the right hon. Lady to be in the Lobby with me when we sought to stop the Government taking money away from single parents. That would have been great, because it would have removed some of the pressure on single mothers to have an abortion.

It is interesting to note who will be covered by the Bill, because public authorities such as the Immigration Appeal Tribunal, the employment appeals tribunal, the police, the Prison Service and immigration adjudicators have a significant effect on the rights of individuals. The application of certain European cases will also be important. The Gibraltar case of McCann *v.* United Kingdom may involve an obligation on the state not to organise police operations so negligently that they result in incidents in which individuals are inevitably shot by agents of the state. That would have important ramifications for Northern Ireland, for the people killed in Loughgall and for the 20-year discussion that we have had about the use of lethal force in Northern Ireland.

Ribitsch *v.* Austria involved mistreatment of people in custody. In the important case of Soering *v.* the United Kingdom, the European Court of Human Rights gave extra-territorial effect to the convention. It declared that

if a person were to be extradited to the United States to face a charge that could result in capital punishment, an undertaking would have to be given that that person, if found guilty, would not be placed on death row.

I welcome my right hon. Friend's remarks about the press. It will be interesting to see the amendment, and whether I agree with it will depend on what it contains, but it seems reasonable. But why the argument? Decisions of the European Court of Human Rights could result in privacy laws that would be binding on us. That is the answer to those who argue about the press, and about whether we should or should not give way to Rupert Murdoch. The European Court of Human Rights would be the final arbiter, and we would have to accept its decision.

Following the sad death of the Princess of Wales, I took part in a Council of Europe colloquy on privacy laws. The jurisprudence of the Council of Europe is in favour of the freedom of the press. Member states that have introduced legislation to protect the privacy of the individual were the most vociferous in demanding such laws, whereas others felt that countries should not legislate too harshly so as to protect the independence of the press.

The Press Complaints Commission can regulate the press to prevent people from being annoyed about invasions of their privacy, and can provide safeguards so that the press can pursue its legitimate activities. However, all the members of the Press Complaints Commission are appointed by press barons. It is financed by press barons. It is regulated by press barons, and it adjudicates on its members, depending on their size and wealth. It can rap them over the knuckles, but one never hears of newspapers being punished by not being allowed put their editions on the streets for two days, or by having to pay a heavy fine. That would be a Press Complaints Commission with real teeth.

The Bill does not deal with equality issues, except under article 14 of the convention. There is a major weakness in the anti-discrimination provision. It is not a free-standing prohibition on discrimination: it is parasitic on the other provisions of the convention and subsidiary to them, as it is to be brought into play only when other convention rights are at issue. It does not include the concept of indirect discrimination. The provision is negative: it prohibits some discrimination, and it does not require the Government to promote equality of opportunity. I say again that the Bill deals with individual rights, and does not deal with community, cultural, ethnic and language rights.

The Bill will be important for Northern Ireland. In its policy statement, the Ulster Unionist party said that it would accept legislation that gives effect to the European convention on human rights for any assembly that may be established. It said:

"Consequently . . . a cumbersome structure of checks and balances would be unnecessary."

I read that as a threat to the Fair Employment Commission in Northern Ireland, but I hope that I am wrong. Any agreement that emerges from the present talks, or any action taken by both Governments if the talks should sadly fail, should include a clear and unambiguous declaration of equality as a human right. An agreement should contain certain principles. No public authority should be able to discriminate unfairly, directly or indirectly, against anyone on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language, birth, nationality or national origin. That is a pretty comprehensive list, but other grounds could be added if necessary.

Discrimination is only part of the problem. Public authorities should be under a duty to promote full and effective equality of opportunity between all parts of the community in Northern Ireland in any areas of economic, social, political and cultural life in which they are involved. A Bill imposing a duty on public authorities to provide equality of opportunity was introduced by Labour Members in the previous Parliament. It was supported by my right hon. Friend the Secretary of State for Northern Ireland, who was then the Opposition spokesman, and by the leader of the Ulster Unionist party.

Social need should be properly targeted, which may require affirmative action programmes. Positive discrimination may be necessary to tackle inequality.

We should establish principles that would enable full equality to be achieved and would give people the ability fully to participate in decision making. The European Union insists on such principles when moneys are allocated to Northern Ireland to underpin the ceasefire and to redress the balance in disaffected and underprivileged areas.

Those ideas go beyond the concept of human rights in the Bill. We should be dealing not with 19th century civil and human rights but with what should happen in the 21st century. Many of the points that I have made have been covered by the recent Council of Europe framework convention on national minorities. Such matters must be put into practice.

Public bodies must be put under a duty to create arrangements to ensure that their various functions and responsibilities are carried out with due regard to the need to comply with equality and non-discriminatory legislation.

I do not want to bore the House with the rest of my recipe for what needs to be done in Northern Ireland, but I suggest that some of the issues that we are discussing in relation to that area should concern Ministers, for they apply here in Great Britain. Many issues relating to the Equal Opportunities Commission, the Commission for Racial Equality and the proposed disabilities commission, for instance, go beyond the realm of individual human rights, involving groups and classes of human right—ethnic, cultural, linguistic and so on.

What I have said, I have said with the aim of contributing to an improvement in the Bill. In particular, I should like Ministers to reflect on this: whatever we decide to do about public authorities—and I hope we can find a way of dealing with that issue—we should also consider those who are entitled to come before the courts. At present, we are talking only about the individual who seeks redress. We should consider whether—as can happen now—non-governmental bodies can ask to bring cases before the courts for a declaration, so that a court can almost anticipate what may happen. I am thinking of bodies such as the EOC, the CRE, the Standing Advisory Committee on Human Rights, Liberty and other non-governmental organisations that are involved with personal human liberties, cultural or individual.

Finally, the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) spoke of the great freedoms that the previous Government gave trade union

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members. I thought of the greatest freedom that he gave them: when they are engaged in a legal strike, after going through all the hoops introduced by Conservative legislation, their employers can still dismiss them. So much for the Conservatives' idea of human rights.

6.1 pm

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): The Bill is the centrepiece of the constitutional resettlement on which the Government embarked before the election, with the full-hearted support of my right hon. and hon. Friends. As is well known, we entered into a broad agreement on a legislative programme for constitutional reform that was unprecedented not only in itself, but in its scope and ambition. I have no doubt that that was right, for constitutional reform requires broad cross-party support if it is to be effective and stable.

In the foreword to the document that our two parties published before the election, the right hon. Member for Livingston (Mr. Cook)—now the Foreign Secretary—and I wrote:

"Democracy and freedom cannot be taken for granted. Every generation has a responsibility to ensure that these principles are given fresh meaning and defended against any tendency on the part of those in power to diminish their accountability to the people."

I believe that, in the Bill, the Government have recognised the strength of that thought.

We proposed that the fundamental human rights and freedoms guaranteed by the European convention on human rights since 1951 should be incorporated in United Kingdom law by Act of Parliament. Hitherto, to obtain the protection of the convention, our citizens have had to go to Strasbourg and appeal to the Commission and the Court, a long and expensive course which denies effective remedies to many of them. The Bill brings those rights home, in the words of the Government's paper.

As the Home Secretary said, a number of attempts have been made in Parliament to achieve that end. The late Donald Wade and Lord Scarman introduced such measures, which received the support of another place, and, as long ago as December 1983, I introduced a private Member's Bill with the same purpose. That Bill enjoyed cross-party support in the House of Commons. It is worth recalling, in the light of the bizarre Conservative amendment, that it was sponsored by—among others—Sir Geoffrey Rippon, Norman St. John-Stevas, Terence Higgins and Sir Edward Gardner, of whom the Home Secretary spoke.

It is not surprising that the Bill enjoyed Conservative support then. The convention rights had originally been advanced in the Council of Europe by Sir David Maxwell Fyfe, as a rapporteur of the Council of Europe's committee on human rights. He later became a Conservative Lord Chancellor, as Lord Kilmuir. The convention owed a great deal to the common law of this country, and no Conservative Government have seen fit to question the entitlement of British citizens to seek protection of those rights by individual petition to Strasbourg.

What I think will astonish many observers of the new Conservative party under the leadership of the right hon. Member for Richmond, Yorks (Mr. Hague) is the spectacle of the Conservatives' preferring rights to be protected in future not by our own judges in our own courts, but by foreign judges in a foreign court. What a falling-off is there. It is hard to escape the conclusion that, in attacking a Bill to repatriate human rights, the new Conservative party is cynically hoping that the convention rights will simply wither away through inaccessibility.

The language with which the Conservatives have dressed up their amendment is fanciful, in respect of both what it implies about our present constitutional arrangements and what it purports to believe would be the consequences of the Bill's enactment. It is fanciful to suggest, as the amendment does, that our constitution effectively reflects the principle of separation of powers between Executive, legislature and judiciary.

A large part of the speech of the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) was devoted to an excoriation of the Lord Chancellor, who in himself is a standing illustration—if one were needed—that the powers are not separate within our constitution. He—the senior judge of the realm, legislator in the upper House and member of the Executive—is a full member of the Cabinet. It is cant to talk about seeking to protect our constitution in the way in which the right hon. Gentleman did.

There is much to be said for a greater separation of powers than we have known in this country. The executive arm of government is too dominant in our constitution. The present Administration deserve credit for recognising that and voluntarily taking steps in the Bill to make it more accountable. The threat to our freedoms can be found in the propensity of British Governments to use this House and this Parliament simply to ratify their will. It is fanciful to suggest that the Bill will lead to a diminution of Parliament.

Unlike earlier attempts to incorporate the convention, and unlike the European Communities Act 1972—which, as the House was reminded, was introduced by a Conservative Government—the Bill does not give primacy to treaty rights where there is a provision in this Parliament's legislation that is incompatible with a convention right. In their endeavour to ensure the supremacy of Parliament, the Government have followed a novel course. They have provided only that the courts may make a declaration of incompatibility. They have eschewed the more normal statutory interpretation that there has been an implied repeal if Parliament has enacted a measure subsequently. As a result of the form in which the measure is couched, it falls to Parliament to decide whether to safeguard the convention right by the means set out in clauses 10 to 12.

It might be argued that a Bill of Rights should indeed be the fundamental law of the land, impliedly repealing all incompatible legislation, but that is not the way of this Bill. Far from introducing, as the amendment suggests, an "incompatible constitutional framework", the Bill is deferential to the sensitivities of the judiciary about being given an overriding constitutional power. That is no doubt why the Bill enjoys the support of the Lord Chief Justice, the Master of the Rolls and an overwhelming majority of senior members of the judiciary who are to likely to be called on to apply the convention rights and jurisprudence of the European convention and the Court of Human Rights if the Bill is enacted.

Mr. Hogg: Before the right hon. Gentleman leaves clauses 10, 11 and 12, would he be good enough to tell

the House whether he and his party support the proposition that primary legislation should in this case be amended by statutory order, or agree with the proposition of my right hon. Friend the Member for North–West Cambridgeshire (Sir B. Mawhinney) that, should primary legislation require amendment, it should be amended by primary legislation?

Mr. Maclennan: I disagree profoundly with the right hon. and learned Gentleman. The matter need not have been dealt with in the way in which it has been in the Bill. I would have taken sustenance from recalling his learned father's words about the constitution—when he was not in office—and the tyranny of elected representatives. The Bill falls over backwards to secure the supremacy of Parliament—further, frankly, than I think was necessary. I certainly would not support an amendment along the lines that the right hon. and learned Gentleman is suggesting, which would not deal with problems that arise when a measure has been found to be incompatible with the European convention and which would leave the litigant without a remedy and inevitably force a long and expensive course of action through the Strasbourg courts. Indeed, in some cases, such a process would greatly embarrass the Government, particularly where it is clear that the law is not on the Government's side, as has often been the case.

I said that the Bill enjoys the support of the senior judiciary. It ought also to enjoy the support of the legislative arm of our constitution because it is so deferential to the authority of Parliament. If Parliament acts to repeal measures that are incompatible with the convention, it will perhaps do something to strengthen the regard in which Parliament is held as the guarantor of the fundamental rights and freedoms of our citizens. Too often have we in recent years been seen to be powerless in the face of the abuse of power by the executive arm of government; too often have protests fallen on deaf ears; too often have individual Members of Parliament had to recognise that they were in no position to set aside such abuses.

The Government have made it plain that they will look favourably on the establishment of a Standing Committee to advise on the working of the Act in practice. I welcome such a development. I hope that the President of the Council will bring forward recommendations to give effect to that. The Conservatives' amendment is unworthy of a party which claims to have regard for individual freedom.

Looking to the future, I would favour a constitutional settlement that rebalances the powers of the Executive, the legislature and the judiciary. Such a written constitution, accepted by the people, would reflect the wider distribution of public power and secure greater accountability for its exercise. It would embody the settled view of people as to where the line should be drawn, delimiting the exercise of public power. But that is not for today. The Conservative party, in its amendment, seems simply to be trying to take some of the shine off a golden measure, which sets enforceable legal limits to the great powers of government. The Bill, which secures the European convention in the laws of the United Kingdom to provide effective remedies in our courts for breaches of convention rights by public authorities, including private bodies that exercise public functions, is greatly to the Government's credit.

The introduction of the Bill in another place has given us in this House the benefit of the opinions of many who are learned in the law. Since the Conservative party's amendment refers to

"the politicisation of the judiciary",

I should like to draw attention to the remarks of the Lord Chief Justice, Lord Bingham of Cornhill, on Second Reading. In answer to the fear that judges might be drawn into politics, he reminded the other place that that had not happened in other member states of the Council of Europe that had already given effect to the convention. He pointed out:

"judges already from time to time find themselves deciding cases which have political, sometimes even party-political, implications. The judges strive to decide those cases on a firm basis of legal principle."—[*Official Report, House of Lords*, 3 November 1997; Vol. 582, c. 1246.]

I do not doubt that that is what our judges will do if the Bill becomes law.

In the development of the role, it will be helpful to the judiciary to be able to take account of the jurisprudence of the European Court of Human Rights and of the opinions and decisions of the Commission, as provided in clause 2. It will also be helpful that clause 3 requires, so far as is possible, that legislation be read and given effect in a way that is compatible with convention rights.

There are two matters about which there has been recent debate and which we shall no doubt wish to consider in detail in Committee. The first concerns the position of Churches. It is indeed surprising that this issue should have arisen, since article 9 of the European convention specifically gives explicit and powerful protection of the rights of conscience and religion. Article 2 of the first protocol of the convention gives rights to parents in respect of religious education in accordance with their consciences. If doubts remain, they must and shall be addressed. I cannot see any practical problems for the Churches that will flow from this measure, which is designed to safeguard individuals from the misuse of public power.

The second anxiety that has emerged relates to the impact that article 8 of the convention on guaranteeing respect for privacy may have on the freedom of the press. The anxieties that have been voiced are misplaced. Article 10 of the European convention secures the right to freedom of expression, limited only by such restrictions as are prescribed by law and necessary in a democratic society. Those two articles are clearly balanced. They have been tested in a number of cases before the European Court. The Home Secretary spoke particularly of *The Sunday Times* and the thalidomide case and the "Spycatcher" case, which have made clear that claims to personal privacy must not be allowed to defeat the vital public interest in free expression except where really necessary and where what is at stake really is the individual's private life.

Article 8.2 qualifies the right to respect for personal privacy where it is necessary to protect the rights and freedoms of others, including the right to freedom of

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speech. It is not only within the jurisprudence of the Court but even in the very language of the convention that primacy is given to freedom of expression.

Mr. Bercow: I am following closely the thrust of the right hon. Gentleman's argument. What does he think would happen in the event of a conflict between a convention right and European Community law?

Mr. Maclennan: The convention right applies within the EU and if there were a conflict, it would prevail. The hon. Gentleman will be aware of the movement within the EU to incorporate the convention as a matter of EU law, but that is simply to reflect the view and wish of the member countries to give primacy to the convention rights. EU legislation greatly amplifies the broad principles and we in this House have seen the anti-discriminatory provisions of employment law advanced more rapidly under the EU provisions.

Mr. McNamara: The hon. Member for Buckingham (Mr. Bercow) has a point, which we will have to discuss in Committee. As a result of the Amsterdam treaty, the EU has given further powers to the European Court of Justice, including some in human rights. The possibility of conflict does exist.

Mr. Maclennan: There may be conflict, but I would take the view that the EU institutions will expect to give primacy to the convention provisions on fundamental rights and freedoms.

The thrust of the Bill is to secure remedies in our courts and to open up access. I wish to address two matters that have not been touched upon in the debate and on which I must express some reservations—even disappointment. These matters seem potentially to limit the wider aim of the Government to open up access.

The first concerns the matter of standing. It is unfortunate that the Bill imports the European victim test, thus requiring interested bodies to seek to extend the protections of the convention rights to file amicus curiae briefs rather than to be party to the action. It is unfortunate that the Government have not accepted the standing rules governing judicial review generally. I hope that that will be the subject of an amendment.

My second disappointment is that the Government have not yet concluded that it would be right to set up a human rights commissioner or commission—or similar public body—to provide advice and assistance to those seeking the protection of the convention rights, as envisaged by the Labour and Liberal Democrat parties prior to the election. We consider that it would be useful to have such a body, able to bring proceedings to secure effective compliance with the convention, whether by judicial review or by representative proceedings on behalf of a number of people.

I am aware that the Government have not finally rejected the proposal and they have indicated that it might be considered by a Select Committee of the House, if one were to be appointed. I hope that if we are faced with delay, it is delay only and that that delay does not of itself diminish the effectiveness of the measure at the beginning of its life. There is also an important potential educational role for such a body in helping to create a climate in which the very thought of advancing measures that might fall foul of the convention would be diminished. Such a body would greatly contribute to widening awareness, as well as to preventing and remedying breaches of fundamental rights and freedoms.

In conclusion, I express my admiration of the speed with which the Government have proposed the Bill, honouring a core constitutional commitment. I also acknowledge the way in which the Home Secretary and the Lord Chancellor have listened to concerns and have shown openness to ideas capable of improving the Bill. I do not share the view expressed by the right hon. Member for North–West Cambridgeshire that listening to people's ideas about a published Bill is a matter of which Ministers should be ashamed or embarrassed. In my view, it is the very reverse. To publish a subtle and clever Bill of such major importance—couched in broad terms as it is—is to take the risk that some of its measures may have an effect that is not initially perceived, but the Government are right to have done so and to have proceeded in that way.

The Government were right to listen, and they have already accepted one or two amendments in another place that have definitely improved the Bill. This is a measure in which they can take legitimate pride.

6.24 pm

Mrs. Ann Cryer (Keighley): I welcome the fact that the Labour Government have proposed the Bill, thus fulfilling another pre-election promise to our electorate. I know that there is widespread support for the Bill in my constituency.

As one of the two Yorkshire representatives from the Back Benches on the Council of Europe—the parent body of the European convention on human rights—and a member of the Council's human rights committee, I am particularly pleased that our constituents will have access to the redressing of human rights abuses here without the expense and inconvenience of travelling to Strasbourg—which, I can say from experience, can be intensely cold in January.

Article 8 of the convention provides us all with the right to respect for our private and family life, home and correspondence. It goes on to talk of

"no interference by a public authority."

I wonder whether this will mean that we can expect some protection of privacy from excessive media prying—eventually through case law. I would like to mention a few of my thoughts, based mainly on my personal experience from 19 years as the spouse of a Member of Parliament, regarding the right to privacy for Members of Parliament, other public figures—including local councillors—their families and private individuals.

On a sliding scale downwards, I will start at the top with our children and grandchildren. They did not ask us to go into politics, and most children of Members of Parliament, public figures and Ministers would wish that we had not—particularly when they are young. Their lives and behaviour are regarded as fair game for reporting, or misreporting. I would like to think that the Bill will eventually extend to them protection from situations which, over the years, many of our offspring have suffered.

Many years ago, I was asked to pay cash to a person with media connections. He wrote:

"I would like to get this matter resolved so that, heaven forbid, it does not enter the public domain"

—as polite a blackmail note as one could wish for. His dispute with one of my children was not a matter of public interest and if we had had a right to privacy, he could not have made his threat and the harassment by a Sunday newspaper of me and my family might not have happened.

Moving down the scale, there is the middle ground. I am not sure how much protection of our private lives we can expect, since sometimes the private self and the public person become confused. I shall mention just two of many experiences—one sad, one silly. When I was kept overnight in Watford general hospital due to dangerously high blood pressure following the road traffic accident in which my husband was killed, a hospital security guard had to spend the night in the corridor outside my room to make sure that none of the reporters gathered at the hospital entrance could get through to me. Should the hospital have been put to this trouble? Should I have had that additional stress?

The other incident—the previous year—consisted of a telephone call from the *News of the World* asking, in an accusing tone, whether I was aware that a massage parlour was operating across the road. I was not, and I am unsure to this day what I was being accused of. However, the story, like the dead donkey, was, thankfully, dropped.

At the very bottom of the scale—and, in my view, with absolutely no right to protection—are those Members of Parliament who bring discredit to all of us by accepting cash or perks for questions, for writing to a Minister or even for booking a dining room. Investigative journalists who uncover such behaviour perform a service to this House and to democracy generally.

The Church of England asks its clergy on ordination:

"Will you strive to fashion your own life, and that of your household, according to the way of Christ?"

Perhaps the oath taken by hon. Members on entering Parliament could be amended to say that we will strive to fashion our lives according to the ethics of honesty and integrity. As that is unlikely to happen, I simply ask that no right to privacy should protect hon. Members whose behaviour falls short of public expectation.

6.29 pm

Mr. Humfrey Malins (Woking): It is always an enjoyable experience to address a packed Chamber at 6.29 pm. I declare an interest as a recorder of the Crown court and as an acting metropolitan stipendiary magistrate, both of which judicial functions I have undertaken for some years, and in each of which it has been my duty throughout to apply the law as it is made by our elected representatives in Parliament.

I may be the only speaker in our debate tonight who has had considerable judicial experience. That experience makes me acutely aware of the difference between the roles of the judiciary and of the legislature. To be blunt, I am against the Bill in principle. I believe it to be an attack on our democracy and a complete departure from our existing custom, whereby we in the House make the laws, and the judges apply them.

In developing the common law and in construing statute law over the years, judges have to a very limited extent been making law rather than interpreting it, but the Bill gives judges unprecedented licence to make new laws. The Bill says to our judges, who are not elected by or answerable to the people, "Here is a general principle. Go away and invent the law." That is not what judges are there for.

Our constituents would be aghast if they were to understand how much power we are putting into the hands of unelected judges. We in the House are the democratically elected representatives, elected by the people for the specific purpose of making laws based on their wishes. We are being asked to hand that power to the judges. In this democracy, as in many others, the elected representatives should make the laws, and the judges interpret them.

We have never said to our judges, "A contract is an agreement between two or more parties, usually for consideration. Now go and invent the rest of the law of contract, including the sale of goods." We have never said to the judges, "Here is another article: claims for compensation should be brought within a reasonable time. Now go off and write yourselves your own Statute of Limitations", but that is exactly what the convention does.

It is as if we were to say to our judges, "Here is an article: people must not travel on our roads at an excessive speed. Now go off and decide for yourselves what the speed limits are to be." Much as I admire our judiciary, I do not want to be governed by the judges. It has been tried before, by the Jews in 1000 BC, when they were governed by judges who apparently took their laws direct from God. It did not work terribly well then, and I do not think that it will work terribly well in the future.

Some say that to bring the convention into our law is some kind of progress on the human rights front, and that it is a guarantee of civil liberties to our people. I regard that argument as thoroughly bogus, because we, as democratically elected representatives, are the true guarantee of civil liberties in this country.

I advise the House to consider the language of the articles that we will incorporate if the Bill is enacted. It is language for another time—just after the second world war, when the atrocities committed by the Nazis and others had to be dealt with—and not for the 1990s.

Article 2 says:

"Everyone's right to life shall be protected by law."

Article 3 says:

"No one shall be subject to torture or to inhuman or degrading treatment or punishment."

Article 4 says:

"No one shall be held in slavery or servitude."

Those extremely worthwhile articles were designed to cope with the problems of another era. Today, they are nothing more than pious platitudes, lacking the clarity even of the ten commandments; their language has no relevance in this country in 1998.

Mr. Desmond Browne (Kilmarnock and Loudoun): Perhaps the hon. Gentleman can explain to the House why, then, there has been an apparent acceleration since about 1990 in the number of cases going to the European Court of Human Rights from this country.

Mr. Malins: I understand that some people do indeed take cases to the Court, and perhaps more from this country than from some others—after all, we have a high

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population—but the reality is that very few cases are taken there. If the Bill is enacted, many, many more cases will be taken to judges here, and they will be expected to make law, which is not their function.

To incorporate into our law, in 1998, an article prohibiting slavery is, arguably, deeply offensive, given that we were the first nation in modern times to make slavery unlawful, having abolished it in August 1834. Future historians reading this debate will be astonished by the fact that we are enacting an anti-slavery measure in 1998.

Sir Nicholas Lyell: My hon. Friend makes an extremely good point. The declaration of independence in the United States promised

"life, liberty and the pursuit of happiness",

but slavery existed there for, I think, 84 years. The leading American judge, Learned Hand, wisely said that liberty should lie in the hearts of the people, because, regardless of its status in constitutions or Bills of Rights, it was either there, in which case no court need save it, or it was not, in which case no court could save it.

Mr. Malins: I agree entirely.

We must think through the consequences of incorporation. I believe that the convention will be used an enormous number of times in claims to stop deportation. I cannot see how any woman of marriageable age could ever be deported to a country in which her right to marry was exercised by her relatives.

The convention applies to all those physically present within the jurisdiction, and article 12 states:

"women of marriageable age have the right to marry".

A submission by some learned counsel that a woman's right to marry does not include the choice of her husband would, as Clint Eastwood is prone to say, really make my day.

I take another example relating to article 8. China's respect for family life consists of limiting each family to one child. Will economic migrants no longer be returnable to China? We must be very cautious and look ahead. I predict that most of the claims that will be made under the convention will be challenges to deportation.

I imagine that the founders of the convention would have regarded many recent events as absolutely absurd and nothing to do with what they had in mind in the 1940s. I cite as an example the Moroccan who was given leave to enter the Netherlands to marry a girl. After a few weeks, the marriage broke apart and the husband was to be deported for what were apparently perfectly proper reasons. However, because his wife had given birth to a child, the Government's decision to deport him was, under the article covering respect for family life, overturned on the grounds that he might—just might—want to see his daughter.

Mr. Lock: I appreciate the hon. Gentleman's argument, but, as he mistrusts and abuses the decisions of the judges in Strasbourg and does not want our own judges to exercise these powers, is he saying that he would rather this country were not a signatory to the convention?

Mr. Malins: I speak as an individual from the Back Benches and not for my party; my view is that the current situation is the lesser of two evils.

I refer also to the case of a man who was ordered to be deported from a country that was a signatory to the convention, for proper and lawful reasons. He was discovered to have AIDS, and when he was able to show that the treatment for AIDS in the country to which he was to be deported was lamentable, he was allowed to stay under the article dealing with inhuman and degrading treatment. We will face very real problems further down the road if we incorporate the convention into our law.

I shall say a word on the privacy debate, which I think is wholly misleading—it has nothing to do with the Bill's real vice, which is to give our judges huge, open-ended powers. The arguments about privacy should be settled in the House of Commons. The problems that we now face concerning privacy reflect the fact that we have not yet done so; we should have sorted the matter out a long time ago.

We should consider the position of judges in, perhaps, 50 years, when they will have to apply the convention in every aspect of social policy. As Members of Parliament, we shall slowly but surely find that decision making is being taken away from us, and that decisions that should be made by elected representatives will be in the hands of unelected people. That will be a sad day for democracy.

6.42 pm

Mr. Paul Stinchcombe (Wellingborough): I congratulate my hon. Friend the Member for Keighley (Mrs. Cryer) on her courageous and moving speech, in which she referred in particular to personal traumas. The whole House will have been interested in, and learnt from, her speech.

The 20th century has been an age of great paradox. It has witnessed barbaric examples of man's inhumanity to man, but it has also been an age in which fundamental human rights have been recognised by every advanced democracy. Those rights define the kind of world in which we want to live; they make us free; and they are necessarily matched by responsibilities. When, in society with others, we claim the right to be treated equally and with dignity and respect, we must treat our fellow citizens accordingly.

None of this is alien to the United Kingdom; the language of rights and responsibilities is ours. Moreover, it is not alien to the Labour party, old or new. A Labour Government were in power when the United Kingdom took the lead in drafting the European convention. Ernest Bevin, the Foreign Secretary in the great Attlee Government, ensured that the United Kingdom was the first to sign and ratify the convention. In 1966, the then Labour Government took the next step.

Mr. Desmond Swayne (New Forest, West): Why did not the Labour Government of the time, who were so concerned to draft and sign the document, feel the need to go further and incorporate the convention into our domestic law?

Mr. Stinchcombe: As the hon. Gentleman will be aware, constitutional arrangements evolve. That is as it should be; constitutions are living things. If the hon. Gentleman will bear with me, I shall explain how the constitution will change further.

We are on a slow march to greater emancipation. In 1966, we took the next step when we allowed individual citizens to claim rights under the convention

and take the United Kingdom to the European Court of Human Rights. At the turn of the millennium, the new Labour Government will take another step towards emancipation when, through the Bill, they will give greater effect to the fundamental rights that the Conservative Government also recognised.

For 50 years, not only Labour Governments, but Conservative Governments have recognised that the human rights that are embraced by the convention are legally enforceable. It is right that the new Labour Government should take the further step and say that those rights should be recognised not only in international law, but by the judges in our courts.

I tell the hon. Member for New Forest, West (Mr. Swayne) why we should take that step; it is a simple argument. We need no lofty constitutional theory to justify the Bill, just plain common sense. The rights under the convention are already recognised, but they are enforceable only in Strasbourg. Our citizens have to wait five years and spend perhaps £30,000 to have those rights protected. Delay and expense are enemies of justice. Cutting delay and cost will enhance the legal protections of the system and make it fairer, in ways that ordinary people will understand. It will give real benefits to real people.

Mr. Ruffley: Has the hon. Gentleman asked the Chancellor of the Exchequer whether further resources will be made available to furnish future litigants with the legal aid that they will need to take advantage of these new rights?

Mr. Stinchcombe: If the hon. Gentleman has read *Hansard*, he will know that I contributed to the debate on the legal aid reforms when they were first proposed. I will do nothing to stand in the way of poor people's access to justice, and I am surprised that other people would contemplate doing so.

Mr. Bercow: If this matter is one of basic common sense, why have not the Government chosen direct incorporation? Instead, as the hon. Gentleman knows, they have opted for a circuitous route and for the fast-track procedure, which does not protect parliamentary sovereignty, but promotes the convenience of the Executive. Has he nothing to say about those matters?

Mr. Stinchcombe: If the hon. Gentleman is patient, I shall try to deal with those points later in my speech; if I do not, I shall give way to him again.

I do not justify the Bill on grounds of sound common sense alone. The Bill will bring other benefits, which should not be underestimated. Non-incorporation has been an ordinance of self-denial, by which our judges have been locked out of the sphere of influence. That is a terrible pity.

The Bill will rightly end that self-denial. The jurisprudence of the convention will continue to develop. Hard and difficult decisions remain to be made and, when they are made, our judges—especially given their unique insights from the common law tradition—should be in the courts, and not looking on from the public gallery, unable to influence decisions.

I understand that siren voices, mostly from the dinosauric right, none the less object on points of constitutional principle. I respect those arguments, even if I do not agree with them. They tend to rest their objections on the alleged conflict between the Bill and our democratic tradition. They make two discrete assertions. The first is that entrenching certain rights will run counter to the power and ability of this Parliament, which is democratically elected and accountable, to legislate as it will according to its mandate; the second is that the Bill will drag judges into the political arena.

I believe that I have correctly identified the constitutional objections of the hon. Member for New Forest, West, but, in my view, neither assertion stands up. Parliamentary sovereignty is not diminished by the Bill because it does not empower judges to strike down legislation, but only to declare its incompatibility with the convention. Indeed, the Bill would enhance the parliamentary sovereignty of the House in two ways. First, it provides for the fast-track procedure of which the hon. Gentleman complained, so that Parliament can address declared incompatibility readily and swiftly. Secondly, the Bill would introduce a measure by which Ministers responsible for introducing legislation to the House would have to state whether there was incompatibility.

The net effect of those two innovations is that the House would remain free to legislate as it chooses, but when it did so it would be more able and better equipped to deal with the human rights concerns of its legislation. That is a huge stride forward. It is true to our tradition as a parliamentary democracy and yet it means that we can better protect the human rights of our people.

The second assertion is that the judiciary would be dragged inappropriately into the political arena. The Lord Chief Justice does not believe so; nor does the noble and learned Lord Steyne, who said in 1996 when he lectured the Administrative Law Bar Association that incorporation of the convention did not entail any transfer of political power whatsoever. It would simply mean that alleged breaches of human rights would be tried in our courts rather than in Strasbourg.

Therefore, neither of the constitutional objections to the Bill bears any critical analysis. Indeed, those people who object to the Bill on constitutional grounds will find themselves in an uncomfortable position. Either they want the convention to remain, but not the Bill, in which case they want our rights to be determined by foreign judges abroad after a five-year wait and £30,000 spent, or they want neither the Bill nor the convention, in which case, just as a new age of rights emerges from the old age of paradox, they want to turn their back on 50 years of shared political history and say that our citizens no longer have the right to be protected by the convention in that way. Neither position is sustainable. For the reasons that I have given, the case for incorporation is now compelling.

We have heard two further detailed objections concerning privacy and the Churches. The Government are further considering both those areas of concern, which must be right as they are important and sensitive issues. I must take this opportunity to make my modest contribution to the on-going debate and deal first with the fear that the Bill would lead to a privacy law.

I await the forthcoming amendment with great interest, but would like five points to be considered when it is being drafted. First, there is already a law of privacy under the convention. Article 8 provides the right to respect for

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privacy. On occasion, the United Kingdom has already been found to be in breach of article 8 in Strasbourg. So, even if unamended, the Bill would not introduce a new law of privacy, but would simply mean that an existing law could be applied by our judges in our courtrooms.

Secondly, the Bill does not confer on individuals the right to start proceedings against a newspaper solely on the basis of a breach of article 8 in any event. Such a claim would be available only against a public authority, and the inclusion of courts in the definition of public authority would not confer a cause of action where none before existed.

Thirdly, we should never forget the force of article 10, as other hon. Members have made clear. It guarantees and protects the freedom of the press and would therefore be available under the Bill as a defence when the press was sued for defamation, contempt or breach of confidence. So, the amendment that is sought might harm the very freedom that the press rightly craves.

Fourthly, it is not true to assert that the right of privacy is an untrammelled and absolute right because article 8 lists a series of grounds on which it can be interfered with, which include

"the protection of the rights and freedoms of others".

Therefore, the convention allows the privacy right to be overridden where it is necessary to protect freedom of expression.

Fifthly, as I have sought to make clear, the essence of the convention is a balancing of rights and responsibilities. So, the right to freedom of expression is balanced by a responsibility to respect the privacy of others, with the ultimate determinant when the two are in conflict being the public interest. If we interfere unduly with that delicate balance, allowing some to claim the protection of the convention but to deny the burden, we are treading in treacherous waters.

As regards the Churches, I must make it clear at the outset that I appreciate both the importance and sensitivities of the issues raised—I do so as a Christian socialist. Yet again, however, I counsel caution before amendments are accepted. I do so for two reasons. First, the great strength of the Bill is the universality of its application, which is wholly appropriate in legislation that would give further protection to fundamental human rights. Secondly, if exceptions are made for some religions and not for others, not only will the principle of universality have been diluted, but we will have written discrimination into the face of a Bill that is designed to prevent it. We must also remember that article 9 already expressly protects religious freedom and article 2 of the first protocol protects the right to education in conformity with religious beliefs. So, protection is already writ large into the Bill.

I support the Bill whole-heartedly. Nearly half a century after we drafted the convention, and more than 30 years after we gave our citizens rights under it, we should now take another step and allow the rights that we have for so long recognised in international law to be recognised here by our administrators, our decision-makers and our judges in our courts, as part of our legal system.

Even with the passing of the Bill, however, the battle for the full protection of our human rights will not end. Other steps will have to follow. I refer the hon. Member for New Forest, West to the point I argued at the outset—constitutional change is an on-going process and it does not happen overnight. In the short time available, I will set out just three of the steps that will have to be taken.

First, we must launch a programme of retraining in the existing jurisprudence of the convention for administrators, decision-makers and lawyers. We must do so not merely for judges and students, but for existing practitioners, including solicitors and barristers, and not merely those in specialist fields of public law or judicial review. The rights will not be the exclusive province of a specialist constitutional court, but will be pleaded in tribunals and courts throughout the country in cases both civil and criminal. Our professions must be ready for the signal challenges that they will face.

Secondly, the time will come for a human rights commission. I am pleased that the door to a commission has been left open. One day, we will have to walk through that door and establish a commission: one which would further promote public awareness and acceptance of human rights standards, enhance the scrutinising powers of Parliament as an aid to increased compliance, play a key role in investigating allegations of human rights abuse, and be able to instigate legal proceedings in its own right, so that the rights of all our citizens can be more fully protected—especially given the relatively restrictive view of standing embraced by the Bill.

Thirdly, the best way for the Government to achieve progress in both those fields would be by appointing a human rights commissioner soon, to push the agenda forward.

I close with this thought for the Minister. The Bill will enhance people's awareness of human rights and their expectations. Some of those expectations will be political and not merely legal. We cannot pass legislation that people will read as providing a right to a home without being asked to build the homes to house the homeless. We cannot pass legislation that people will read as providing a right to education, without being asked to invest in education so that our schools can be made centres of excellence for all our children. People will demand that the rights enshrined by the convention are realisable and effective. This and any successor Government will have the responsibility of meeting those demands politically as well as legally.

The new Labour Government are rebuilding an outdated constitution so that power will be more widely dispersed, our democratic tradition maintained, but renewed, and the citizen better protected. The Bill lies at the heart of that endeavour. There is no greater way to end the century of paradox than to pass this Bill, so that we can play our part in creating a global Bill for the protection of human rights.

6.59 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): In the interests of brevity and, I hope, clarity, I would like to begin by summarising my views and then develop a few aspects in greater depth. My first point, which is accepted by all hon. Members, is that this is an important Bill. We are changing greatly the historic balance that has

existed between the judiciary and Parliament. I find that undesirable. Secondly, we are submitting this House and our courts to much greater external control and supervision than we have historically thought right. I find that even more undesirable, but that is not the end of the matter.

The essential problem flows not from the Bill but from the convention. The House must consider whether we should remain a party to the convention or derogate from it. That question has not been addressed very directly, but I think that it should be. My conclusion is that while there is a powerful argument in favour of derogation, I would stick with the convention. That is partly because I think that that is politically desirable and partly because I think that it is right in principle.

My next conclusion is, therefore, that we contemplate the future on the basis that this country will remain a party to the convention for as long ahead as we can see. Given that, the next question is whether we should stick with things as they are or incorporate. Not without difficulty, I have concluded that we should incorporate, because I think that the advantages of incorporating the convention into domestic law outweigh the very real disadvantages. I am in principle in favour of incorporation.

Where I disagree profoundly with the Government and the Liberal Democrats is in respect of the remedial order procedure. That is a serious defect of the Bill. The Government are contemplating that important primary legislation should be changed by secondary legislation. I regard that as wrong in principle. To summarise my conclusions, notwithstanding the very powerful objections that can be made against incorporation, I favour the principle of incorporation, but do not agree with the remedial order procedure provided for in the Bill. As long as that remains in its present form, I will not support the Bill.

I would like to amplify one or two of my points, starting with a word or two on the concept of a Bill of Rights. For as long as I have been interested in politics, which is now some 35 or 40 years, people have invoked the concept of a Bill of Rights as a way of entrenching the rights of the citizen against an over-mighty Government. My father made important speeches on the point in the late 1970s with regard to the elected dictatorship. He was right. The power invested in the Executive, as long they retain a majority in this House, can be oppressive. Indeed, we may find that it will be exercised in that way by the Government with the size of their majority.

The question is how to address the problem. Many people have argued for a Bill of Rights as a bulwark against such erosion of rights. I do not accept that, for the following reason. The Bill would either be so particular that it dealt with every eventuality, which is simply not practical and will not happen, or general and leave the judges to apply the general propositions to particular circumstances and cases. That is what this Bill, and the convention, are about. I find that unacceptable in principle because it creates a body of judge-made statute law. I am very much against that. I believe that the principal rights of individuals should be dealt with by this House. One has only to examine the convention to see the force of that argument.

My hon. Friend the Member for Woking (Mr. Malins) made some important points about deportation. He was right about that, but there will also be reference to what is meant by "family" or "marriage" in the convention. Judges will have something to say about that, which is likely to distress my hon. Friend the Member for Gainsborough (Mr. Leigh). Such matters should be dealt with by the House. It as a result of my conclusion on those matters that I have long since come to believe that an elected second Chamber, not a Bill of Rights, is the proper way to safeguard the rights of citizens.

I have two points on the extent to which change will be brought about by the Bill. First, we are submitting the authority of this House, and of the United Kingdom courts, to a range of external authorities, institutions and bodies. For example, all legislation—present, past, future—will have to be considered against the context of the convention; and not only this convention but future protocols; and not only this convention and future protocols but the interpretation that the other judges in the Strasbourg Court and elsewhere place upon it. That is a substantial erosion of parliamentary sovereignty.

The second fundamental change is that we are placing upon United Kingdom judges the obligation and duty to interpret the general expression of views in the convention in a way that historically we have thought inappropriate. We are asking them to translate into particular rights the general rights set out in the convention. I believe that that is in principle undesirable.

Mr. Gareth Thomas: I follow the right hon. and learned Gentleman's lucid contributions with interest. What does he consider to be the difference between having judges in Brussels interpret the general propositions enshrined in the convention and having it done by British judges versed in the parliamentary tradition and the essential differences between the continental and United Kingdom systems? Surely he should argue for the devolution of decision—judge-based law—to Britain, which is what the Bill proposes.

Mr. Hogg: I am going to. That is why I began by summarising my conclusions. I have concluded that incorporation is the least bad of the options available, but it is right that we should see how significant the changes are. The point that I was making when the hon. Gentleman very fairly intervened was that the extent of the change brought about by the Bill and the convention is great, but at the beginning I pointed out that the essential point is not the Bill but the convention. One has to ask whether we should remain a party to the convention. Powerful arguments can be lodged against that. It is worth reading the debates in the other place. For example, Lord Beloff reminded the other House that this was an international convention when it was introduced and was not intended to create, at least for democratic states, to use his words, a charter of rights.

We must consider, given the disadvantages and the erosion of parliamentary sovereignty to which I referred, whether we should denounce the convention. My view is that that would be wrong. It would not only be wrong but politically impossible. It is not politically possible because the political price, both international and national, is too high. It would be wrong because we are seeking to encourage many former communist states to improve the quality of their civil rights, and I do not think that for us

[Mr. Hogg]

to denounce the convention would be a good example to them. Therefore, my conclusion is that notwithstanding the fact that there are many problems associated with the convention so far as it erodes sovereignty, we must stick with it.

Mr. Browne: The House will no doubt be instructed by the right hon. and learned Gentleman's reference to Lord Beloff in another place. To put those remarks in context, the right hon. and learned Gentleman should note that Lord Renton, who was a member of Legal Affairs Committee of the Council of Europe in 1951 and 1952, intervened to assure Lord Beloff that, at the time, the committee did not merely consider the convention to be a matter between Governments but one on which the committee wanted to protect the interests of all the people of all the countries represented at the Council of Europe.

Mr. Hogg: That is perfectly true, but perhaps the hon. Gentleman would care to bear in mind three other points. First, Lord Beloff said that that was not how the convention was presented to the country. Secondly, Mr. Ungoed Thomas, who was then representing the interests of the Labour party at the convention, argued against incorporation on the basis that it was not intended to create a charter of rights. He might also care to look at his own Government's White Paper, in particular paragraph 1.11, where he will find that the convention was referred to as an international convention in the first instance.

Given that we will have a convention for the foreseeable future, is it right that we should leave the proceedings as they are, in Strasbourg, or move to incorporation? My view is that incorporation is right. I have come to the conclusion that if one has a convention, it is important that there should be ready access to the rights reflected in it. It is undesirable in terms of cost and complexity that British citizens who wish to invoke those rights should have to go to Strasbourg in first instance. Therefore, my conclusion is that, given a convention, better by far that we have incorporation.

I also accept the argument that if we have incorporation, it is likely that the presence of United Kingdom judges in the first instance will have a beneficial effect on our collective national interest because the process will help to inform the Strasbourg Court of some of our judicial principles and constitutional practices which it would wish to take fully into account.

Mr. Leigh: My right hon. and learned Friend is making an interesting point, but he is aware that the Strasbourg judges act according to what they call the margin of appreciation. They tend not to interfere in social and moral matters which they deem to be the proper territory of national judges. No such consideration will apply to our judges.

Mr. Hogg: My hon. Friend has raised a serious point. He is right to say that the concept of the margin of appreciation is similar to the concept of subsidiarity in relation to the European Union.

One of the things that has been most troubling about the Strasbourg Court over many years has been its willingness to develop the general terms reflected in the convention to meet a range of circumstances that the founding fathers never contemplated. One of the most important changes that we could try to bring about within the Strasbourg Court is to reassert the principle of the margin of appreciation—that is the doctrine of subsidiarity—so that it does not seek to over-extend the language of the convention. My hope is that by using the United Kingdom courts as the courts of first instance regarding the convention we will see a greater caution on the part of the Strasbourg Court to intervene in matters that are peculiarly the province of Parliament.

Mr. Grieve: Does my right hon. and learned Friend also agree that one of the problems with the present system of direct reference is that the Strasbourg Court is in a poor position to determine factual matters and many of the basic grounds on which a ruling needs to be made? One of the advantages of incorporation would be precisely to provide the necessary judicial input which would certainly facilitate any subsequent decisions by that Court.

Mr. Hogg: My hon. Friend is right. The process of gathering evidence is more difficult for the Strasbourg Court, and the processes are more convoluted, than would be the case in United Kingdom courts. Furthermore, the UK judiciary can take judicial notice of a range of matters which will be unknown to the Strasbourg judiciary. I conclude that incorporation is, in principle, the least undesirable of the options before the House.

That judgment is not conclusive as to whether we should support the Bill, because I am extremely unhappy with the provisions known as the remedial order process, as outlined in clauses 10, 11 and 12. Those provisions are wrong. I am extremely sorry that the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), the Liberal Democrat spokesman, saw fit to support them.

The plain truth is that if one wants to amend primary legislation, one should use primary legislation to do so. The Home Secretary perfectly fairly quoted some examples against that, but I am bound to say that I have always opposed secondary legislation as a means of creating substantive rights or imposing substantive burdens, for two reasons. First, it is not amendable and, secondly, debate, if there be debate, is extremely limited. Of course I recognise that we are talking about the affirmative resolution, which provides for debate, but that is not true of the negative resolution procedure. But in any event, debate is extremely limited and the document is not amendable.

There may a small number of cases when the urgency is such that secondary legislation is the appropriate means to amend primary legislation. The Home Secretary may or may not be able to cite some examples of that, but in the generality of cases that should not be. Such a practice is profoundly undemocratic, and unless and until the Bill is changed to reflect that, I cannot support it.

Mr. Maclennan: Does the right hon. and learned Gentleman accept that as a normal canon of statutory interpretation, when Parliament enacts a measure which is at variance with a pre-legislated Act, the presumption of the court will be that it is intended to repeal it? In that circumstance, Parliament would not normally be invited

even to consider whether or not change was necessary by subordinate or any other form of legislation. The judge would make that determination.

Mr. Hogg: I do not agree with that broad statement of statutory interpretation. The plain truth is that the first principle that the courts will always try to uphold is to give a proper interpretation to the statute before it. Where statutes are irreconcilable, one or other must be preferred. Fortunately, that happens relatively seldom. The problem with the convention is that, as I have said before, it is a constantly changing body of law. Although one has the general language of the convention, what it actually means in relation to individuals or institutions is what judges have said that it means over a period of time . By making an interpretation of a judicial kind, one is fundamentally altering the state and the nature of the convention.

If one wants to change the rights and obligations, the burdens and entitlements that the House, by primary legislation, has previously imposed or conferred upon the citizenry, it should be done by primary legislation and not by an order, which is debated for an hour and a half in some place—probably in this Chamber—and is unamendable. That is not a small thing, but a great one. Until the Bill is suitably amended, it will not enjoy my support.

7.19 pm

Fiona Mactaggart (Slough): I warmly welcome the Bill because it will establish a national standard for ethical government, and for ethical relations between people and public institutions. That is especially important at a time when we are devolving power. To listen to Opposition Members, one would think that the most important feature of the British constitution is to retain every possible spot of power in this place, but that is not what the Government are committed to. They have been rearranging the constitution to devolve power closer to people; that is right and it was in the manifesto on which we were elected. It is absolutely necessary that we have a clear, unifying national ethical framework for that devolution of power and that is what the Bill provides.

Mr. Swayne: Is the hon. Lady content to have power devolved effectively to judges, who are not subject to the will of the people in the way that Members of Parliament are? The people can get rid of the rascals here if they do not like them.

Fiona Mactaggart: I do not believe that that is what is happening. We are devolving power to the people. If the judges' power conflicts with any decision of this House, there is a mechanism whereby the House is invited to look again at the legislation to ensure that all our laws contribute to and protect human rights.

It is essential that every institution and the whole of society fall within the framework of the human rights legislation that we establish. That is one of the reasons why I was deeply concerned by some of the anxieties voiced in the other place by the Church, the press and the Army, and their suggestion that the problems they genuinely perceived within the legislation should be dealt with by exempting their institutions from the framework of rights established by the Bill. I commend my right hon. Friend the Home Secretary for the way in which he has responded to those concerns. I agree that there is no need for Britain's press to be frightened that the Bill will introduce a privacy law by the back door. If we look at the interpretation of human rights legislation, not only in Europe, but elsewhere, we see that it has been one of the greatest protectors of the freedom of the press. Article 10 of the European convention on human rights has, in practice, been interpreted in such a way as to ensure that the freedom of the press is secured.

Mr. Bercow: In the light of those comments, would the hon. Lady concede that the Lord Chancellor was unwise to predict the development by the courts of a law of privacy in this country in his speech on 27 July 1997?

Fiona Mactaggart: I should never dream of calling my right hon. and learned Friend the Lord Chancellor unwise—it is not worth my while to do so. However, I do not believe that the development of a law of privacy is in any way affected by the Bill. In the development of common law, there have been some moves in that direction which are unrelated to what happens at Strasbourg. In my judgment, the Bill and the requirement to take into account article 10 matters make it quite clear that we respect the freedom of the press. The changes announced today by my right hon. Friend the Home Secretary, the detail of which I have not been able to examine more carefully than any other hon. Member, seem to make it clear that he expects the press to remain within the context of a human rights ethos and framework.

I hope that when holding discussions with those who are concerned about the impact on religious bodies, my right hon. Friend will take exactly the same approach. Their fears are genuine, just as are the fears of those who are concerned about a privacy law, but they are unfounded. If my right hon. Friend responds to those fears, I urge him to respond in the same way. It is only when human rights are universal and apply to everybody that they are effective. It is no good having particular interests in society claiming an exemption from human rights. I am especially concerned that the interests of which we have heard most are not those of people whose rights are currently least respected, but those to whom the institutions of Parliament and Government have traditionally listened carefully.

Yesterday, I went through a powerful experience at a meeting in Slough. The Muslim community met to commemorate the 50th anniversary of the founding of Pakistan. People here may be aware that there have been painful tensions between the Sikh and Muslim communities in Slough, with incidents of violence on the streets and between the communities. At that meeting, a Sikh got up and recited a poem in Punjabi and, if my Punjabi was better, I might have been able to share it in the original language with hon. Members, but I am unable to do so. However, even though I do not understand Punjabi, I understood the poem's refrain and I shall share that with the House. It was, "It happens to me and it happens to you." The story of the poem was, "You come from the Indian sub-continent with a degree and people treat it like a piece of toilet paper—it happens to me, it happens to you. You get into debt with the bank and have to sort out your life—it happens to me, it happens to you."

[Fiona Mactaggart]

That man recognised the power of the universality of human rights. In that simple poem, he said to his audience, with whom he had deep disagreements on fundamental issues, that there are more things that unite us and more experiences we have in common than there are those that separate us. That is the power of the Bill.

Mr. Leigh: I hope that the hon. Lady will forgive me for saying this, but her thinking is somewhat muddled. We have a universal right to practise a religious faith of our choosing; equally, religious faiths have a right to conduct their own affairs in the way that they wish. Those rights have to exist side by side. The difficulty is that the Bill and the convention it incorporates attack the rights of religious bodies to conduct their affairs in the way they choose, which is why they are wrong.

Fiona Mactaggart: No, the hon. Gentleman has quite misunderstood the Bill and the convention which, in every right—apart from the right to freedom from torture and inhuman and degrading treatment—makes specific reference to the need to balance that right with other rights. There are specific guarantees for the rights to freedom of religious thought and to freedom of religious observance. International human rights instruments such as the convention—which was written at a time when, because of the impact of the war, the public felt strongly that the right to religious practice and observance should be protected—have played a significant role in protecting religious freedoms and rights of free speech.

Our real problem is that few people understand the concept that my constituent understood: the radical power of connecting people's experiences of the denial of rights. That is what the Bill is able to do. Too many of us have received letters from constituents who, for example, cannot get a housing transfer or do not like the way in which their bank has treated them and say, "I want you to take my case to Europe." Perhaps I get such demands more frequently than other hon. Members, because my constituents know that I once participated in a successful case against the United Kingdom Government at Strasbourg. One of the reasons why people make such demands is that there is insufficient understanding of the concept of human rights in the United Kingdom.

We have no human rights education. Most Commonwealth countries place a responsibility on the Government to educate their people in human rights. In creating a new democratic constitution, South Africa had a fabulous education programme on human rights which resulted in more than 1 million people contributing to consultation on their own Bill of Rights. Today, there is education in every school in South Africa, dealing with precisely those instances in which rights conflict.

Mr. Ruffley: Is the hon. Lady very disappointed with Ministers about the Bill's failure to include provision for a human rights commission?

Fiona Mactaggart: I shall deal with exactly that matter in a moment.

Other countries have taken that responsibility to educate people on human rights, contributing not only to better law making and to a better understanding of the law, but to people being able to exercise their rights more effectively. Those people know the difference between a human right and a gripe—which is a very important difference for people to understand. In Indian law, there is a wonderful phrase about "combating illiteracy" in human rights. That is a powerful concept.

It is important that we do that job of educating people on human rights. I therefore hope that we might soon create a commission to take on part of that job, although I quite understand why it is difficult to establish one right now. We shall have to create a system in which bodies currently charged with human rights responsibilities, such as the Equal Opportunities Commission and the Commission for Racial Equality, can do their job and in which there is parity between those bodies, but in which there is an overarching human rights framework. I urge my hon. Friend the Minister to examine the possibility of creating a commission as soon as the Bill is well bedded in.

Until we establish a commission, I urge the Government to take urgent action on another matter that was in the White Paper: creating in the House a Committee on human rights. I have read the debate on the Bill in the other place. Those in the other place have distinguished themselves in dealing with the human rights issue and could make a substantial contribution to such a Committee. I therefore believe that there is a strong argument for such a Committee to be a joint one of both Houses. Many of those in the other place have participated in human rights cases, both in Strasbourg and internationally.

Even if we cannot immediately create a commission, we should create without delay a Joint Committee. I suggest four jobs for the Committee to do urgently. First—in performing the tasks that have been set for Ministers under clause 19 of the Bill—it should produce a statement on new legislation and its compatibility with the convention. Statements should be a powerful assessment—an audit—of the human rights impact of proposed legislation. We do not want statements to be merely a quick gesture stating that the Minister is confident that there will be no conflict; let us have an assessment of how legislation will advance and develop.

Secondly, the Committee should examine the issues—which I have already mentioned—of public education and of creating a real culture of rights.

Mr. Hogg: The hon. Lady's point about the Committee examining compatibility with the convention is sound. Might I suggest that that function could be performed also by a Special Standing Committee? As she will know, there is provision for Special Standing Committees to take evidence. It would be extremely helpful if the Standing Committee considering a Bill were empowered to take evidence from those who felt that the Bill's provisions contravened the convention.

Fiona Mactaggart: That is a very interesting proposal. The Joint Committee might propose that that should happen in cases in which there were questions about compatibility between the convention and a Bill. How to produce such an impact statement and how to audit the human rights implications of new legislation would be sensible matters for a Joint Committee to examine.

Thirdly, the Joint Committee should examine the matter of access to rights and legal representation. Earlier in the debate, I mentioned the case of Abdulaziz, Balkandali and

Cabales, which I played a part in. The case involved three women who were separated from their foreign husbands by United Kingdom immigration rules, but was successfully settled in Strasbourg. We were able to represent them only because of the generosity of solicitors who took the case on a no-win, no-fee basis. I remember best the delay and difficulty in taking the case to Strasbourg, which certainly damaged the women's family life and caused them great distress.

The women in that case were lucky. They were in contact early with a campaign and representation organisation that could take up their case. We were lucky because a Committee in the other place had already decided that the new immigration rules contravened the convention—therefore, much of the homework had already been done. The case also demonstrates the House's ability to ignore advice stating that the rules or regulations that it passes sometimes abuse human rights. That is what happened in that case. Therefore, although we have to ensure that people have access to well-trained and effective representation, such access will not be available instantly. A Joint Committee could examine the issue.

Fourthly, the Committee should examine whether there is a case for the United Kingdom to sign up to additional protocols and to other international human rights legislation. We have not signed very many of the current protocols, including some of those under the international covenant on civil and political rights, but there is a strong case for us to do so.

Mr. McNamara: Will my hon. Friend join me in urging the Government to provide parliamentary time for the House to complete the work of abolishing capital punishment by eliminating the last vestiges of that heinous punishment?

Fiona Mactaggart: My hon. Friend made precisely the point to which I was alluding. It is precisely because of that issue that I have always found it very difficult to stand side-by-side with America—which still regularly executes its own citizens—as great defenders of human rights.

Those are the tasks that I think that the Joint Committee should examine. To bring rights home, we need not only a legislative framework, but action. I hope that we shall be able swiftly to rid ourselves of the barriers to creating a human rights commission, which would be able to perform those tasks even more effectively than a Joint Committee.

The Bill is a genuinely modernising Bill. People are sometimes slick and sneering about modernising government, but the Bill is what modernising government is all about. It is about creating a framework of rights, helping people realise their rights and providing them with a mechanism for exercising those rights without requiring them to have undue expertise or excessive cash.

Passing the Bill is one of the biggest ways in which we can transform the United Kingdom. It is innovatory, and it will fundamentally change the relationship between Government and the people—not in a manner that reduces our democracy, but in one that extends it. For that reason, I commend the Bill to the House.

7.37 pm

Mr. David Ruffley (Bury St. Edmunds): The Government have introduced the Bill under the banner—the soundbite—"bringing rights home". The problem is that that conceals the Bill's real thrust: to effect a massive constitutional shift from the House to unelected judges. That is a constitutional change of epic proportions.

In considering our response to the Bill, hon. Members should realise that United Kingdom judges will be making law in a way that they have never done before. Even worse, the Bill will drag judges into politics as they have never been involved before. In a very real way, they will be politicised.

We know that Ministers accept that point. From paragraph 2.5 of the White Paper "Rights Brought Home", and from some of the Lord Chancellor's remarks, it is obvious that the Government accept that judges will become more important in public policy making. The Government do not make much of a secret of it, but, judging from the remarks of my right hon. and hon. Friends, it is obvious that Conservative Members are worried that unelected judges are being given those powers at the expense of elected representatives in the House.

When we talk about a new power of judge-made legislation, we hear the charge that judges have always made law. Something like the law of negligence was developed on a case-law basis in the 19th century, so judge-made law did bring into effect a law of negligence. However, we are talking about judge-made law in relation to things much more important than the law of negligence.

As my hon. Friend the Member for Woking (Mr. Malins) and my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said, judge-made law will be possible because of the wide ambit of the European convention articles. They are so widely drafted that there is a great deal of space to allow domestic judges in this country to make up new law.

Mr. Swayne: Does my hon. Friend acknowledge that not only a great deal of leeway, but a great deal of cost is involved? As the hon. Member for Wellingborough (Mr. Stinchcombe) said, judgments on this basis will come with a price tag—a right to education, a right to health care, and so on.

Mr. Ruffley: My hon. Friend is exactly right in that respect. My hon. Friend the Member for Woking ably gave the reasons for the wide drafting and the wide ambit—the vague, woolly, imprecise language—of the convention articles. In the 1940s and 1950s, it was never intended that these widely drawn articles would be directly incorporated into English law, and they were not so incorporated then. Those articles were an important beacon—a symbol—for European democracies that were freshly emerging after the second world war, but they were never intended to be of practical effect in this country.

It follows from what I have said that English judges will be able to challenge primary legislation already extant in this country. We know that this is not only possible, but likely because of clause 4, which provides for a "declaration of incompatibility." Certain problems arise from that declaration of incompatibility, which I should very much like the Minister to answer when replying to the debate.

[Mr. Ruffley]

If an English judge, interpreting the convention, finds that a primary piece of legislation in this country is in conflict with a convention article, under what obligation or duty is a member of the Executive—a Minister in the relevant Department—to lay an Order in Council? We have yet to receive a clear answer to that. It seems to me that the judge's finding will be of persuasive effect, but what happens if the Minister chooses not to lay an Order in Council? If the Order in Council is not laid, are we to assume that a litigant will go to the Strasbourg Court to compel the Minister to lay such an order?

Mr. Browne: One of the fundamental criticisms that the hon. Gentleman makes concerns the widely drafted nature of the articles of the convention. Is it part of his thesis that our citizens should be denied access to those rights because they are widely drafted, or would he continue to allow our citizens to have access to those rights through the Court in Strasbourg?

Mr. Ruffley: The hon. Gentleman misses the point. We are talking about the new—and, in our view, unjustified—powers that are given to English judges at the expense of Members of the House. That is the argument that I seek to make, and which Conservative Members have made.

Mr. Browne *rose—*

Mr. Ruffley: I will not give way.

The idea that the domestic courts in this country can challenge primary legislation is troublesome because of the way in which Ministers may have to respond by laying Orders in Council. As my right hon. and learned Friend the Member for Sleaford and North Hykeham said, there is grave disquiet on the Conservative Benches about the way in which orders can be laid which will amend the offending piece of primary legislation. The order will not be the subject of debate. I am sure—

Mr. Lock: Will the hon. Gentleman give way?

Mr. Ruffley: No.

What is the effect of a judge deciding that a piece of primary legislation in this country is in conflict with the convention and that, therefore, an Order in Council should be laid? What happens if hon. Members in this place consider that the judge is wrong? We have 90 minutes or so in which to debate an affirmative resolution. We cannot test the proposition; we cannot have a full and frank debate. It is a fast-track procedure.

When we consider that fast-track procedure, we all see the baleful influence of the Lord Chancellor; it bears his imprint. It is unfortunate that we have a Lord Chancellor who is so arrogant and high-handed in his treatment of the House. Only he could come up with a fast-track procedure. In New Zealand, any clash between a human rights convention article and primary legislation must be amended by full primary legislation—not by some Order in Council, banged through on the nod. That is a fundamental constitutional issue, which no Labour Member has even tried to address.

I argue that the Home Secretary—and the Lord Chancellor in another place—is disingenuous in arguing that the sovereignty of Parliament is protected. Obviously, if judges wish to interpret the convention articles in a way that is in conflict with primary legislation extant in this country, they can de facto strike it down. We await answers to that specific question from Ministers at the end of the debate.

The politicisation of the judiciary is inevitable; I shall explain why. If the European convention on human rights is incorporated in domestic law, all sorts of public policy issues could fall to be determined by domestic judges.

Mr. Vernon Coaker (Gedling): Does the hon. Gentleman consider it satisfactory that, at present, if a British citizen wishes to pursue what he or she believes to be an infringement of their human rights, it currently takes five years, and approximately £30,000, for him or her to do so? If the hon. Gentleman feels that what we are suggesting is so unsatisfactory, does he regard the present set-up as a satisfactory way for ordinary British citizens to protect their human rights?

Mr. Ruffley: What I find unsatisfactory is the idea of judges being given powers to make law on important public policy issues; I was about to list those issues. If the European convention is incorporated into domestic law by the Bill, for the first time, judges will make law on the right to an abortion, on the right to life, on the closed shop and on the right to privacy. Those are important issues, on which, in our judgment, the law should not fall to be invented by judges. The discussion of important laws, relating to the matters that I have listed, is a matter for this place, not for domestic judges.

I think it was Lord McCluskey who, in his very distinguished Reith lectures in the 1980s, said that the problem with Bills of Rights and the incorporation of the European convention on human rights is that one makes the mistake of dressing up policy issues as though they were legal issues. That is the crux of our argument.

It seems to me that something more flows from the politicisation of our judiciary—the way in which judges will be obliged to make up laws on abortion, on privacy and, conceivably, on euthanasia—namely, the prospect of a Ministry of justice tampering with the composition of the Bench. It seems to us that, in the course of his egomaniacal odyssey through Whitehall, the Lord Chancellor will seek to create a Ministry of justice; and that either he or his successors will try to tamper with the composition of the Bench—introducing quotas for race, gender and so on. That is a real threat. We have already witnessed the politicisation of the USA Supreme Court under Reagan, Bush and Clinton. I foresee the same happening under a "new Labour" Administration if the Bill is passed.

I believe that this is a bad Bill because it introduces the rule of lawyers to areas that should properly be the preserve of this House. When they finally wake up to what has happened, the British people will be appalled by

what the Government are doing. That is why I support the reasoned amendment tabled by my right hon. and hon. Friends.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Quite a number of hon. Members are trying to catch my eye. It would help them all if those who are called keep their eye on the time.

7.50 pm

Mr. Desmond Browne (Kilmarnock and Loudoun): As we have been reminded by my hon. Friend the Member for Wellingborough (Mr. Stinchcombe), it is fitting that a Labour Government should introduce the Bill, since it was a Labour Government who in 1966, 13 years after ratification of the convention, first accepted the right of individual petition and the compulsory jurisdiction of the Court. Now the Government are delivering their manifesto commitment, and, in so doing, they are taking another step towards modernising our constitution. Speaking on that very theme in March 1993, the then leader of the Labour party, John Smith, said:

"The quickest and simplest way of achieving the democratic and legal establishment of a substantial package of Human Rights would be by incorporating into British law the European Convention on Human Rights."

That is what we are doing.

The case for incorporation since 1953, when we ratified the convention, has been forcefully argued by a significant number of distinguished political and legal figures, including senior members of the judiciary. Although the argument has been supported by individual Conservatives, they have never supported it collectively. Indeed, as the Secretary of State has reminded us, the arguments were supported by many current Conservative Front Benchers but never by the Conservative party itself.

The Conservative contributions today have revealed a schizophrenic approach which demands clarification. If Conservative Members support the convention and the principles behind the Bill, it is surely not unreasonable to ask them whether they still oppose incorporation or whether they support it. It is all very well rehearsing arguments, but the Opposition must adopt a constitutional position on a matter as important as this—do they support or reject incorporation of the convention? Certain individual Conservatives have explained their position, but it remains difficult to determine the Opposition's position in principle, both here and in the other place. And it will not do to point out that the Conservatives are the Opposition, not the Government.

The Conservatives' reasoned amendment expresses their strong belief in human rights. How are those listening to the debate to interpret that sentiment in the light of the fact—this is where the hypocrisy comes in—that, without incorporation, our people have to go to Strasbourg to vindicate their rights, as the convention is not yet part of domestic law? The Opposition have a constitutional responsibility, therefore, to explain their position unequivocally on a matter of such importance.

There have been many examples of the Opposition's contradictory approach, most particularly in the opening speech by the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney). He said that the convention should be applied in a way that was sensitive to the British way of life. There is surely no better way of ensuring that than making the rights in the convention justiciable in our courts. Although the right hon. Gentleman was called upon to explain that apparent contradiction, and promised to do so, he never did. He was reminded that he appeared content to allow European judges to interpret the human rights convention, and thereafter to accept that we should legislate in response to those judges' decisions, but that he did not wish to allow our judges the same freedom. Somehow he never got round to answering that point. Let us hope that he gets round to it soon.

We need to consider the place of the European convention in UK law. As the Lord Chief Justice, Lord Bingham, said in his maiden speech in the other place, the starting point is that ours is a state that ratified the convention, so we are bound in international law to honour the obligations that we have undertaken—loosely worded or not, I might add; and when any breach of the convention has been established by any public authority, we are bound to amend our laws and procedures to make good the breach and prevent any recurrence.

We are not dealing with rights that have been foisted on us. Our courts have repeatedly stated that these rights are expressions of obvious humanitarian principles. It is significant that British lawyers drafted the convention; and that, in drafting the constitutions of many Commonwealth countries, we have incorporated the convention in them. By guaranteeing everyone the right to claim convention rights against public authorities in our courts, we are merely bringing home those rights, as the Secretary of State reminded us. It is nonsensical and unjust that our citizens cannot enforce their rights without first exhausting all domestic remedies and thereafter taking the long and costly road to Strasbourg.

Our citizens, moreover, are entitled to have confidence in our public authorities and courts. It undermines that confidence to learn that, having exhausted domestic remedies, elsewhere—in Europe—there is an opportunity for justice that is denied to the domestic litigant. Incorporation of the convention will create a climate of confidence in the idea that basic human rights and fundamental freedoms can be enforced as well in the UK as anywhere else in the world.

The Bill should be seen as the beginning of a process of creating a culture of respect for individual rights. That culture must become mainstream in the lives of our citizens, not the marginal add-on it is now.

I wish at this point to invite the House to consider a Scottish element. The point at which the Scotland Bill and the Human Rights Bill intersect has implications for Scotland and the UK. In the words of the Scottish Human Rights Centre:

"Together they represent an historical milestone in enabling Scotland to begin to develop a modern human rights agenda."

Taken together, the Bills enable a High Court and Court of Session to strike down any Act of the Scottish Parliament or action of a Scottish Minister which is incompatible with the European convention on human rights. Nevertheless the UK Parliament's claim of absolute sovereignty is recognised; and the superior courts in Scotland, as in England and Wales, will be able to make an open declaration of incompatibility only in relation to primary legislation of this Parliament—

[Mr. Desmond Browne]

although they will continue, as they do now on both sides of the border, to be able to declare secondary legislation ultra vires.

That difference quite properly reflects devolution. Both jurisdictions have different constitutional traditions and differing forms of incorporation are consistent with each.

I move on to the point made by my hon. Friend the Member for Slough (Fiona Mactaggart). While the Bill will help to promote the awareness of human rights in our society, it does not provide for the establishment of a human rights commission. In answer to a point made during my hon. Friend's speech, it is a disappointment to me that the Bill does not do so. I accept that the Government do not see that as a central task of the Bill, and I am reassured by the comments of the Home Secretary, and of the Lord Chancellor in another place, that the establishment of such a commission is not ruled out in future. I take this opportunity to make a plea for a human rights commission, the primary aim of which would be to promote the ideas contained in the convention and to ensure that those ideas promote the development of a human rights culture.

7.59 pm

Mr. Dominic Grieve (Beaconsfield): I am delighted to have the opportunity to participate in the debate. As is probably well known to my colleagues and possibly to other hon. Members, I have long been a supporter of the incorporation of a human rights Bill into our law.

I am mindful of the fact that the objections expressed by many of my colleagues have real force. There is no point in pretending that the incorporation will not effect a major change in the way in which we approach our legal system and the separation of powers. It will.

Historically, we have been blessed in this country by the notion of freedom. Parliament has been excellent at sustaining freedom under the law. That may have been partly an accident of history, but it has been one of our great success stories. It has been born of Parliament respecting the freedom of the individual and allowing the judiciary a strict and limited role in the interpretation of rights as between citizens, and rights as between citizens and the state.

We cannot escape the fact that society is becoming far more complex. Above all, the power of Government and the demands that it places on individual citizens has grown immeasurably over the past 50 years.

Mr. Swayne: Will my hon. Friend turn his attention to the potential problem with the convention, which is that the rights envisaged, rather than being limitations on the power of the state, are claims on the power of the state, which require powers on the part of the Executive to deliver, as the hon. Member for Wellingborough (Mr. Stinchcombe) so carefully pointed out?

Mr. Grieve: I am mindful of that, and will deal with the matter in a moment. As the impositions have increased, so has the need to provide protection by asserting rights rather than freedoms. That is why we signed up to the convention when it emerged through the Council of Europe, and why we have respected it, although we may often be irritated by some of the ways in which it is applied. It has never been suggested in the House that we should resile from it by withdrawal.

I am alive to the fact that, if incorporation takes place, there will be changes, but I believe that the balance is in favour of incorporation because it will allow judicial input in the UK into the way in which the convention evolves.

There is an argument, which has often exercised me, that we should move away from the convention entirely and have our own Bill of Rights. I have felt that powerfully from time to time, but I see this Bill as a beginning. It is a beginning because I do not see that it will produce anything that is written in stone. If it does not work—I can foresee that there may be problems associated with it—we shall have to address them and, if necessary, change the legislation.

When all that has been said, I cannot disagree with the principle of incorporation, and above all the principle of allowing for the interpretation of the convention to be patriated—repatriated is not the right word. I have sufficient faith in the impartiality of our national judiciary to believe, first, that it has not the slightest intention of getting dragged into the political morass, and, secondly, that it will be capable of interpreting the convention, and interpreting it in a way that respects national conventions and traditions, in a manner that will enhance its workability.

Having made a few points in favour of incorporation, I must express some serious reservations about the way in which the Bill has been drafted. One of those I find fundamental—so much so that I could not support the Bill if it continues in its present form. I refer to the remedial clauses, to which I ask the Government to give most careful thought.

Part of the problem in the House—I know that I have not been here very long, having been elected only last May—is that insufficient time and attention are given to the way in which we act as a legislature. Governments of every colour continually fall prey to the temptation to cut corners, to prevent legislative scrutiny by the House. It does us little credit. If the new system is to work, and if it is to deliver to the citizens of this country an enhancement of their rights, Parliament will have to act in tandem with the courts.

There will be occasions when conflicts arise and those conflicts will have to be resolved by Parliament paying attention to the extent to which the wording of the convention may impinge on our need to legislate and to maintain other rights that we consider important. We cannot do that if the system in operation allows only a 90-minute debate on an affirmative resolution. To suggest that that is the proper way of going about it is to hold the House in contempt. The only way in which we can go about it is with a willingness to have proper debate, for the debate to be public, and for people to notice as part of the process of understanding and developing human rights that there are areas of conflict that are not simply brushed under the carpet, so that they can make an informed decision about whether the legislation will work in practice.

I return to the fact that the Bill's practical effect may well be at variance with the way in which people view the theory of it. What looks good on paper, and what appears to affirm rights and obligations that most of us

would hold to be innocuous and important and with very little down side may turn out in practice to have complex implications that will have to be reconciled by the House.

As I said in my maiden speech, I welcome the fact that the Government have introduced the Bill. I welcome the opportunity to debate it and to discuss it carefully in Committee. There are other flaws in it. To mention only one, the lack of appeal for the Government to the Court at Strasbourg raises complex issues about how parity will be maintained between our national human rights and those at European level. That is one of the reasons why, in the past, I have felt that a national human rights Bill might be better. I hope that the Government will address that matter too, as the Bill progresses.

Having said all that, I would be denying my own conscience and feelings in the matter if I did not say that I believe that incorporation is a sensible step forward. I reserve my position on the Bill at present because it has a fatal flaw in the remedial clauses that will take us in the wrong direction. If we can get the Bill into a condition that I consider will make it workable and able to offer a real opportunity to increase human rights in this country, it will have my support.

8.9 pm

Mr. David Lock (Wyre Forest): I am glad to be called to speak in this important debate and I congratulate my right hon. and hon. Friends who have brought this excellent Bill before the House. The proposed legislation is at the foundation of the Labour party's project to modernise our democracy.

Democracy is generally about the rights of the majority, but human rights are about the interests of a minority—even a minority of one. The Bill is not about the things that people do of which we approve; it is about the things that people do of which many of us disapprove—when individual freedom conflicts with the moral and political norms of society. Protection of that freedom is very important in a democracy—particularly in a democracy, where, until it was restrained by European legislation, Parliament could do no wrong.

The Bill is also welcome because it gives positive rights to our citizens that are justiciable in British courts for the first time. For example, Mr. Malone discovered that his telephone was being tapped, so he took action. The British courts agreed that the activity was reprehensible, but said, "There's nothing we can do about it because the people who are tapping your phone are not breaking any specific law. Therefore, as you have no positive right not to have your telephone tapped, there is nothing we can do about it." Mr. Malone took his case to Strasbourg and won. We now have legislation governing telephone tapping in this country, but Mr. Malone should have been able to have his case heard in our courts.

It seems to me that those who oppose the Bill can adopt only two logical positions: first, they can support the repeal of the convention or ask that the United Kingdom derogate from it so that the people of this country do not have convention rights; secondly, they can support incorporation and argue about the details of the repeal legislation. I pay tribute to those Opposition Members who have spoken about their concerns regarding the repeal mechanism. I do not agree with them, but I respect their position.

The Bill should be welcome on both sides of the House. Those who approve of all things European should welcome it because it incorporates a European convention into English law. Those who see the channel as the only thing separating us from the unholy hordes of non-cricket-playing foreigners and their dreaded institutions should welcome it also. The idea that British judges shall decide the human rights of British people according to a convention signed by the British Government should appeal to those of the latter persuasion. However, it may be asking too much of the Conservative party to think along those lines—or even with one mind on this subject.

I raised an important question by way of intervention during the speech of the shadow Home Secretary, to which he did not respond. Why will the Opposition not trust the British judges? It goes further than the question of incorporation. Why do the Opposition not trust the British judges to interpret convention rights and the balance between rights and responsibilities when those judges are part of our society, try cases involving our society and are likely to be far better acquainted with the balance in our parliamentary democracy than judges in Strasbourg who come from a wide range of European states? I fear that there is no answer to that question. That is why I believe that there are only two logical positions to adopt: either one opposes the convention completely or one approves of its incorporation in this country.

In the limited time available to me, I want to address the question of what the convention is likely to do to assist people in this country in exercising their rights. I share the view that our institutions—such as local government, national Government, the police and some of our privatised utilities that discharge public functions—do not act habitually or intentionally in breach of conventions. There is no conspiracy to do down certain sections of the population. However, that does not mean that the system does not break down; it does not mean that people do not slip through the cracks or are not failed by policies that were introduced for one purpose but which have another devastating effect. If our institutions act in breach of people's convention rights, people will now be able to seek a remedy in our courts. I anticipate that there will be relatively few court cases asserting convention rights, but I hope that the existence of those rights will change behaviour.

The best analogy is perhaps with racist and sexist behaviour. In both cases, it is likely that the law led majority public opinion. Although many people believed that legislation was necessary in that area, the laws were not universally welcomed initially. However, the existence of those laws has changed behaviour across a wide spectrum. Much greater changes will be needed if we are to move towards a rights-based society. Changing the law so that rights may be enforced in our courts is an essential step towards changing behaviour. The positive human rights in the convention will speedily and effectively remedy the dead hand of anonymous bureaucracy that breaches our convention rights.

The White Paper that preceded the Bill suggested that human rights should be woven subtly and powerfully into our law. I hope that the Bill will go beyond that: I hope that those rights will be woven subtly and powerfully into the operations of every element of government and public institutions so that they do not breach the convention and thus do not find themselves before the courts. In that way, they will respect individuals' fundamental human rights.

[Mr. David Lock]

That brings me to my last point. The success of the campaign to outlaw race and sex discrimination is partially due to the work of Government agencies that are charged with enforcing the laws and changing public attitudes. They do that through sponsoring cases, through workplace training and by educating trade union and employee leaders about their rights. That work is as valuable as the cases that have defined the law. If we are to move to a rights-based society, I believe that a human rights commission can build on the work undertaken by the Equal Opportunities Commission and others. I accept that there are difficulties and that we cannot achieve our goals overnight. However, as we move towards a rights-based society, I hope that the demands for a human rights commission, promoted by the parliamentary Committee envisaged in the White Paper, will become plain.

Sir Nicholas Lyell: The hon. Gentleman is making a thoughtful speech. He said that those hon. Members who argued that we should not have a fast-track remedial system had a point, although he disagreed with it. Now that he, like some of his hon. Friends, is developing the idea in support of a human rights commission—he is right to envisage a considerable extension of human rights and the development of law in this area; and no doubt there will be incompatibility from time to time—will he explain to the House in a few sentences why it is right that Parliament should have only one and a half hours in this and another place in which to deal with such a matter should it arise?

Mr. Lock: An automatic repeal would be the primary mechanism assumed by the courts to repeal one Act by a subsequent Act. If the courts determined that there was incompatibility, the later Act would apply and the former would be deemed to be repealed. In this case, the later Act would be the Human Rights Act if the Bill comes into force. Therefore, in the usual way, there would be no need for a repeal mechanism.

The right hon. and learned Gentleman should accept that any likely breach—which I hope will be rare—of the convention will be narrow and precise rather than an attempt to overrule primary legislation in its entirety. Accordingly, a one and a half hour debate on a narrow point may well be appropriate.

Mr. Gareth Thomas: Does my hon. Friend accept that if there is incompatibility between an Act of Parliament and the convention, there is a strong argument for putting that right as quickly as possible if we respect human rights, and that there is therefore an argument for a fast-track approach?

Mr. Lock: I am grateful to my hon. Friend, as that was the third point that I was going to make. We must balance the need for a proper debate on any change to primary legislation with the mechanism for repeal. I have the privilege of sitting on the Select Committee on Deregulation, where primary legislation can be—indeed, is—amended using the affirmative resolution procedure. That provides for a one and a half hour debate, which now appears to be so inadequate for the purpose of amending primary legislation. At worst, it is a model that we have picked up from our predecessors. In balancing the need for speed, which is far more pertinent in the case of human rights than it is for deregulation, the Bill gets the balance about right.

That was all said in the context of a request to the Government to keep the human rights commission under review.

8.21 pm

Mr. Gerald Howarth (Aldershot): This is proving to be an interesting debate, with thoughtful speeches from hon. Members on both sides of the House. We can therefore rest assured that it will not feature in tomorrow's newspapers, that it will not be on "Yesterday in Parliament", and that it will be buried without trace because, as we know, our media—broadsheets included—are interested only in the sexy bits, not the somewhat arcane matters that we are discussing tonight.

The Bill is one of a series of measures that the Government are introducing that will have a seismic impact on the people of this country. It should not be buried in a hole in the corner; it is something of which the British public should be well aware. It is part of the bulldozing of the constitutional landscape of the United Kingdom. It is on a par with the Scotland Bill, the Government of Wales Bill and the proposals to abolish the hereditary right of peers in another place who are there through an accident of birth, and substitute them with peers who are there by accident of friendship with the Prime Minister. We are faced with a torrent of legislation on important constitutional matters. The Bill is profoundly important. I am delighted that some of my hon. Friends who are in favour of the principle of the Bill will nevertheless join me in the Lobby tonight to oppose it.

The Bill has generated real public interest only because the media feel threatened by it. They are concerned about their right to intrude into other people's private lives—so it is offensive to them. Were it not for that fact, I doubt whether they would pay such attention to it.

I do not see a great demand for the Bill. Constituents do not come to my surgery in Aldershot, saying, "Mr. Howarth, we must have a human rights Bill." The hon. Member for Birmingham, Hodge Hill (Mr. Davis), who has been present throughout the debate, made an important point when he said that this is a symbolic measure and that it sends a signal to our counterparts in Europe. That is no basis on which to legislate to overturn an established principle of the House.

I am concerned about the Bill. I do not believe that there is a need for it. The Labour party is only newly converted to the cause. As recently as 1988, Roy—now Lord—Hattersley was against it. Only when John Smith became leader of the Labour party was any interest shown in it. As Lord Cocks of Hartcliffe—a splendid patriot and a former Chief Whip, but nevertheless a great man—said, this measure emanates from the chattering classes, and Charter 88 in particular. He said that it is not coming from the roots up; it is coming from a particular and narrow corner of the electorate.

I have major reservations about the Bill, as it panders to the belief that there is a human rights deficit in the United Kingdom. I believe that to be profoundly untrue. We need look no further than the origins of the human rights convention to get some understanding of why we are debating the Bill. Oppression and the systematic

destruction of human rights played an important part in bringing about the horrific tragedy of the second world war; the convention was drawn up in the aftermath of the war. Those who were in positions of political influence thereafter wanted to do whatever they could to prevent it from happening again, and this was one way in which they could lay down clear tenets of human rights and liberties of the subject, which this place had taken for granted for decades, if not centuries.

This place breathes the concept of the rule of law and freedom under the rule of law. We do not need any lectures from anybody overseas to promote the cause of human rights. We are one of those nations—if not the nation—that have led the way in promoting human rights. Nobody did more than Baroness Thatcher to bring human rights to eastern European countries—whose regimes were often looked on favourably by the Labour party over a number of decades—and to ensure that they enjoy freedom under the rule of law.

I understand the Government's wishing to promote their buzz phrase about bringing rights home. I believe that the present system works. Some of my friends were concerned about the closed shop, particularly as it applied to railwaymen. They sought to take their case to the European Court of Human Rights, but I felt that the matter should be decided in this country. If the people of Britain wanted the closed shop, they should have voted for a party that supported that concept. We should not be required to go abroad to enforce rights. This is where it should happen.

I have been in favour of a Bill of Rights. The late Sir Ian Mactaggart—the father of the hon. Member for Slough (Fiona Mactaggart)—was a great friend of mine. I am sorry to disappoint the hon. Lady. He was a great man and he and I promoted a Bill of Rights in the other place, but the father of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) threw it out, having said that he was in favour of it. I have changed my view. I do not believe that a Bill of Rights is necessary. I believe that the guarantor of the people's liberties in this country is the House, which brings me to another point.

The Bill will diminish respect for Parliament. It should be for Parliament to decide some of the important issues, and some of the conflicting issues. On the right of freedom of expression, or the right of an individual to enjoy a private life, it is for this place to draw the distinguishing line. It should not be handed over to unelected judges, however good they may be. I fear that those who are concerned to change the law, whether it be on euthanasia, abortion or any other issue, will cease to come to the House to seek redress but will go first and foremost to the courts. I know that it is expensive to go to the European Court of Human Rights, but that provides some hurdle. The alternative is that the role of the House will be diminished as people seek more and more to have laws interpreted by the courts instead of being spelt out by the House.

Fiona Mactaggart: I shall not deal with the hon. Gentleman's reference to my father, but I wish to ask him whether he really believes that it is proper to have a barrier to access to rights that means that rich people have access while poor people do not. In effect, that is what he has said.

Secondly, does the hon. Gentleman believe that the House is able in individual cases to draw a line, where rights are in conflict, between the right to privacy and the right to freedom of information and public knowledge? How can the House undertake that job?

Mr. Howarth: To answer the hon. Lady's first question, we know that going to law is always expensive. My hon. and learned Friends are expensive people. However, there are those who will appear as advocates on behalf of those who cannot afford expensive lawyers. The case of the railwaymen, to which I have referred, is one example. The case was taken up by the Freedom Association. It espoused the railwaymen's cause and helped those concerned to have their case heard before the European Court of Human Rights.

As time is pressing—I know that some of my hon. Friends wish to speak—I shall make my third and final point in explaining why I believe the Bill is profoundly unacceptable. I believe that it risks politicising the judges. My hon. Friend the Member for Beaconsfield (Mr. Grieve), who is not in his place at the moment, said a few minutes ago that he did not believe that our judges would be drawn into what he described as the political morass.

I am sure that our judges are splendid people, but, at the same time, it seems to me that there is a great danger that they will be drawn into the political morass. If the House deserts the field of battle and hands matters to the lawyers, the lawyers will definitely take up the cudgels. If that happens, they will find themselves perforce involved in deciding matters of public political controversy.

The Bill does serious harm to the concept of the separation of powers whereby Parliament enacts the law and the courts then interpret the law as passed by Parliament. That is the job of the courts, and to have lawyers trespassing upon the rights of the House will do grave damage. They will find it difficult to reconcile conflicting priorities without incurring the wrath of one side or the other. They will certainly be trespassing on the rights of the House.

I pray in aid a Member of the other place who has not been referred to so far—my right hon. and learned Friend Lord Mayhew of Twysden, who said:

> "I am a firm admirer of our judiciary and the limitations that our constitutional practice has placed upon its work. Those limitations have preserved the judiciary from any perceived taint of partiality, especially in controversial fields of political policy. That is important and we want to risk it only after the greatest care and consideration."—[*Official Report, House of Lords*, 3 November 1997; Vol. 582, c.1261.]

I believe that the Bill fails to provide that necessary care and consideration.

8.33 pm

Mr. Ross Cranston (Dudley, North): I congratulate my right hon. Friend the Home Secretary on introducing the Bill. I pay tribute to the Lord Chancellor and to Lord Williams of Mostyn, who shepherded the Bill through the other place. I wish also to join the tributes paid by my right hon. Friend to the late leader of the Labour party, John Smith, and to the Liberal Democrat peer, Lord Lester of Herne Hill.

There are persuasive arguments for incorporating the European convention into our law. First, the convention has an important symbolic significance. In my view,

[Mr. Ross Cranston]

it demonstrates clearly that this country is committed to human rights. That does not mean that we have not taken human rights seriously in the past—we obviously have: since 1951, we have adhered to the European convention at treaty level—but I agree with my right hon. Friend the Home Secretary that patriation of the convention is one way of restoring confidence in our Government.

It must seem somewhat paradoxical to ordinary people, if they know about it, that basic constitutional rights have until now been negative rights. In other words, they are enjoyed as long as Parliament does not legislate to the contrary. Incorporation of the convention will ensure that basic constitutional rights will become positive rights. I think that that is a great benefit.

The second persuasive argument is that it is somewhat undesirable—several hon. Members have made the point—that if individuals want to pursue rights under the convention they must go to Strasbourg. They have to incur costs and are subject to the delays associated with pursuing rights before the Commission and ultimately the European Court.

My hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis) advanced a valid argument when he said that rights in practice are vital, and added that it is all very well to have rights on paper, but, if they are not implemented and capable of being implemented in practice, they are not worth very much. That is the effect of the current arrangements. People must be greatly disillusioned when they are told that they must exhaust their remedies in this country right up to the House of Lords, and then go further to Strasbourg. That is the second argument in favour of incorporation.

The third argument is that the United Kingdom courts, once the convention is incorporated, will be able to contribute to jurisprudence on human rights. Historically, of course, they have already done that through the development of the common law. In recent times, they have referred to the convention in decision making. Under the Bill, however, they will be able to proceed directly. They will be able to take into account the decisions of the European Court—that is provided for in the Bill; it is inconceivable that that would not be open to them.

The Bill correctly provides that our courts will not be bound by European Court jurisprudence. In my view, some of the decisions of the European Court are based on faulty reasoning. In some instances, I think that it is plain wrong. The Saunders decision falls into that category. That decision did not appreciate the problems of policing corporate misbehaviour. Nor did it appreciate properly the history of insolvency and company law in this country. If our courts had handled that case under the convention, I think that a different decision would have been reached. If our courts can consider these matters, we can contribute to the development of doctrine. In an area in which legislative provisions are so open-textured, that is all important.

There are other, ancillary, advantages to incorporation, such as the benevolent effect that it will have on our attitude to statutory interpretation. The Bill provides that the convention must be interpreted in a purposive way. I hope that that approach will insinuate itself more widely into the interpretation of legislation.

That leads me conveniently to several matters of controversy about incorporation of the convention. I shall touch on them briefly, given the limited time that is available to me.

The first issue is the role of the judges. As I have said, they will have an important role because they must decide on the metes and bounds of very vague provisions. Moreover, some of the convention rights can, in particular contexts, be in conflict with one another. The judges will have to reconcile those possible conflicts. That goes to the nub of the debate about where the line will be drawn in relation to the press—between article 8 on privacy and article 10 on freedom of speech.

Mr. Gerald Howarth: Does the hon. Gentleman believe that judges should decide? Such matters should be decided in the House. I am in favour of a privacy law, but I am not in favour of its being decided by judges. If the House wants a privacy law, let us have one, but we should not leave it to the judges because we cannot make up our minds.

Mr. Cranston: Judges adjudicate on disputes. These matters are decided in Strasbourg, but I believe that it is more appropriate for such decisions to be made in this country.

The Bill has got the balance right, because it takes our system of parliamentary sovereignty into account. There has been quite a discussion in constitutional circles about whether we should adopt the New Zealand or the Canadian model for a Bill of Rights and whether we should enable the courts to strike down legislation, at least legislation made after incorporation, on the ground of incompatibility. In my view, if the Canadian approach had been adopted there would have been a risk of politicisation of the judiciary, or at least the appearance of politicisation. The Bill proffers the neat solution of a declaration of incompatibility. The courts cannot directly affect the validity or continuing operation of primary legislation, but they can make a declaration that would trigger the remedial order provisions.

Some Conservative Members have expressed reservations about the remedial order procedure. I would be more convinced by their arguments if the Conservative Government had not introduced the deregulation legislation under which orders can amend primary legislation. Handled sensitively, this method could speedily overcome a problem caused when a court has declared that legislation is incompatible with convention rights.

The second area of controversy concerns standing. The Bill states who can challenge an act of a public authority that is said to be contrary to convention rights. Bodies such as Justice and Liberty would prefer a wider test than that provided in clause 7, which confines standing to victims of an act that is contrary to the convention. However, the Bill again strikes the right balance.

At this stage of our constitutional development, the open-door approach to challenges to governmental acts would be premature. Frankly, as those associated with constitutional litigation in other countries and with judicial review in this country know, it is fairly easy in practice to find a victim if someone wants to challenge a particular governmental act. At an early stage of the

debate, I expressed a preference for a judicial review system, under which victims can rely on convention rights only by special application and not by direct involvement in litigation.

The third area of controversy concerns the ambit of convention rights once incorporated. They are, in the main, vertical rights that can be raised only against public authorities, which are widely defined in the Bill. On the particular controversy about the press, the fear of the press in this area is ill-founded. The European Commission of Human Rights and the European Court of Human Rights have lived with the potential conflict for many years. In case law, they have made it clear that freedom of expression for the press is a paramount factor.

A country's constitution is a living thing. The incorporation of the convention is one step in this country's constitutional development. I can see a day when we will have a human rights commission, and even a Bill of Rights in a different form. It goes without saying that the Bill, when enacted, will not be the be-all and end-all of human rights. Human rights must be put in a wider context. The Government's new deal to give dignity to young people through employment is just as important as this measure.

8.44 pm

Mr. John Bercow (Buckingham): Serious objections to the Bill should cause the House to refuse to give it a Second Reading. The first objection relates to the content of the articles of the European convention on human rights, some of which are profoundly flawed and unsatisfactory. On the basis of such an assessment, there is no case for their incorporation into British law.

Article 2 refers to the right to life, yet it does not prohibit the application of the death penalty. Article 4 prohibits forced labour, yet it accepts

"any work or service which forms part of normal civic obligations."

I leave the House to judge precisely how that article should be interpreted.

Article 5 provides that everyone has the right to liberty, yet it allows the arrest of vagrants. In earlier, perhaps halcyon times, vagrants were known as "tramps". Many of them are stout fellows who prefer to take their chances on the open road. It is not clear to me why they should be singled out by the Bill for particular, differential and unfavourable treatment.

Article 9 provides that everyone has the right to freedom of thought, conscience, and religion, but not if constraints are necessary in a democratic society for the protection of public order, health and morals. There is a further ambiguity: if thought, conscience and religion are not to do with morals, it is difficult to imagine what they are about. If morals do not have an impact on conscience and religion, how can we know where we stand?

Although the convention is full of good intentions, it is replete with contradictions and ambiguity. I am not content to proceed on that basis.

Article 11 provides for freedom of association and assembly, from which one could reasonably deduce that the right of individuals to assemble, as they have for generations, to go hunting would be underwritten and guaranteed by the incorporation of the European convention, but I doubt whether Labour Members would agree to that.

There is a serious problem at the heart of the content of the articles of the convention. They have one feature in common: they concern matters that are pre-eminently for democratic debate and not for judicial resolution. None of them is exclusively, or even largely, judicial or legal in character: they all have a substantial political component. That is why the elected House of Commons should adjudicate on the merits of the principles and on the articles of the convention. It is wholly inappropriate for us to follow the continental practice, and to incorporate those high-falutin' but unsatisfactory declarations into United Kingdom law.

Mr. Beith: I do not agree with the hon. Gentleman in principle, but if his argument has any substance, why have Conservative Governments in the past 50 years allowed these rights to remain accessible to the people of this country and subject to judicial decision in Strasbourg?

Mr. Bercow: If the right hon. Gentleman had been present for more of the debate, he would have observed that several of my right hon. and hon. Friends drew attention to circumstances in which this country—under Conservative Governments as well as others—thought it right to sign up to the convention: circumstances radically different from those that obtain today. No serious threat to rights is currently entailed, and I see no justification for incorporation.

The second objection, which has been made powerfully by a number of my right hon. and hon. Friends, is that, whatever the Bill's purpose, its effect will be to confer a dramatic extension of power upon the courts. A number of Labour Members denied that, but they did not refer to the substance. I intend to do so.

There are two respects in which there is a significant increase in power for the courts. First, there is the right of the British judiciary—a right that it has never enjoyed before—to strike down secondary legislation when the parent Act does not prevent compatibility with the European convention. The Labour party pooh-poohs that as being of minimal significance, but I believe that it is a dramatic constitutional change which Labour is trying to push through on the nod in a beguiling fashion, reassuring us that nothing of substance is at stake and that there is no danger. That is not true: it is a substantial change.

Secondly, there is the entitlement of the higher courts, in respect of primary legislation, to make a declaration of incompatibility. We have heard a good deal about that from those on all sides of the debate. I find it worrying. I believe that the courts—contributing to the evolution of jurisprudence, as the hon. Member for Dudley, North (Mr. Cranston) rightly emphasised—will often take it on themselves to fashion law, seeing that as a contribution to the debate. I see nothing in the Bill that will prevent the courts from going beyond the existing terms of the convention as part of the process of trying to reform and, in their view, improve it.

Because of the courts' understandable attachment to precedent, once a precedent is established—once the courts think that something is incompatible with the convention—the prospect of their revising that judgment is so small as to be insignificant. That is a serious problem. We are creating a collision course between the courts and the House of Commons. Creative tension is healthy, but to embody and almost to sanctify

[Mr. Bercow]

a potential war of attrition between two central components of the British state is unwise. It does violence to the principle of the separation of powers. Such a move may be well intended, but it is pregnant with peril for the future.

The third objection is to the extension of the power of Ministers. The Home Secretary is a sophisticated operator. He argued, with all the passion and force at his command, that the Government were protecting parliamentary sovereignty. He sought to defend the really rather unsatisfactory and indirect way in which the Government are promoting their proposal by saying, "We will not go for direct incorporation, because that would enable the courts to strike down primary legislation and would violate parliamentary sovereignty, to the defence of which we—the Labour Government—are committed." I regard that as thoroughly unsatisfactory and unconvincing.

The truth is that the fast-track power that the Government will confer on themselves if the Bill becomes law is not—as I am sure my right hon. and hon. Friends will by now have discerned—about the protection of parliamentary sovereignty; it is about the promotion of the convenience of the Executive. That is a fundamentally different point. A much more damaging procedure is to be set in train, and I am extremely worried by the threat that is being proposed. I am not alone: the House of Lords Select Committee on Delegated Powers and Deregulation has expressed concern, saying—not so very long ago—that, without severe limitations, a power of such potential width would be unacceptable. I entirely concur with that verdict; there are real problems in what the Government propose.

I believe that the way in which we have conducted our affairs to date is entirely satisfactory, and I see no cause for change. The Government have made a poor argument in support of such change. The Home Secretary has not exactly been helped; indeed, he has been weakened at every turn by the interventions of his noble Friend the Lord Chancellor. I find the Lord Chancellor's attempts to tell us that there is no threat to the freedom of the press thoroughly unconvincing. He has—foolishly and cack-handedly—given the game away a number of times, talking about the need for prior restraint, saying that stories should not be published and insisting that the press will have to have its wings clipped in the future. It is no use the Lord Chancellor, under threat of permanent removal from the Government by No. 10 Downing street, claiming that that is not his agenda. In fact, he displays wisdom in inverse proportion to the frequency of his public utterances, and his public utterances have damaged the cause of the Bill.

This is a poor Bill, and the thesis advanced in its support is still worse. We do not need it; we would be better off without it. I invite my right hon. and hon. Friends to oppose a Second Reading for such an unnecessary and unwelcome measure.

8.56 pm

Mr. Gareth Thomas (Clwyd, West): I welcome the Bill, and congratulate the Government on introducing it so early in this Parliament.

It is an indication of how seriously the Government are pursuing their programme of constitutional reform and modernisation that time has been found to introduce this important Bill. It needs to be seen in the context of the Government's intention to modernise the state and to devolve power. In my view, it is a long overdue reform. It has been variously described this evening as revolutionary and seismic, but perhaps it appears more dramatic than it is. After all, it only addresses the anomaly whereby, although the United Kingdom is internationally bound by the convention, the convention is not enforceable in this country. In that sense, the Bill repatriates the convention: it brings it back to the United Kingdom. The Bill seems more revolutionary than it is because, for 18 years, the Conservatives ruled in such an arrogant manner, producing a system of government that abused power.

The United Kingdom was among the first countries to ratify the convention in 1951, but—probably because of the number of successive Conservative Governments—it is among the last to incorporate it in domestic law.

Sir Nicholas Lyell: Will the hon. Gentleman give way?

Mr. Thomas: Yes, briefly.

Sir Nicholas Lyell: Will the hon. Gentleman remind himself that, until 1993, it was Labour party policy not to incorporate the convention?

Mr. Thomas: Opinion has developed since the second world war. After the war, the conventional wisdom was that it was not necessary for countries such as the United Kingdom to incorporate measures such as this. Since then, however, a succession of Governments have, either rashly or blindly, eroded individual rights in this country. That is why this reform is so long overdue.

Let me specify four points that need to be addressed. They are the reasons why it is so important to deal with the anomaly to which I have referred. First, the convention needs to be brought closer to people. It is not a matter for the chattering classes. Articles enshrined in the convention on punishment without law, the right to respect for private and family life, the right to a fair trial and the right to liberty and security concern grass-roots issues; they affect ordinary people. Access to such rights has not been easy. It has involved an arduous, expensive and long-winded process whereby litigants have had to exhaust all possible domestic avenues of redress before making the journey to Strasbourg. The Bill significantly improves the status quo in resolving such a difficulty—and not before time.

Secondly, by incorporating convention rights into UK law, the general level of public confidence in our legal system will be enhanced. No longer will it be necessary for lawyers to say, "Well, you have gone through all the possible procedures in the UK, but I am afraid that we cannot take the case any further. You have to go abroad to Strasbourg to ventilate your case and get a hearing." That problem will be resolved, and, at a far earlier stage, it will be possible for courts to intervene and determine issues concerning the applicability of the convention to prevent inconvenience and hardship.

Thirdly—this is a most important point which Conservative Members have neglected—the incorporation of the convention and its interpretation by British judges will import an important element of British jurisprudence. In a very real sense, that is a devolution of power from

Strasbourg to British courts. One can expect that British judges, versed in the sensitive relationship between Parliament, the Executive and the judiciary, will produce decisions that are inherently more sustainable and plausible.

Fourthly—I make specific reference to clause 19—the Bill will improve the culture and awareness of human rights in the United Kingdom. It is particularly welcome that the Bill stipulates that before any Bill is introduced, it will be necessary for the Minister in charge of that Bill to make a statement of its impact on human rights. That is a very welcome change, especially after an unfortunate period during which the state has been favoured too much over the individual. Is it not a strong indication of the Government's altruism that, armed with an overwhelming parliamentary majority, they none the less consider it necessary to lay down for the long term a system of rights to protect individuals from misuse of power by the state? The provision is a litmus test of the conviction behind the Bill.

I welcome the Bill; it is long overdue. It is an essential part of the Government's reform and modernisation of our constitution for the 21st century.

9.3 pm

Mr. Edward Leigh (Gainsborough): We all know where the Government are coming from. Everybody is in favour of human rights as they are traditionally understood.

Mr. Swayne: Speak for yourself.

Mr. Leigh: There is no debate about that—although my hon. Friend says that I should speak for myself. I am not sure whether he meant to say that.

We know that the convention grew from conditions in the second world war. We have been reminded of that again and again. But the scope of human rights has been greatly extended since the convention was first drawn up in 1950, the year in which I was born. In the famous case of Tyrer *v.* United Kingdom in 1978, the convention was held to be

"a living instrument"

—a phrase which Labour Members have bandied across the Floor—

"which . . . must be interpreted in the light of present-day conditions."

When we originally signed up to the convention, we were thinking in terms of torture and slavery. I am not sure whether we were thinking in terms of caning in schools. The scope of human rights has been extended continuously, and therein lies the danger.

Having said that, the Strasbourg Court—many of my hon. Friends would not agree—has been remarkably careful to restrict itself in moral and social areas. As I said to my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), under the margin of appreciation, the Court has applied a kind of principle of subsidiarity. It has left controversial decisions concerning social and moral issues largely to national judges. I do not have the confidence of my right hon. and learned Friend the Member for Sleaford and North Hykeham and my hon. Friend the Member for Beaconsfield (Mr. Grieve) in our judges not wanting to extend the areas on which they adjudicate. British judges will have to adjudicate on very sensitive areas.

Of course, judges do their best to interpret the law, but they have prejudices—as we read last week. Not all judges are perfect. Some are tardy; some, according to barristers who appear in front of them, are horrible; some do not even know who Gazza is; some are out of touch. Judges do not necessarily know more than Members of Parliament about the real world.

We have heard a great deal about the fast-track procedure and the danger of secondary legislation overtaking primary legislation. I concede the point to Labour Members that those who live by the sword of the Deregulation and Contracting Out Bill may have to die by it. Perhaps we can now see that it was dangerous to proceed down such a route. Just because a mistake is made once is not a good reason for compounding the error by repeating it. For the sake of brevity—I have been asked to speak for less than 10 minutes—I adopt the arguments of my right hon. and hon. Friends about the dangers of the 90-minute procedure. It is not a small point; it is very important.

Rights-based law does not guarantee freedom. I shall illustrate that by describing how secular courts in other countries have handled difficult social issues. Under the constitutional "right to free speech" in Canada and the United States, pornographers have made great headway in overturning legislation passed by democratic means. Only recently, a law restricting pornography on the internet, which was duly passed by an elected Congress and the President, was overturned by the Supreme Court.

We have heard much about how we should have an unwritten constitution based on rights, but the USA's rights-based constitution has profoundly influenced education. In the 1960s, the US Supreme Court struck down school prayer and reduced religious education in schools. Perversely, the Supreme Court used the separation of church and state provisions of the constitution—which were intended to protect religious freedom—so that, in the US, freedom of religion has become freedom from religion.

In 1993, the Religious Freedom Restoration Act was passed to permit individual states—if they wanted to, and by democratic means—to allow school prayer in their states. It was passed virtually unanimously by Congress, and only three senators opposed it. However, within four years of its becoming law, it was struck down by the Supreme Court as unconstitutional. I mention that example to warn well-meaning hon. Members about creating a rights-based constitution, which can have perverse anti-democratic effects.

That brings me directly to an important issue in this case, which was raised by religious leaders and a number of Law Lords in the other place. Article 9 of the convention on human rights—and Bills of Rights around the world—contains provisions to protect religious liberties. The question is how these liberties will fare in the secular courts. The experience from Holland, Canada and the United States is not encouraging, as I shall explain.

Under clause 6 of the Bill, all public authorities are required to comply with the convention. Public authorities are defined as those bodies which perform public functions. What could be clearer? However, as my right

[Mr. Leigh]

hon. Friend the Member for Huntingdon (Mr. Major) said so often during the last Parliament, our civil servants have a tendency to gold-plate European legislation so that a simple four-page directive from Brussels can become a 90-page document from Whitehall. I make no criticism of our European partners for that.

The Bill is not convention-lite—a cut-down version of the convention. It is convention-plus, with the added requirement that all sorts of new bodies, such as the Churches and the Press Complaints Commission, will be required to comply with the convention. That is typical of the way in which we conduct our affairs in the UK, and that is why such Bills can have different effects from those envisaged by those who draft them. The White Paper says nothing about Churches being required to conform to the convention, but, as the Lord Chancellor has made clear, Churches and the other faiths will have to comply with the convention when they carry out public functions.

As I said to my right hon. Friend the Member for North–West Cambridgeshire (Sir B. Mawhinney), that means that Rupert Murdoch's media empire—which, arguably, has far more power than any religious organisation—will not be covered by the convention, but a lowly, impoverished local parish church that is simply trying to carry out its religious functions in the way in which it thinks best will be covered. That is paradoxical, and I cannot believe that that was intended by the framers of the Bill. The Government have given various promises, but I beg them to take these points seriously.

The Prime Minister and I share the privilege of sending our children to a Church school; people send their children to such schools because they like the ethos. If a teacher is dismissed because his or her views or actions offend the religious ethos of the school, he or she—we can be sure—will take that Church school to court. The whole ethos of Church education in this country could be overturned or, at least, be under attack.

That may sound far-fetched, and the Government have said that it will not happen; but I shall refer to one case. An institute of theology in Holland, run by the Dutch Salvation Army, is being sued by an atheist who was refused a position on the teaching staff. That is absurd, but it is going on in Holland.

Mr. Denis MacShane (Rotherham): Everything goes on in Holland.

Mr. Leigh: Perhaps people in this country do not want everything that goes on in Holland to go on here. That is why we are right to raise these fears. If the Government seek to brush aside the views of Law Lords and religious leaders in another place, they will be doing themselves a disservice.

Our record in this country is second to none in protecting religious freedoms. Would it not be ironic if, a century after we passed emancipation legislation to buttress religious freedom, our desire to promote human rights in the Bill should, perversely, attack religious freedoms? I cannot believe that that is the intention of the Government, and I hope that they will give more than assurances. I hope they will give a commitment to accept the amendments passed in another place.

9.13 pm

Mrs. Theresa May (Maidenhead): I am grateful to my hon. Friend the Member for Gainsborough (Mr. Leigh) for keeping his remarks shorter than he would perhaps have liked, to allow me to contribute, albeit briefly, to the debate.

Several hon. Members have referred to the desirability of the convention in itself, but our debate is not about that but about the Government's decision to incorporate it into United Kingdom law and, more particularly, the means whereby they want to implement that decision.

In the debate that has developed over recent months, I have been worried by the Government's reluctance to accept, behind the soundbite of human rights, the full implications of their proposals on incorporation. Those proposals are writ large in the Bill, which has already been discussed in some detail in the other place.

The Government's reluctance has manifested itself in various aspects of the Bill. We saw it in the debate on whether the Bill would lead to a back-door privacy law. From the interchanges between the Prime Minister and the Lord Chancellor, it seemed that there was disagreement and that either the Government had not thought the matter through properly or they did not want to admit the Bill's full implications. The Home Secretary said this afternoon that the Government, having accepted that there may be more to the issue than they at first acknowledged, intend to consider it and to hold consultations, and may table amendments accordingly.

The hon. Member for Wellingborough (Mr. Stinchcombe) was very brave: it was to his credit that he pointed out to the Government that the Bill had considerable resource implications. He referred to the implementation of rights and the effect on expectations of, for example, the right to proper housing. I wonder whether the Chancellor of the Exchequer has paid any attention to such resource implications.

The Government have been reluctant to accept the Bill's implications for the sovereignty of the House. Both Government and Opposition Members have spoken about that. It is disappointing that Labour Members do not seem to be able to understand and accept the implications for the responsibility of the House of the incorporation of the convention into United Kingdom law, and the particular way in which the Government have chosen to effect it.

Mr. MacShane: Will the hon. Lady give way on that point?

Mrs. May: I am sorry, but I have very limited time.

The implications have been rejected by Labour Members, but it is essential for the future of the House that they be considered. It is perhaps not surprising that Labour Members do not acknowledge the way in which incorporation will change the essential balance of power between Parliament and the judiciary, whereby Parliament makes the laws and the judges apply them.

That is not surprising, because this is yet another policy in a long line of Government policies that will reduce the sovereignty of Parliament and diminish the rights and responsibilities of Members of Parliament, as democratically elected representatives, to make decisions and enact laws that respect the freedoms and rights of our individual citizens. The Government constantly downgrade the role of Parliament in many different ways.

My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) first mentioned the Bill's implications for the role of the Churches, and the subject came up in some other speeches, but in perhaps rather fewer than I expected. A number of Labour Members have claimed that articles 8 and 2 of the first protocol should give comfort to those who are concerned about religious freedoms. As my right hon. Friend said, those articles protect individual freedoms, not the Churches' freedoms. Some amendments were made to the Bill in the House of Lords, but, like other hon. Members, I want Churches specifically to be excluded from the definition of public authorities.

The Bill fails to specify significant freedoms that the Churches should retain, especially in educational matters. For example, it should specify the Churches' freedom to appoint head teachers to Church schools and to operate admissions policies according to their religious principles. A child's right to an education should not mean that Churches cannot choose a child who attends the local church rather than one who does not.

My time is running out and I know that the Front Benchers want to respond to the debate. I am sorry that I have been restricted in my comments, but I am grateful to have had the opportunity to raise those points, which, I trust, the Government will address. In particular, I hope that they will deal with the issue of parliamentary sovereignty, for which they seem to have been unwilling to accept that the Bill has implications.

9.20 pm

Sir Nicholas Lyell (North–East Bedfordshire): This has been an interesting debate—indeed, as has been said, it will be interesting to see how widely it is reported. Hon. Members on both sides of the House have made thoughtful speeches, demonstrating what anyone who has followed the history of the convention over its 45 years of operation knows—that there have always been widely differing views about the matter within and across parties.

The first point that I must make in opposing the Bill is to affirm the official Opposition's strong belief in human rights. It is the first point that we make in our reasoned amendment, and there will be no disagreement about it among hon. Members.

Having said that, I believe that it is essential that there is a proper balance, which is where the Bill is deeply flawed. If the European convention on human rights is ever to be satisfactorily incorporated into the United Kingdom's domestic law, the key point—which, again, we make clear in our reasoned amendment—is that there must be a proper balance between the roles of our domestic courts, the Court at Strasbourg and the United Kingdom Parliament. For that reason alone, if for no other, we would deny the Bill a Second Reading. I make it perfectly clear that the Conservative party is not convinced that the case for incorporation has been made in any event; it is certainly not made by the Bill.

Views have differed over the years on the wisdom of incorporation. I point out again that, until 1993, the Labour party—including a number of right hon. and hon. Members whom I see present—vigorously opposed incorporation; it has been on a journey to Damascus, or so it would have us believe. None the less, those who have studied this matter will realise that the convention does not fit easily into the United Kingdom's constitution or our system of common law. That is in stark distinction to the way in which it can fit into the so-called monist—it is a strange word—countries, where treaty obligations automatically have binding force in domestic law. The difference is that almost all those other countries have a detailed written constitution, as does Germany for example, or in any event place a far greater emphasis on codification and black-letter law, in which the concepts of the convention are either largely reproduced or the ability of the convention to overturn them is prevented by express words.

I have great regard for the Home Secretary, but one of the sad things about the debate is that he should have repeated the constant refrain that the United Kingdom has a bad record in relation to Strasbourg. That is not true and I am afraid that it has reflections of Henry VIII and his period—when one wants to destroy or change something, one first seeks to give it a bad name, which is what happened then with the monasteries.

The convention largely reproduces concepts that are deeply embedded in our common and statute law. Our laws and practices have been upheld by Strasbourg far more often than they have been struck down. The United Kingdom gave the right of individual petition—people can take their own case to Strasbourg from the United Kingdom—as long ago as 1966. France gave that right only many years later. As my right hon. Friend the shadow Home Secretary, the Member for North–West Cambridgeshire (Sir B. Mawhinney) made clear, a balanced analysis that takes account of the size of national populations and the length of time that a member state has given a right of individual petition, shows that, far from having a bad record, the United Kingdom is among the very best. If necessary, we will ask parliamentary questions to bring that out. It is confirmed not only by past applications but by those in the pipeline. The United Kingdom has 26 current applications that are deemed admissible, which does not mean by any means that our judgments will be overturned, France has 75—I am using only sophisticated, major western European countries as a comparison—and Italy 370. So, that puts the matter into perspective.

Our first key criticism of the Bill is that the fast-track procedure is wrong. It seriously restricts people's right to effective representation in Parliament as well as the role of Parliament itself. That is ironic in relation to the convention. I see the hon. Member for Hull, North (Mr. McNamara) in his place. He regretted the fact that the preamble to the convention had not been included in the Bill. The preamble states expressly that the fundamental freedoms that it espouses are

"best maintained on the one hand by an effective political democracy and on the other by a common understanding and observance of the human rights upon which they depend".

So, the twin pillars of the fundamental freedoms in which we all believe are human rights and an effective political democracy. The two must go hand in hand. That is why our first attack is on the fast-track procedure—such procedures are wrong in principle and unnecessary in practice.

Frankly, I was disappointed by the speech of the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), who did not seem to have bothered to read our reasoned amendment. It is not all that easy to read. Tight language is required in the drafting of such

[Sir Nicholas Lyell]

amendments, as Madam Speaker will know. However, for a lawyer like the right hon. Gentleman, it would be perfectly clear if he had taken the trouble to study it.

The first point, which was re-emphasised by the Home Secretary, is that primary legislation has always been rare and is likely to be so in future. Is that the Home Secretary's point, or is he saying that it is going to be very frequent? We believe that it will be unnecessary in practice and that it will be rare because primary legislation has been required on only 10 occasions in the 45 years of the convention's history.

I pause to tease the matter out a little. The hon. Members for Wellingborough (Mr. Stinchcombe) and for Wyre Forest (Mr. Lock) both made distinguished speeches—I hope that that does not embarrass them—and see a huge and developing role for the judiciary. It is possible. I think that there will be a flush of cases. I do not think that many will involve primary legislation being struck down.

Mr. Straw: We are trying to make predictions. I think that the best guess is that the right hon. and learned Gentleman is correct that the Judicial Committee of the House of Lords will hold only infrequently that there are incompatibilities. The speeches of many distinguished members of the senior judiciary in the other place show that the judiciary will do its best to declare Acts of Parliament consistent with the convention, as they are required to do. Although the procedure may not be used very often, which I should have thought would reassure him, I return to the practical question whether it was satisfactory that we ended up with a two-year delay in the case of Chahal. That recognised neither individual human rights nor the needs of national security.

Sir Nicholas Lyell: I am grateful to the right hon. Gentleman for intervening because he has made what I can respectfully describe as a bad point, which I will pick up. Such declarations of incompatibility are not wrong in principle because they will be rare but because it is important that Parliament should be able to play a full part in the development of the delicate balance of rights and obligations for which the convention calls.

The Home Secretary mentioned the Chahal case. During the debate, I looked up how much time was taken by Chahal. The Home Secretary said that it took two years. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) did not introduce the legislation before the general election but it took the Government only seven months to pass it. It took two hours 41 minutes of parliamentary time in the Lords and three hours 18 minutes in this House. That can hardly be regarded as excessive. More important than that—my next point will be that there must be proper parliamentary scrutiny and debate—it involved an amendment. The Minister who is to reply should remember that, because he moved it. It would not have been satisfactory for the legislation to be introduced by unamendable order. The amendment provided a right of appeal from the Special Immigration Appeals Commission to the Court of Appeal. If it had been an unamendable order, the Government would have had to take it away and start again, and the measure would have taken three hours in each House.

Mr. Mike O'Brien: The right hon. and learned Gentleman was not involved, but the hon. Member for Hertsmere (Mr. Clappison) was, and he will recall that much of the discussion took place by way of consultation between parties. It is open for the Government to put forward a draft, consult on it, consider the views advanced by the Opposition and others and bring it before the House. All that can be done under the terms of the Bill.

Sir Nicholas Lyell: Having laid one order, if the Government wish to move a separate one, they must withdraw the first and start again. They cannot just amend it in Committee.

Mr. Mike O'Brien: The right hon. and learned Gentleman has misunderstood. The consultation takes places before the order is laid.

Sir Nicholas Lyell: I am afraid that the hon. Gentleman is wrong. The amendment was refused in the House of Lords and it was introduced here, and it was then agreed to by the other place.

The unsatisfactory nature of the fast track procedure is shown by the Government's initial and current muddle on the question of privacy and press freedom. We are delighted to note that they have now changed their mind about that. In other words, the very first time that there was a whiff of grapeshot and someone pointed out that there could be conflicts between two articles—in this case articles 8 and 10—and as soon as a matter became one of public interest, as press freedom and privacy have rightly become, the Government scrambled back and suggested that they are to amend the Bill. We welcome that they will do so through primary legislation, but will not similar cases arise time and again in the future?

Let us take another example other than that of Chahal, which was a quite simple thing to amend. Consider Mr. Malone—the telephone tapping case, which was mentioned by the hon. Member for Wyre Forest. Surely no one is arguing that a Home Secretary would suggest that the Interception of Communications Act 1986 could have been created by an order, after a debate of one and a half hours. He would not make such a suggestion.

The scope of the Bill is unclear. It fails to define what is a public authority, which is thoroughly unsatisfactory. The second major complaint in our reasoned amendment is that the Bill provides

"an additional, separate, and potentially incompatible, constitutional framework".

That requires careful thought by the Government. We do not know whether they intend a new Bill of Rights in this country, but the balance between Parliament, the United Kingdom and the Strasbourg Court is wrong. Under the proposed structure, there will be no right of appeal to Strasbourg by either the Government or a public body. In other words, once a decision has reached the House of Lords or the final courts of appeal, such as a court martial, the Appeal Court, and so on, under clause 4 (5), and if the Government or a public body has lost, there will be no opportunity for any further appeal to Strasbourg. No matter how serious the matter of public interest and how far our law may have strayed from what Strasbourg may find out, the case can be taken no further. Is that really what the Government intend?

It may seem far-fetched to suggest it, because I have a great deal of respect for the wisdom of our judiciary, but, in theory, even our abortion laws could be struck

down under the right to life provisions of article 1. That is not a fanciful notion because the same has happened in America and Canada under their constitutions. That action would be far more drastic than that which the Strasbourg Court would ever be likely to take.

We will probe the Government's true intentions and table amendments to provide a mechanism whereby cases can proceed to Strasbourg as they would today when it is in the public interest to have them argued and decided there. Only thus can we be assured that rulings that apply to the United Kingdom will be subject to universal application within the countries of Europe. In that way, the doctrines of the margin of appreciation and subsidiarity, rightly mentioned by my hon. Friend the Member for Gainsborough (Mr. Leigh), will be given their full weight and will be properly adhered to.

I am not suggesting that our courts would ignore our own traditions. I am on record as acknowledging that one of the benefits that should come from a properly balanced structure is the beneficial input of the wisdom of the United Kingdom judiciary. But courts have no monopoly of wisdom. The overall balance must be right for the protection of our judiciary as well as the protection of democracy. A close reading of the Bill suggests that the Government are uncertain about how much of the convention they will entrust to the judiciary.

Why, for example, is article 13, which provides that:

"Everyone whose rights and freedoms . . . are violated shall have an effective remedy before a national authority",

not incorporated? Why can cases be brought only in relation to alleged breaches by the Government or so-called public authorities? How far do the Government intend or expect the judiciary, following incorporation, to use the convention to develop the common law? Is the Press Complaints Commission a public authority? At one moment, the Government said it was not, but they took advice from David Pannick QC and then said it was. Is that now their position and why they are now coming forward with amendments? What about ombudsmen? There are banking ombudsmen and insurance ombudsmen and all sorts of ombudsmen—are they public authorities? There must be balance.

In conclusion, it is because of the deficiencies that I have outlined that we have tabled our reasoned amendment. I am sure that it is not in the Home Secretary's character to be arrogant on such matters, but we look forward to careful answers to important questions—to an assurance that the respective roles of Executive, judiciary and legislature will be fully respected and that the substance of our reasoned amendment will be accepted. Failing that—I fear it will be failing that—I invite my right hon. and hon. Friends to join me in pressing our points firmly home in the Lobby.

9.40 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): This has been a good debate on a Bill of great importance. There have been many excellent contributions from hon. Members on both sides of the House. My hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis) welcomed the Bill in his role as leader of the delegation from the United Kingdom to the Council of Europe. Many people appear to have received invitations to visit the Home Secretary in his office—even the right hon. Member for Maidstone and The Weald (Miss Widdecombe) will get, no doubt, a warm welcome back to the Home Office in due course.

My hon. Friend the Member for Hull, North (Mr. McNamara), who has great knowledge of Northern Ireland, raised the important issue of human rights there. He asked us to consider allowing organisations that are not themselves victims to bring class actions and to anticipate issues. We considered doing that, but decided to follow the convention practice and enable victims of breaches to raise issues as they occur. On the question of a preamble or a purposive clause, we believe that the Bill as it stands is clear about what it is intended to achieve and that a preamble or purposive clause is unnecessary.

My hon. Friend the Member for Keighley (Mrs. Cryer), in what must have been a difficult, but courageous and moving speech, raised her personal experiences as a Member of Parliament, as the wife of a Member of Parliament and as a mother in dealing with many of the controversial issues relating to the balance that has to be struck between articles 8 and 10, which deal with the need for freedom of expression and the right to private and family life. Her point was echoed by my hon. Friend the Member for Wellingborough (Mr. Stinchcombe), who stressed that that balance had to be achieved.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) gave a good, but extraordinary, speech, which displayed a not inconsiderable degree of thought on the issues. He expressed his doubts about the convention, but appeared to conclude that, despite the problems, we were better off with incorporation than without it, although his doubts about remedial orders affected his support for the Bill. If I have time, I might deal with some of the issues relating to remedial orders; if not, perhaps we can deal with them in Committee.

The hon. Member for Woking (Mr. Malins) suggested that the convention was out of date and that adhering to it was the lesser of two evils. The fact is that, year on year, more British people find the convention increasingly relevant and take cases to Strasbourg—so much so that changes are having to be included in the Bill to ensure that, in future, the Strasbourg Court will sit on a more full-time basis. I suggest that the hon. Gentleman is wrong to write off in such a sweeping manner the important safeguards in the Bill.

My hon. Friends the Members for Kilmarnock and Loudoun (Mr. Browne) and for Wyre Forest (Mr. Lock) both made impressive and well-argued speeches. My hon. Friends raised an issue that was also raised by my hon. Friend the Member for Slough (Fiona Mactaggart) in her typically robust and well-informed contribution. The issue was that of the human rights commission, in which I am sure the Liberal Democrats are also interested. We have not ruled that out in future, but, during the debate on the Bill, we want to concentrate on the issue of incorporation itself. We are conscious that there are other, more detailed issues to consider—such as how a human rights commission would relate to existing bodies, such as the Commission for Racial Equality and the Equal Opportunities Commission—but those can be dealt with on another occasion.

[Mr. Mike O'Brien]

My hon. Friend the Member for Slough raised also the issue of a parliamentary Committee. The Government propose to strengthen Parliament's role by supporting the creation of a new parliamentary Committee on human rights. It could be a Joint Committee of both Houses or a Committee of each House; that is a matter for the House to decide. If the House so decides, the Committee's function could be to scrutinise proposed legislation, to ensure that human rights are respected, to assess UK compliance with various human rights codes and to keep the Act—as it will eventually undoubtedly become—under constant review.

The original proposal for a Committee was made to the previous Government by Lord Lester of Herne Hill, Lord Alexander of Weedon, Lord Simon of Glaisdale and my noble Friend the Lord Chancellor. A Committee would give Parliament the ability to consider reports that examined the overall issue of human rights in the United Kingdom context, and would advise the Government and both Houses of Parliament on how rights under the convention were developing and how we should respond to those developments. I hope that that proposal will be welcomed by both sides of the House.

I hope that the proposal also reassures the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), who supported the Bill, and who drew attention to the many hon. Members and to those in another place who supported incorporation of the convention. As the right hon. Gentleman said, he himself expressed the idea of incorporation in December 1993. I pay tribute to him and to those who have kept alive for so many years the fight for incorporation. He said that the Bill was a measure in which the Government could take legitimate pride—I thank him for that, and we do.

The shadow Home Secretary made some points that I accept. He said that incorporation would not of itself guarantee human rights; I agree. However, incorporation might help to direct our minds to the rights of the individual against the state. I therefore think that it will help. He said also that it had been necessary for the previous Government to amend primary legislation 10 times to comply with the convention, and that they sought to comply with Strasbourg's decisions even if they did not agree with them. I accept that, in that respect, the previous Government's record was good.

I am concerned about the shadow Home Secretary's comments on politicising judges; I do not accept that that will happen. Lord Bingham's words have already been quoted in this debate. He said:

"judges already from time to time find themselves deciding cases which have political, sometimes even party-political implications. The judges strive to decide those cases on a firm basis of legal principle; and that is what they will continue to do when the convention is incorporated if the Bill becomes law."—[*Official Report, House of Lords*, 3 November 1997; Vol. 582, c. 1246.]

It appears that the shadow Home Secretary trusts Strasbourg judges—but not our own judges—to change the law. In his book "What Next in the Law?", Lord Denning said that we have to trust someone, so why not trust the judges. Does the right hon. Gentleman really say that he has no trust in our judges, and that they cannot distinguish law from their own "socio-political theories"? He seemed to suggest that our judges would deliver "socio-political theories".

I almost thought—with all those socio-political theories—that I was listening to an aging Marxist decrying the establishment's conspiracy against the proletariat. However, I treat the point with seriousness because it deserves that. Judges will have to apply the law. As clause 21 makes clear, they will have to take into account judgments of the European Court of Human Rights, and decisions and opinions of other bodies. They will not, of course, be bound by those decisions when our primary legislation says otherwise. They must accept primary legislation if it differs from those decisions, although judges may make a declaration of incompatibility. Our own courts—the House of Lords, the Court of Appeal and the High Court—will soon develop their own jurisprudence, and the lower courts will be bound by that.

The shadow Home Secretary mentioned having to accept decisions of the European Court of Human Rights that are based on other countries' cases and problems. Conservative Members will recall voting for the European Communities Act 1972 and for other legislation introducing European law that not only was based on case law developed across Europe, but overruled our laws. Famously, Lord Denning warned that European law would run up the rivers and estuaries of our common law. It did, and Conservatives voted for it. The convention will not overrule our primary legislation, and the Bill will preserve parliamentary sovereignty.

The purpose of the Bill is simple: it is to bring rights home. It is to reclaim, for people in this country, the rights to which they are entitled under the convention. The purpose may be simple, but the effects will be profound. The Bill will benefit individuals, Government and the whole of society.

First and most obviously, the Bill will improve people's access to their rights, as my hon. Friends the Members for Dudley, North (Mr. Cranston) and for Clwyd, West (Mr. Thomas) said. At present, those who feel that their convention rights have been infringed cannot, save in very limited circumstances, obtain redress in this country. They must take their grievances to Strasbourg. That is not a road to be taken by the faint-hearted. It takes about five years for a case to be resolved. Only those with time, patience, considerable willpower and, sometimes, considerable money are likely to stay the course. It cannot be right to ration rights so that only the dogged few can hope to benefit from them.

Enabling our courts to take account of the convention is about more than reaching quicker decisions. It will mean that the judges of a domestic court can consider all the issues relevant to the case before them. They will no longer have to put out of their mind convention arguments that might be relevant to the case, but which they are currently debarred from considering. Therefore, the Bill will change the approach that the courts adopt to convention cases.

The present situation is wholly unsatisfactory for the courts and for individuals. It is artificial to cordon off a set of rights and make them the exclusive preserve of the Court in Strasbourg. It leads to frustration and it impedes effective justice.

The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) was worried about politicisation. I consider that our judges must be able to bring their knowledge of the United Kingdom's traditions and practices to bear on the cases that come before them. They will be able to interpret the convention rights in ways sensitive to the specific circumstances that will apply in this country. The rights under the convention will become interwoven with our laws.

The Strasbourg Court recognises that domestic courts have the primary role to play in protecting individuals' rights under the convention. The proper role of the Strasbourg Court is to act as a backstop, but, at present, the Strasbourg institutions are often placed in the front line, as the first bodies to consider issues arising under the convention. That serves no one's interest.

Opponents of the Bill seem to exhibit a touch of schizophrenia. Human rights are, it seems, to be supported abroad, but ignored at home. On one hand, we have an exemplary approach to fulfilling our international obligations under the convention—I have praised the previous Government's method of doing so—but, on the other, we have been almost alone in denying our people domestic access to their rights.

Half in, half out—the hokey-cokey approach will not work. It was the position of the Conservative party regarding the European Union. It had its left foot in, its right foot out—in, out, in, out and shake it all about—and that seems to be the policy that it is now adopting on the European convention. We know how ineffective the Conservatives were in their attitudes towards Brussels. Now they are wrong, too, in their attitude to the convention. We need an end to these mixed messages. Our citizens need a clear lead. The Government will give it. We are firmly committed to protecting the rights of our people, and the Bill is one demonstration of that.

Critics of the Bill seem to have adopted two main lines of attack. First, we have heard the authentic voice of empire, almost, from below the Gangway—the view that individuals in foreign countries may need the protection of rights to defend themselves from the state, but that we in the United Kingdom have no need for such protection within our country. We may have written the convention, hon. Members argue, but we did so for the other countries.

That view is flawed. We already accept the judgments of a European body in respect of the convention, and have amended our laws many times in response to its findings. Therefore, we already adapt our laws in the light of convention rights. Incorporation will mean, however, that United Kingdom courts can assist in shaping those rights in a manner sensitive to our country's ways. At present they cannot. Moreover, at a time when the United Kingdom has committed a total of 50 violations of the convention, it smacks of complacency to say that we have nothing to learn by giving effect to convention rights in our law. That does not substantiate the point made by the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) in his closing speech. The issue is whether we have something to learn. I suspect that he, more than anyone, would agree that we can all learn something from the decisions of the Court at Strasbourg.

The other line of attack taken by opponents of the Bill is underpinned by a sort of defeatism—the view that it is almost too difficult to bring convention rights into our legal system because of this country's unique tradition. The argument goes that providing these rights is incompatible with the doctrine of parliamentary sovereignty. Judges will be drawn into unsavoury disputes with Parliament, thereby becoming politicised. I seem to recall a time—the time of Thatcher—when Conservatives prided themselves on a can-do attitude to life—where there is a will, there is a way. Not any more, it seems. Now they think that we are too inadequate for the task and say, "Just leave us alone." They may be inadequate to the task of governing: we are not. We can do it.

Sir Brian Mawhinney: Perhaps the hon. Gentleman can supply us with a little can-do. Perhaps tonight he will answer the question that I asked him last week and he did not answer—the question about the definition of a public authority. Does a body that spends taxpayers' money, or fulfils a statutory function, or has Government appointees on its governing body constitute a public authority for the purposes of the Bill?

Mr. O'Brien: That will be a matter for the courts, but it would appear to be likely to be so. It is all set out clearly in the Bill—in clause 6. If Opposition Members read it, they will have plenty of chance to discuss it in Committee. Then, I hope, they will begin to understand precisely what a public authority is likely to mean.

I apologise to the right hon. Member for North-West Cambridgeshire because I have discovered, following inquiries, that he has not yet received the written answers to his questions. He should by now have received them—

Sir Brian Mawhinney *indicated dissent.*

Mr. O'Brien:—at least, he should do shortly. I am informed that they will be on the Notice Board. In any case, I apologise for the oversight.

Sir Nicholas Lyell: The hon. Gentleman makes much of our anxieties about leaving these matters to the domestic judges. In that case, why is the Home Secretary not leaving them to the judges in relation to articles 8 and 10? Why do the Government propose to amend the powers and rights of the convention before they have even incorporated it?

Mr. O'Brien: We have decided to reinforce the Bill in a way that has, I suspect, met with a great deal of approval. Already, Lord Wakeham, chairman of the Press Complaints Commission, has said of today's announcement of amendments by the Home Secretary:

> "My view is that the proposals outlined today by the Home Secretary are a significant move which I anticipate will secure by means of self-regulation the convention rights both of freedom of expression and of privacy. The Government has clearly listened to our concerns."

We have thus received praise from Lord Wakeham. Some difficult discussions have been concluded satisfactorily; both parties have shown good will.

[Mr. O'Brien]

It goes to show that when a Government are prepared to take control and talk to people, they can achieve far more than Governments who are not so prepared.

The Bill is part of the Government's modernisation of British politics. It is about giving people new rights in their dealings with the state. It is part of a comprehensive package of constitutional reforms which will increase individual rights, decentralise power, open up government and reform Parliament. We have moved to create a Scottish Parliament and a Welsh assembly. There is to be a Freedom of Information Act, a referendum on the voting system for the House of Commons, a long-overdue reform of the House of Lords, the abolition of the law-making powers of hereditary peers and, by means of the Bill, the introduction of the European convention on human rights into UK law. That will enable our people to access their rights in our domestic courts without having to go to Europe. The Bill empowers our people and I commend it to the House.

Question put, That the amendment be made:—

The House divided: Ayes 144, Noes 335.

Division No. 171] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John M. Taylor and
Mr. James Cran.

NOES

Abbott, Ms Diane
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Ballard, Mrs Jackie
Barnes, Harry
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Breed, Colin
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Byers, Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet

Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Grant, Bernie
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Llwyd, Elfyn
Lock, David
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. Robert Ainsworth.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—

The House divided: Ayes 332, Noes 146.

Division No. 172] **[10.13 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Ballard, Mrs Jackie
Barnes, Harry
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F

Benton, Joe
Bermingham, Gerald
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Breed, Colin
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Byers, Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Grant, Bernie
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Llwyd, Elfyn
Lock, David
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian

Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John M. Taylor and Mr. James Cran.

Question accordingly agreed to.

Bill read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 63 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—[*Mr. Mike O'Brien.*]

Question agreed to.

Committee tomorrow.

HUMAN RIGHTS BILL [*LORDS*] [MONEY]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Human Rights Bill *[Lords]*, it is expedient to authorise—

(a) the payments out of money provided by Parliament of any expenses incurred by a Minister of the Crown—

(i) in consequence of an award of damages or costs in proceedings under the Act;

(ii) as administrative expenses resulting from the provisions of the Act;

(iii) in connection with judicial training;

(b) the payment out of such money or the Consolidated Fund of sums in respect of any additional judicial salary, or of contributions or benefits in respect of judicial pensions, arising in connection with the appointment of the holder of a judicial office as a judge of the European Court of Human Rights;

(c) the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—*[Mr. Clelland.]*

Question agreed to.

NORTHERN IRELAND GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 115(1) (Northern Ireland Grand Committee (delegated legislation)),

That—

(1) the draft Appropriation (Northern Ireland) Order 1998 be referred to the Northern Ireland Grand Committee; and

(2) at the sitting on Thursday 26th February the Committee shall consider, pursuant to Standing Order No. 115, the instrument referred to it under paragraph (1) above.—[*Mr. Clelland.*]

Question agreed to.

PETITION

Save Our Countryside

10.26 pm

Mr. Jonathan Sayeed (Mid-Bedfordshire): The petition, from the residents of mid-Bedfordshire, is entitled "Save Our Countryside". It reads:

The petition of the residents of Mid-Bedfordshire declares that we are concerned about the decisions to sanction plans for new development throughout the countryside.

The countryside and the rural way of life are threatened by this Labour Government. In just 10 months, they have set about destroying the livelihood of farmers. They have attacked traditional country pursuits, they have promoted the right to roam, and they appear determined to suburbanise wide, vast swathes of green belt and green-field land. Our countryside is not a playground for those who live in the city, but the shop floor of a world-beating agricultural industry. Unless the Government reverse their myopic urban perspective, what has been nurtured over centuries will be destroyed in a matter of years.

The petitioners therefore request that the House of Commons urge the Secretary of State for the Environment, Transport and the Regions to ensure that more homes are built in city areas, instead of the countryside or Green Belt, to breathe new life into our cities and to protect valuable countryside for future generations.

The petition has my whole-hearted support.

To lie upon the Table.

Education Funding (Rutland)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

10.28 pm

Mr. Alan Duncan (Rutland and Melton): I am grateful for the opportunity to raise the issue of the way in which education in Rutland is funded. It may seem a rather parochial issue, and to many it may seem just another case of special pleading, but I hope to persuade the Minister that this is a straightforward case of unfairness which has arisen from the restructuring of local government—and, what is more, that it can be readily addressed if the will exists.

When in opposition, Labour Members used constantly to talk about underfunding. I am not in the business today of complaining about underfunding in general. In order to put my case to the Minister, I do not need to ask for any overall increase in the education budget, however desirable that might be. All I am asking for is a fair share for Rutland of the budget that already exists—and, indeed, of the budget that used to exist. The problem is that, when Rutland was separated from Leicestershire, it ended up with less money for education than it used to receive before it was granted unitary status. To put it simply, "We was robbed."

I am talking about primary education. Rutland has 17 primary schools. The dedication of teachers, supporting staff, parents, and, of course, the children themselves has put them top of the latest league tables. Little Rutland came out on top, and all those involved deserve the highest praise for their success. That does not mean that all will be rosy in future. Problems are looming, of which I have been warning Ministers for more than two years. I want to find a solution to Rutland's funding problem before schools are hit by the big problem that I see on the horizon.

The Minister for School Standards was kind enough to see me last year, with representatives of the council. I am grateful to him for giving us a sympathetic hearing. He is a furiously busy man, and given the number of tips that we read in the press, I am keen to secure some action from him before he moves on to higher things.

The problem of funding Rutland's education has nothing to do with county status as such. There is nothing inherently more expensive or awkward about granting county status to such a small administrative area as Rutland. I always argued—those who looked in detail at the economics of Rutland were similarly adamant—that a unitary Rutland would not prove more costly than a lower-tier Rutland working as a district in association with the larger unit of Leicestershire county council. If there were a problem, it would be caused by the funding formula failing to adjust to the specific requirements of a small unitary rural authority. That is exactly what has happened. The nub of the problem is very simple: the structure of local government has changed, but it has not been matched by a change in the structure of local government funding.

The restoration of county status was supported by the Labour party in opposition. The hon. Member for North-West Durham (Ms Armstrong), who is now the Minister for Local Government and Housing and responsible for local government finance, said on 6 February 1996, speaking on behalf of the then Opposition:

"Community identity is important. I come from an area where we are fiercely proud of our identity, so I would not seek to undermine that elsewhere. It will be up to Rutland to demonstrate they are able

to meet the expectations of the local electorate. In the achievement of that local identity, the electorate must not be deprived and the services to which they are entitled must not be undermined or diminished."

I agreed with her then, and I agree with her now.

At the same time that the hon. Member for North-West Durham was saying that, I was saying that Rutland could become a model council by pioneering ways in which services are bought and provided efficiently. Rutland was determined to be an enabling council. In its first year, I can honestly say that, from its track record, it has more than lived up to expectations.

Before 1 April 1997, everyone looking at Rutland thought that it would have to enter into about 80 joint agreements in order to function. In practice, it has managed much better on its own than anyone ever envisaged, and has relied on others only to the extent of entering into 30 joint agreements.

When people speak of economies of scale, they tend to mean that bigger is cheaper. That is not so in Rutland. The new county has found new economies out of being smaller. When it came to the school meals service, Leicestershire wanted to charge £118,000 for continuing provision in 1997–98. Rutland now runs a similar service in-house for £56,000. Leicestershire quoted £65,000 to provide an educational psychology service. Rutland does it itself for £35,000, and offers more school visits. Rutland operates its own concessionary travel scheme, with an improved service which costs £7,000 less than before. Small has proved beautifully efficient.

The council is working very well indeed. It has assumed all the responsibilities of the former county layer, and has shown itself to be more than capable of running services efficiently. However, its overall funding position is now anomalous. The funding regime under which it is being asked to live is ill-suited to the new structure that it faces.

Overall, its capping limit was £23,429,000 in 1997–98, and it will be about £24,500,000 in 1998–99. This may look like a satisfactory increase in the cap, totalling about £1,020,000, but it is pretty well all taken up straight away by items of expenditure such as nursery vouchers, increased pension costs, the cost of the local plan, offsetting cuts in the community care grant, recoupment for the secondary sector—which in Rutland is all grant-maintained—and inflation.

The real problem lies with education. The SSA for education in 1997–98 is £10,646,000. In 1998–99, it will be £11,247,000. This apparent increase of about £600,000 will not even meet the additional requirements caused by changes in Government funding requirements, and new demands on the existing budget. Rutland, rather than the Treasury—as it used to be—will now have to pay £270,000 for the reinstatement of nursery vouchers; the amount recouped from Rutland to pay for its grant-maintained secondary schools will be £135,000; and special educational needs and the contributions to the standards funds will more than take up the balance. At the end of the day, there will be no new money for Rutland's primary schools.

According to the Audit Commission, Rutland spends about £20 per head of population less on all education provision than our nearest similar neighbours. If Rutland were to spend in line with similar authorities, a further £730,000 should be available. Looking at 1997–98, it would mean spending £1.2 million above SSA to bring education expenditure in Rutland on to a par with residents in other areas. At the moment, Rutland spends—and can afford to spend—only £479,000 over SSA.

The key point is this. When Rutland was deemed to be part of Leicestershire, the various anomalies in the county's funding formula were lost in the wash. Twists and turns in the system were evened out by cross-subsidy over the larger county. However, when Rutland was set apart from the rest of Leicestershire, the spending was disaggregated and apportioned between the two.

That left Rutland with a completely cock-eyed funding formula, and an education SSA that had no bearing whatever on the historic spending patterns previously enjoyed by its schools. If one compares the actual spend in Rutland on its primary schools with the SSA for Rutland on its own, one finds that the schools have been asked to take a significant cash cut in spending. The historic spending patterns prior to unitary status were at a higher level than is actually allowed in the new unitary Rutland. In 1995–96, the actual spend was £11,490,000. In 1996–97 it was £11,819,000. In 1997–98, the actual spend is £11,125,000, against an SSA of £10,646,000. In 1998–99, the SSA will be £11,247,000. I am well aware of the point that the Minister is likely to make, which is that the SSA does not necessarily reflect the amount actually spent on education. However, in the case of Rutland, it is so far adrift, it defies logic.

One of the problems Rutland faces is that the existing formula does not in any way reflect the extra costs incurred because of sparsity. The county may be only 100 miles north of London—and it may lie within a circle of surrounding towns such as Stamford, Corby and Leicester—but it comprises a large number of small villages, and lots of fields in between. Last March, I met the then Parliamentary Under-Secretary of State for Education and Employment, Robin Squire, to impress on him the concerns I had about the effects that the disaggregation of Leicestershire's funding would have on what was left for spending in Rutland.

In his letter to me of 17 March 1997, the then Minister said:

"When we met, we discussed whether the education SSA system correctly estimates spending needs in Rutland. As I said then, I confirm that we intend to look at this issue. Rutland is something of an exceptional case. Barring the Isles of Scilly, Rutland has the lowest scores of any LEA on the 'Additional Educational Needs' indicator, and the highest score on the sparsity indicator. Overall, it receives the seventh lowest SSA per pupil in the country. We recognise that actual budgeted expenditure on education in Rutland for 1996/97 is 9% more than Rutland would have received as an education SSA that year, had local government reorganisation taken place a year earlier."

Mr. Squire went on:

"I note that Rutland's education budget for 1997/98, at £11.15 million, represents a substantial cash reduction from the spending on education in Rutland in 1996/97. As I said on 6th March, I am keen to look further at Rutland's SSA. Once we have the council's analysis, we will be able to see whether Rutland does have a good case for change; and if it does, we can then start to consider rectifying any problems identified."

Rutland does indeed have a good case for change. The transport costs in 1997–98 from home to school were £507,000; and 3.4 per cent. of children have statements of special need—the national average is 2.8 per cent.—and specialist provision has to be bought from outside the county.

[Mr. Alan Duncan]

There are two military bases in Rutland: RAF Cottesmore and RAF North Luffenham. The latter is running down this year and is due to be replaced by an Army base, so Rutland has to bear the cost of empty school places until the Army actually moves in. It is not as if anybody can attack the education department in the council for being expensive: it is not. Spending on the education directorate and information services is £123,000, or 1.3 per cent. of the education budget, which compares very favourably with larger authorities.

Rutland has a group of 17 primary schools, in a sparse rural area, that have attained the highest literacy targets in the country; is the highest achieving authority at key stage 2; and has the highest percentage of any local education authority of children achieving level 4 or above; but it is facing a severe squeeze.

The whole of the secondary sector has decided to go grant maintained. Rutland has no responsibility for 16-19 provision, which is funded by the Further Education Funding Council, but it still has to pick up the tab for some residual duties. It has to deal with special educational needs for the over-16s; youth provision; mandatory student awards and grants; and matters such as liaison with the further education sector and careers provision. The current cost of post-16 provision, excluding special needs and youth provision, is £268,000 a year, but the post-16 element in Rutland's education SSA for 1997–98 is only £90,231.

Following local government reform, Rutland has to pay more than £1 million of capital financing costs directly to Leicestershire county council, yet it has no control whatever over those costs. Our highly efficient, low-cost, enlightened unitary Rutland council has embarked on a new era with all the best will in the world, only to be handicapped by an archaic funding formula that leaves it in the lurch.

Rutland merely wanted to run its own affairs based on the perfectly reasonable expectation that it might continue to get about the same amount as before. It is pretty unfair, to put it mildly, that it should be asked to survive on less. I am complaining not about underfunding but about inequity.

Clearly, the current formula does not reflect the needs of the community in Rutland and, therefore, does not work for Rutland. To be fair, that may not be an event unique to Rutland. The Minister will no doubt have received representations from other rural authorities because, if press reports are to be believed—they sometimes are—rural authorities elsewhere are concerned that an extra burden is being placed on the residents of rural shire areas, who face larger council tax rises than their urban counterparts.

In the past year, Rutland has attempted to work with other councils to find common ground on which to lobby the Government about the inadequacy of the current funding formula. It has not altogether succeeded as no other council is quite like Rutland. However, the need for a review of the formula is clear. A Conservative Minister promised that it would be reformed. Now, we have a different Government and I hope that the new Minister will take the matter in hand and give me a firm assurance as a matter of some urgency that the shortcomings of Rutland's funding formula will now be tackled.

10.45 pm

The Minister for School Standards (Mr. Stephen Byers): I congratulate the hon. Member for Rutland and Melton (Mr. Duncan) on securing this Adjournment debate so that we can discuss the funding situation in schools in Rutland, of which he has been a doughty champion. As he mentioned, he brought delegations to see me last year and, last March, to see the Under-Secretary in the previous Government, to argue the case for funding for schools in Rutland.

I join the hon. Gentleman in congratulating the primary schools in Rutland in particular on the excellent standards that they have been able to achieve. If all the primary schools in the country achieved such standards, I would probably not be required and would be redundant as a Minister for School Standards.

The figures are well worth disclosing to the House. In the 1997 key stage 2 test results for level 4—the level to which most children should aspire—the average in Rutland in English was more than 75 per cent., compared with the average in the country at large of just 62 per cent; in mathematics, Rutland achieved nearly 79 per cent., compared with the national average of 61 per cent; in science, it achieved more than an 82 per cent. success rate, compared with 68 per cent. nationally. Those figures are good and say a lot about the quality of education being offered in Rutland primary schools.

We must do all we can to ensure that that level of success is not put at risk by any decisions that the Government take, and that is why we welcome this opportunity to discuss the funding arrangements for Rutland. Before I do that, it is worth putting the matter in the national context of the additional funding that we have been able to provide for education for the financial year 1998–99.

In his Budget statement on 2 July, my right hon. Friend the Chancellor of the Exchequer announced additional new funding for our school system in capital and recurrent spending. On capital spending, we now have the new deal for schools, which means that in 1997–98 an additional £83 million is to be made available, from which schools in Rutland will benefit. Over the lifetime of this Parliament, we expect about £2 billion in extra capital to be spent in our schools—both from Government grant and from private and other public bodies. That is money which will be used to repair, renew and improve school buildings.

On day-to-day spending, we are allocating an extra £835 million in England alone for the next financial year, which is over and above the Budget provision made available by the previous Government, bringing the increase to more than £1 billion in recurrent spending for the financial year 1998–99. That is a good example of redirecting Government priorities within the overall public expenditure totals.

I agree with the hon. Member that, in many respects, Rutland is in a unique—certainly a highly unusual—situation: Rutland's education standard spending assessment for 1998–99 represents an underlying increase of 3 per cent., or some £330,000. The capping rules that the Government apply ensure that all that money can be passed on to its schools.

There has been an underlying increase in Rutland's capping level of £610,000 in the overall budget. I say underlying increase because, comparing like with like,

I do not believe that it is the £1 million to which the hon. Gentleman referred but, on a genuine comparison, more like £610,000. Within that overall increase in the capping level, there is an opportunity for Rutland to pass on the £330,000 extra that we have provided in education SSA.

The hon. Gentleman raised several important points about how the SSA regime affects schools in Rutland. I want to make two points about the SSA regime. First, all local education authorities accept that the key factor that should determine the overall national financial settlement that each authority receives is pupil numbers. If pupil numbers in an authority are increasing, it should be reflected in the SSA calculations. I think that most of us agree that the opposite should also apply. When pupil numbers fall, it is right and proper that that reduction should be reflected in the SSA calculations. That is part of the problem that Rutland experienced.

Pupil numbers in Rutland have fallen by some 2 per cent. while they have risen by almost 1 per cent. nationally. It is that difference in pupil numbers which led to Rutland's receiving a below average SSA increase. It also reflects some particular pressures that are unique to Rutland and that the Government want to address. I shall come to that later.

For the record, it is worth reflecting on the per pupil increase in Rutland. As a result of the additional £1 billion that we are putting into education for the next financial year, Rutland's primary and secondary education SSA will increase by more than £120 per pupil, providing in 1998–99 £2,065 of education SSA for each primary age pupil and £2,594 for each secondary pupil. That amounts to an increase of more than 5 per cent. over this year's education SSA per pupil—a real-terms increase, above the rate of inflation, of SSA for individual pupils.

The education SSA does not set out to allow the same level of spending per pupil but to take into account regional and local variations. As the hon. Gentleman said, Rutland receives less education SSA per pupil than most other authorities. Only 10 local education authorities get a smaller amount of education SSA than Rutland. It is worth noting that Rutland's average SSA allowance for education is 8 per cent. below the national figure. The present formula, which we inherited from the previous Administration, does not do many favours to schools in Rutland. However, we have an opportunity to review it.

It was impossible in the time available after the general election on 1 May to review the formula fundamentally in detail for this year's local government settlement. However, the Government are to embark on a wide-ranging review of the SSA regime. We hope to have a new system in place for the financial year 1999–2000. I want Rutland to give its views on the changes that should occur to make the system fairer. I would welcome the opportunity to meet the hon. Gentleman and a delegation from Rutland to go through in detail the changes that schools in Rutland feel would be appropriate to meet their particular requirements.

It is worth recording that the Government have also made available specific grant—additional money—to the schools in Rutland for the coming financial year. The hon. Gentleman said that the standards fund allocations require an additional contribution from the local education authority. That is true for all LEAs. Rutland has done better for next year than it has done this year and it has recently been allocated an extra £18,600 for the purchase of new books in schools. Even if we allow for the local authority contribution, that will be a real-terms increase.

The hon. Gentleman also referred to difficulties arising from the abolition of the nursery voucher scheme. It is true that Rutland's budget will have been reduced as a result of the changes for under-fives funding. The Government intend to make available nationally in England a further £125 million in the financial year 1998–99 specifically for early years funding. Rutland will be invited to apply for that money and it will be provided at the rate of 100 per cent. grant and will not count against the local authority's cap. Whereas Rutland has lost out because of changes in the education SSA methodology for under-fives provision, it will have the opportunity to make an application to fund early years plans. We can provide additional resources to Rutland from the £125 million that we have identified for that purpose.

I know that capital funding is also an issue of concern in Rutland and the rest of the country. In this financial year, we are pleased that, in the first phase of the new deal for schools, we have been able to provide additional funding for schools in Rutland. We have invited bids for the second round of new deal funding, and I shall be interested to see the applications made from Rutland.

In addition to the new deal, we have changed the way in which we allocate credit approvals in the form of annual capital guidelines. For the financial year 1998-99, more than £16,000 of credit approval has been allocated to Rutland. That arises from changes that the Government have introduced in the funding regime. It is worth noting that had the policies pursued by the previous Administration still been in place, Rutland would have received no more than £1,000.

Funding for schools in Rutland is an important issue. Particular matters are related to the grant-maintained sector, but, today of all days, I want to tell the hon. Gentleman that we want a fresh future for the schools in Rutland. It will receive a 5 per cent. increase in its education SSA per pupil and, this year, an extra £330,000 will be available for schools in Rutland. If it chooses to use some of that money to help its secondary schools, we will change the grant-maintained funding regulations to allow it to do that.

We recognise the unique position of Rutland and, when we review the SSAs for next year, we will be pleased to meet a delegation led by the hon. Gentleman. Education is a priority for the Government. We intend to get it right for the benefit of the children of Rutland and of the country. I welcome the opportunity that the hon. Gentleman has provided to discuss how we believe we can bring benefits to the children of Rutland. I would welcome a meeting with him so that we can go through in detail exactly how we can be of assistance.

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MADAM SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at two minutes to Eleven o'clock.

House of Commons

Tuesday 17 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

LLOYDS TSB BILL *[Lords] (By Order)*

Order for Second Reading read.

To be read a Second time on Tuesday 24 February.

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Common Fisheries Policy

1. **Mr. Gray:** When he last met the Scottish Fishermen's Federation to discuss the common fisheries policy. [28068]

The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald): My noble Friend the Minister responsible for agriculture, the environment and fisheries, Lord Sewel, last met the Scottish Fishermen's Federation on 17 December, prior to the Fisheries Council that was held in Brussels on 19 and 20 December 1997.

Mr. Gray: Lord Sewel will doubtless have told the Minister of the Scottish Fishermen's Federation's grave concern that, after devolution, Scotland will lose the powerful voice at the Council of Ministers that she currently enjoys by right, rather than by invitation. What will happen when there is a difference of opinion between the Scottish Parliament and the English Parliament? How will the Scottish view be put over to the Council of Ministers?

Mr. Macdonald: The hon. Gentleman is wrong on two counts. First, Scottish Ministers have no "as of right"; arrangements are reached between Departments. Secondly, there will be no English Parliament; there will be a United Kingdom Parliament, and the two Parliaments will co-operate in the same way as Departments currently do.

Mr. Godman: Like many others, the federation is rightly and properly seeking radical reform of the common fisheries policy. Does my hon. Friend agree that an essential element of that reform must be a complete ban on, or a severe reduction in, industrial fishing, which damages commercially valuable species, particularly on the Wee Bankie and the Buckie Man's bank?

Mr. Macdonald: I know that there is concern about the scope and amount of industrial fisheries. The Government are examining that issue at the moment and my hon. Friend's views will have been noted.

Sir Robert Smith: In the Minister's discussions with the federation, have any concerns been expressed about the operation of any designated ports? In particular, can he reassure smaller fishing communities that the implementation of designated ports will be flexible, so that medium and smaller fishing boats can use them?

Mr. Macdonald: I assure the hon. Gentleman that we want the operation of designated ports to be practical and effective. We are, of course, listening to the views of the various federations on that. We shall produce a consultation paper, after which we shall hold consultations.

Mr. Ancram: Given that Scottish fishing comprises more than 70 per cent. of the total United Kingdom fishing industry, will the Minister reconsider his rather complacent answer to my hon. Friend the Member for North Wiltshire (Mr. Gray) about Scottish fishermen's concern that the right of access to the Council of Ministers, which he currently enjoys as a United Kingdom Minister, will be lost when the Scottish Parliament is established?

Is not it somewhat perverse that, just as Scottish fishermen need the strongest possible voice in Europe, that voice is about to be denied them? When will he accept that vague assurances of informally agreed arrangements or concordats are simply inadequate? If he will not protect the interests of Scottish fishermen in legislation, would not it be better for Scottish fishing to be a reserved issue, at least to ensure that their voice is heard strongly in the Council of Ministers?

Mr. Macdonald: I am surprised that the right hon. Gentleman should repeat the error. There is no right of access as such. These are arrangements that are reached between Departments and the same sort of arrangement will be reached between the United Kingdom and Scottish Parliaments after devolution. There really will be no change in the situation.

Agriculture Industry

2. **Mr. Russell Brown:** When he next intends to meet farmers and the Scottish National Farmers Union to discuss the agriculture industry. [28069]

The Secretary of State for Scotland (Mr. Donald Dewar): I met leaders of the National Farmers Union of Scotland on 9 February. No date has yet been set for a subsequent meeting. My noble Friend Lord Sewel meets Scottish NFU leaders regularly.

Mr. Brown: I thank my right hon. Friend for his reply. Farmers throughout Scotland will be looking forward to continual contact with him and Lord Sewel. May I draw my right hon. Friend's attention to the difficulties that

the sheep export business may face in the coming months because we have to remove specified risk materials? When carcases are split, they do not travel well to the export market and French business could be turned away.

Mr. Dewar: We recognise the severe difficulties that face the beef and sheep industries. That is why both have been targeted in the recently announced £85 million increase in support payments. I recognise the problem caused by the removal of specified risk material and we have discussed it with the NFU. All European member countries will face that problem from 1 April; we are anxious to find the best way forward. Above all, we must have regard to safety and that is the basis on which the move has been introduced.

Mr. Charles Kennedy: Does the Secretary of State, also, welcome the road-to-Damascus conversion—having been briefed by his local NFU branch—indicated by the question of the hon. Member for Dumfries (Mr. Brown), given his intemperate remarks about the state of Scottish agriculture at the Scottish Grand Committee? Will the right hon. Gentleman acknowledge that the problem is widespread throughout the country and that the alarm felt in particular by hill and upland farmers will have been accentuated as a result of Lord Sewel's television interview on Saturday night, in which he clearly stated that he expected there to be fewer people in hill and upland farming in the future? That interview has set the alarm bells ringing in many of our constituencies. I have requested a meeting with Lord Sewel on behalf of my hon. Friends to discuss that problem further. Will the right hon. Gentleman give his support for an early meeting if at all possible?

Mr. Dewar: I may be wrong, but I did not see the hon. Gentleman at the agriculture debate to which he referred. I am relieved to learn that he reads the *Hansard* reports so avidly. I am not inclined to take lessons in intemperate speech from the hon. Gentleman—he does it rather well. On the substantive point, of course there is concern. A few minutes ago, I referred to the £85 million additional support package announced recently by my right hon. Friend the Minister of Agriculture, Fisheries and Food, which is strongly supported by the Scottish Office. We are conscious of the difficulties of getting the reform and the structural change in the industry that the NFU wants as much as the Government. We will all work hard to make progress on Agenda 2000 in Brussels and we are conscious of the need to ensure that it is not a unilateral effort on the part of the United Kingdom, but something on which the whole of Europe is moving—I hope in the right direction—as one.

Dr. Fox: The Secretary of State may be aware of the report in the *New Scientist* of the week commencing 5 January that E. coli 0157 and 0111 are at epidemic levels in beef produced in Chile and Argentina. In view of that evidence, what guarantee can he give us that beef imported from those countries is as safe as home-produced beef?

Mr. Dewar: As the hon. Gentleman knows, we check and we will continue to take stringent precautions on those matters. British beef is safe—we have repeatedly said that and so, to be fair, did our predecessors. We are urgently trying to help the industry to boost sales at home and to reassure the public. The positive encouragement of quality beef sales is important. Of course we want to ensure that foreign imports are fit for human consumption and we have taken steps to do so.

Mr. David Stewart: Does my right hon. Friend agree that it is important to encourage the British armed forces to buy as much British beef as possible? Does he welcome the fact that they have doubled expenditure on it in the past 12 months?

Mr. Dewar: That is a matter for my colleagues in the Ministry of Defence. I welcome the fact that British beef has been competitive. I guess that, for obvious reasons, the Army buys sensibly at good prices. That it is buying more and more British beef underlines the fact that it is a good buy for everyone.

Local Government Finance

3. **Mr. Letwin:** When he last met the Convention of Scottish Local Authorities to discuss the financing of local government in Scotland. [28070]

Mr. Dewar: On 23 January.

Mr. Letwin: In the light of his letter to the president of the Convention of Scottish Local Authorities of 30 November, in which he announced that he was making a real-terms reduction in the amount of money available to local authorities, will the Secretary of State explain why he thinks the convention has not made more fuss?

Mr. Dewar: I think that COSLA was probably relieved—*[Laughter.]* Let me explain. The increase in cash terms is 3.4 per cent. COSLA had expected the plans that had already been announced to be implemented if there had been no change of Government. That would have meant a cash increase of only 1 per cent. It is a difficult settlement that faces councils with hard choices but it is infinitely better than what was threatened if, by misfortune, the Tories had been returned to power.

Mr. Maxton: Will my right hon. Friend take this opportunity, while considering local government finance, to make it clear to Scottish National party-controlled Perth and Kinross council that charging pupils who have to stay in hostels while attending secondary school £300 a year is an unacceptable breach of the right of every school child in Scotland to a free education? Will he note that that council also charges the highest musical instrument fees of any local authority in Scotland?

Mr. Dewar: That is a matter for the council, which is controlled by the SNP. It is not for me to direct on such matters. The authority must choose its priorities within the spending limit that has been set. Difficult problems face all local authorities. Perhaps the difficulties in its own back yard will remind the SNP of the difficulties of councils in other areas.

Ms Roseanna Cunningham: Does the Secretary of State agree that the local authority budget cuts that are

threatening the closure of organisations such as rape crisis centres are insupportable? Will he join me in supporting the *Big Issue* campaign against such closures?

Mr. Dewar: There has been some movement in the urban programme. We are particularly concentrating on priority partnership areas as part of the social exclusion strategy, which I am sure the hon. Lady supports. I recognise that there are difficulties. It is important to concentrate on our priorities. We have to ensure that the projects that continue to receive funding are important and serve the public interest. Rape crisis centres and the women's aid organisations have a good, positive record that I am sure will be borne in mind.

Mr. Savidge: Will the Secretary of State consider the special financial difficulties of cities such as Aberdeen where services are extensively used by non-residents? Will he consider both immediate problems and longer-term solutions, such as reviewing the distribution formula?

Mr. Dewar: We are always willing to listen to representations. I pay tribute to the co-operation that we have had from COSLA and individual authorities in managing the random changes and impact that would otherwise have resulted from variations in, for example, grant-aided expenditure for social work. That co-operation has been enormously useful. The distribution formula is always altered by agreement. It is a complex, long-term project and I cannot offer my hon. Friend instant changes, but I understand the problem.

Mr. Kirkwood: When the Secretary of State meets COSLA, will he pay particular attention to the representations that will be made by local authorities that cover landward areas about the impact of transportation costs on their budgets next year? Is he aware that, next year, school transport will cost my local authority, Scottish Borders—not a big authority—more than £2 million? Will he assure the House that he will use his considerable influence with his Treasury colleagues to ensure that there will not be excessive increases this year in excise duty on fuel?

Mr. Dewar: I am quite sure that my colleagues at the Treasury are familiar with those representations. They will also be familiar with the many commitments given by the Liberal Democrats to cut CO_2 emissions and to pursue policies to bring that about. Very often, politics is a matter of difficult choices. I am sure that the hon. Gentleman will be mindful of the fact that we have made announcements about petrol prices in terms of our general approach to increases above the rate of inflation.

Scottish Parliament

4. **Mr. Salmond:** When he last met the Confederation of British Industry and the Scottish Trades Union Congress to discuss the powers of the Scottish Parliament; and if he will make a statement. [28071]

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): My right hon. Friend last met representatives of the CBI Scotland on 30 January to discuss a range of issues, including the powers of the Scottish Parliament. I last met the STUC to discuss its response to the Scotland Bill on 7 January.

Mr. Salmond: How does the Minister understand the process of consultation on the Scottish Parliament? Will he confirm that the minutes of the consultative group meeting for 19 January confirmed that the decision on the interim location of the Parliament would come before that body? The Minister accepted that proposal just last week. Why, then, are his civil servants briefing that that decision has already been made in favour of the general assembly building? Can the Minister say whether that is correct? If so, what is the point of having consultative meetings if the Scottish Office is proceeding by diktat?

Mr. McLeish: Since 1 May, the Government have attempted to be as open as possible on every aspect of the Scottish project. That is why we established the consultative steering group, which involves all the political parties, to consider the nuts and bolts of the Parliament, its working procedures and Standing Orders. That process of consultation will continue. I can confirm that we shall discuss the options for the temporary home for the Scottish Parliament in that consultative steering group, but no decisions have yet been made. My right hon. Friend the Secretary of State intends to make a decision in March.

Mr. Eric Clarke: Has the Minister had in-depth discussions with the Scottish CBI and the STUC on welfare to work?

Mr. McLeish: That is not within my remit, but is within that of my hon. Friend the Minister for Education and Industry. When we have met the CBI and the STUC, they have been conscious that that project is exciting in terms of devolution and they want to be part of it. They are aware—as we are—of the aspirations of Scots to find jobs and to ensure that young people receive training. Those organisations want a prosperous and successful Scotland. Indeed, they have signed up with us to ensure that that happens.

Mr. Ancram: When the Secretary of State met the CBI on 30 January, did he accept its concerns about the potential dangers to Scottish business inherent in the tax-varying proposals in the Scotland Bill? Did he undertake to make adjustments, if necessary by secondary legislation, to meet those concerns? Will he confirm that the concerns related, among other things, to the knock-on effects on capital gains tax? Will he assure the House that those concerns will be met in legislation before the Scottish Parliament comes into being and in a way that that Parliament will not subsequently be empowered to undo?

Mr. McLeish: I am pleased to offer the right hon. Gentleman the reassurance he seeks. Tax-varying powers should not extend to the taxation of capital gains; the Bill achieves that in clause 69(2). On the wider front,

the CBI made some positive suggestions and my right hon. Friend agreed to discuss those matters further before we finalise the technical details of the tax-varying powers.

5. **Mrs. Ewing:** How many meetings he has had with European Union Ministers and Commissioners since 1 January to discuss future relations between the Scottish Parliament and the EU. [28072]

Mr. Dewar: Since the start of the year, my colleagues and I have had 13 meetings with Ministers of European Union member states at regional and national level or with EU Commissioners. A range of matters were discussed, including our proposals for a Scottish Parliament.

Mrs. Ewing: I welcome the fact that the Secretary of State has had that number of meetings. What attention has been paid to structural funds, which are vital to the future of the Scottish Parliament, the European Union and the economic and social structure of our society? By the time the Highlands and Islands Convention next meets, will the Minister be able to tell us what representations he has made in connection with the NUTS II programme, which is vital to defining the areas that will have access to structural funds? Can he advise us on what he thinks will be the best outcome of those representations?

Mr. Dewar: I think that the hon. Lady is trying to tempt me, at the Highlands and Islands Convention meeting, to look into the future with a certainty that I would not claim to possess. We are of course pursuing the matter energetically; I have discussed it with Commissioner Wulf-Mathies and Commissioner Flynn and a great deal of work is being done at official level. We are all aware of the Commission's opening position and of the changes that that might suggest in respect of this country and Scotland. We also recognise that those are opening shots in what may be a fairly protracted campaign in which we intend to engage fully.

Mr. Wallace: Will the Secretary of State confirm that the Government's policy in respect of relationships between the Scottish Parliament and Executive and the European Union remains as was set out in paragraph 5.6 of the White Paper, specifically that "in appropriate cases" Scottish Executive Ministers will be able to speak for the United Kingdom in Council meetings? What assessment has he made of post-Maastricht legislation in Germany, which gives the Länder rights of early information on EU proposals as well as rights of representation and of speaking?

Mr. Dewar: The hon. and learned Gentleman may be horrified if I admit to inadequacy, but I have not looked specifically at changes in the Länder situation. I do know that we are working out what I believe are extremely satisfactory arrangements within the United Kingdom. I am familiar with the passage of the White Paper he mentions and that remains our position. There will be a United Kingdom delegation and Scotland will be represented in that delegation. As now, it will be a matter for the delegation to decide who speaks and when. That system has worked well in the past and I expect it to continue to do so.

Mr. Ancram: When will the Secretary of State accept that those relations cannot be left to the transient invitations of Westminster Governments or to unenforceable concordats made without benefit of parliamentary endorsement; and that to do so would be to betray the assurances given in the White Paper? Does he agree that if someone says that his word is as good as his bond, a wise man will always take his bond; and that the Scots have a right to see those assurances entrenched in statute and not to have to rely on promises politically given and easily broken?

Mr. Dewar: That is a clever remark, but it gives a rather unfortunate insight into the level of trust within the Conservative party. It is puzzling that those who speak with the greatest enthusiasm about the partnership that is the United Kingdom are those who question most persistently whether it can be trusted to work. I believe that it can and that it will, in the mutual interests of us all.

Higher Education

6. **Mr. Donohoe:** What action he proposes to take to ensure that there is less disparity in the proportions of Scots from (a) affluent and (b) deprived areas going on to higher education. [28073]

The Minister for Education and Industry, Scottish Office (Mr. Brian Wilson): The Government regard wider participation as one of their key priorities and have advised the Scottish Higher Education Funding Council accordingly. A national conference on widening participation in higher education will be held on 1 May this year.

Mr. Donohoe: I welcome that reply, but I am sure that my hon. Friend will be aware of the survey undertaken by the Educational Institute of Scotland that shows that more than 80 per cent. of children of affluent households go on to higher education whereas only 11 per cent. of children from deprived areas do. What is my hon. Friend going to do about that?

Mr. Wilson: I am familiar with the figure quoted by my hon. Friend. It reflects the miserable reality of the current funding arrangements, which some Opposition Members are anxious to defend. The system simply has not delivered to people from lower-income backgrounds and I assure my hon. Friend and the House that one of our top priorities is to ensure that nobody who has the potential to benefit from higher education is cut off from doing so because of his or her social and economic background.

Mrs. Laing: What steps is the Minister taking to protect the traditional four-year Scottish degree course at Scottish universities, given the introduction of tuition fees?

Mr. Wilson: The two are not causally related. Perhaps the hon. Lady does not understand that the four-year degree course is not quite as traditional as she thinks—it is a relatively recent phenomenon—

Mr. Gray: My hon. Friend did it—and so did I.

Mr. Wilson: The hon. Gentleman says that the hon. Lady did it, but I am not sure that she embodies tradition

in the Scottish education system. Having so many doing four-year degree courses is a relatively recent phenomenon. With the advent of "Higher Still" and advanced highers, many more Scottish students will look for more flexible entry into higher education.

Mr. Davidson: Does my hon. Friend accept that access to higher and further education is partially determined by the chances that youngsters have throughout their time in education, from the nursery sector through the primary sector to the secondary sector? Does he agree that unless the Government are willing to spend substantially more on education in areas of deprivation, such as in my constituency, we shall not be able drastically to increase the number of children from modest backgrounds who go on to higher and further education?

Mr. Wilson: I agree entirely with my hon. Friend's comments. That is why we are pumping as much money as we can into every phase of education. I am especially proud of the £24 million extra that we have been able to put into early intervention in primary schools, which I am certain is crucial in improving the life prospects of every child.

Mr. Welsh: Is the Minister aware of the Edinburgh university student association survey that shows that 91 per cent. of Scottish head teachers believe that tuition fees and the abolition of grants are incompatible with the principle of equal access for all, regardless of financial circumstances? Will he now put pressure on the Department for Education and Employment to abandon its short-sighted policy and look again at Labour's tuition tax and student loan policies?

Mr. Wilson: Anyone who thinks that tuition fees are a barrier to low-income entry into university has probably made the mistake of reading *The Scotsman* or listening to the hon. Gentleman, as 40 per cent. of students—indeed, everyone from households with an income of less than about £23,000—will not pay a penny in tuition fees. My purpose is to get £140 million extra each year into Scottish higher education, which will not only safeguard the quality of the product but give access to people from all backgrounds—low, middle and high.

Mr. Alexander: Will my hon. Friend join me in congratulating Paisley university, which this year has experienced an increase of 8 per cent. in applications for undergraduate courses?

Mr. Wilson: I certainly shall, because I think the experience of Paisley gives the lie to an awful lot of the rubbish that has been spoken on this subject. Paisley university draws its students mainly from lower-income backgrounds. It has increased its applications by 8 per cent. However, most of the whingeing in the higher education circle has emanated from St. Andrews university, which has also had increased applications, including from students south of the border. The figures show what rubbish has been talked on the subject. My interest is in addressing the message to the people whose life prospects depend on applying for university and not listening to the scaremongering and politicking that have come from the Conservative Benches.

Mr. Gorrie: In the Muirhouse area of my constituency are a number of organisations that are vital for getting people back into the education system. They are at serious risk because of the ending of urban aid money or as a result of the reduction in grant to the City of Edinburgh council. Will the Minister consider making available some funds to pick up those organisations, which are right on the button for the social exclusion policy that the Government support but in dire straits? They will go under if they do not very quickly receive help.

Mr. Wilson: As I said in my original answer, access to education from the widest range of social groups is a very high priority for me and for the Government. I invite the hon. Member to write to me if he knows of specific organisations in that category. He knows that urban aid funding is not meant to be a permanent funding solution for any organisation and that, inevitably, if new organisations are to qualify for urban aid funding, others must drop out. One hopes that the main stream will find other ways of continuing, but I invite the hon. Gentleman to write to me.

Primary Schools (Language Tuition)

7. **Ms Squire:** What proportion of primary schools in Scotland currently offer foreign language tuition. [28074]

Mr. Wilson: There are at present teachers qualified to teach modern languages in 74 per cent. of Scottish primary schools.

Ms Squire: Does the Minister agree that, in spite of that, the take-up of foreign languages by children and young people in Scotland has been very disappointing; that the development of fluency in two or more languages opens up tremendous opportunities, especially in employment; and that it seems that the best way to start is at primary school? What further action do the Government hope to take, especially in this year, when we hold the European presidency, to encourage greater foreign language development in Scotland?

Mr. Wilson: If I wanted to be complacent, I could simply say that we are already far ahead of the United Kingdom as a whole in that respect, and that we are continuing to expand the successful and praiseworthy modern languages in primary schools scheme. However, I entirely share my hon. Friend's analysis. I think that our proficiency in languages in Scotland—and, perhaps, in the rest of the United Kingdom as well—is a disgrace. For all the reasons that she states, there is an enormous amount to be done to improve our language competence. I believe that we could do much more through the education system, including, for instance, immersion in modern languages in the primary years. We should also ensure that within the curriculum there is no disadvantage to pupils who opt for modern languages. That is vital.

Mrs. Ray Michie: If the threat to primary schools in the highlands and islands area continues, there could soon be few primary schools left to teach another language, or anything else. Is the Minister aware that in Argyll and Bute 10 primary schools have now been earmarked for closure, in addition to the four that have already closed? Those schools certainly will not be able to teach another

language. How does he view that development, in the light of the funding that he recently announced for the Argyll and Bute education authority?

Mr. Wilson: As the hon. Lady is aware, I know Argyll and Bute reasonably well. I also know the local authority, and I think that it would maintain that its proposals were education led rather than finance led. Of course, the decisions are matters for the authority's judgment. It inherited an enormous number of small primary schools and, for reasons that the hon. Lady and I both regret, there is continued population movement away from some areas. Judgments then have to be made by the education authorities. I have nothing but empathy with small primary schools, but there remain judgments of balance on educational and financial grounds for education authorities to make.

Mr. Connarty: The Minister, I am sure, will accept that to advance something like primary education teaching in languages requires co-operation. He will no doubt have noted in *The Times Educational Supplement* of last week the concerns expressed by local authorities at the number of directives coming from his Department, which has been worrying them. He will recall that I handed him three sheets totalling 55 directives sent out by his Department to education authorities since May last year, and I hear that they are actually speeding up in January and February. Will he give the House an assurance that he will go back to his promise of co-operation with local education authorities to build the education they require, rather than allowing his civil servants to bombard them with directives, which cuts across their own plans in education?

Mr. Wilson: I assure my hon. Friend that the approach is one of partnership and consensus, as will be reflected later this week when the action group on standards in Scottish schools, which I chair, meets people from all the branches of education represented on it, so as to take forward important reforms. When I took my job, one of the first things I said was that there was unnecessary paperwork and bureaucracy going into schools and taking up the time of teaching staff and head teachers. If I could be shown examples, I would end that. I must practise what I preach, and if my hon. Friend can show me unnecessary letters that have gone into schools, I shall ensure that the flow is reduced.

Miss McIntosh: Will the Minister agree to extend the Lingua programme to primary schools both in Scotland and throughout the United Kingdom, and can he inform the House what the cost to the British taxpayer would be?

Mr. Wilson: On costs, I would be pleased to write to the hon. Lady. In principle I support the extension of language programmes in schools. That is the practical approach adopted in Scotland and I am always looking for ways of furthering it, and of taking advantage of European programmes that encourage it.

Local Government (Best Value Scheme)

8. **Mr. Doran:** How many local authorities have qualified to date under the best value scheme. [28075]

Mr. Dewar: All Scottish councils have demonstrated commitment to best value, although some are further forward than others. Accordingly, I propose to retain the moratorium on compulsory competitive tendering for a further year. Five councils will be subject to conditions, including three that have accepted the need to retain competitive tendering. We put great emphasis on the importance of best value as a means of improving, with the co-operation of local government, the delivery of services to the public.

Mr. Doran: I thank my right hon. Friend for that announcement, which will be welcomed by local authorities throughout Scotland, especially my local authority in Aberdeen, which has led the way in the introduction of best value regimes. Does my right hon. Friend agree that the move away from the rigidities and inflexibilities of CCT, which he has confirmed today, will lead us into a new regime for local government finance, in which good housekeeping and best practice will be rewarded?

Mr. Dewar: That is certainly the intention, and it is the joint ambition of the local authority world and the Scottish Office. Plans have been laid out and objectives defined. The important thing is to deliver on both.

Mr. Ian Bruce: I am sure the right hon. Gentleman will acknowledge how difficult it is to do away with compulsory competitive tendering and bring in best value. Has he undertaken a comparison of the costs of local authorities in Scotland with those in the rest of the United Kingdom, especially as Scottish local authorities get 20 to 25 per cent. more funding than the rest of the country? Can he bring that figure down, to the benefit of the UK taxpayer?

Mr. Dewar: The hon. Gentleman, who I think has some Scottish antecedents, never misses the chance. His antecedents, I fear, are well buried, but the name is a clue. Simplistic comparisons of the kind in which he specialises are not always helpful. If he looks at the geography, social structure and environment in which many local authorities in Scotland operate, he will come across some of the explanations that he seeks.

Millennium Link

10. **Mr. Canavan:** What recent representations he has received about funding for the millennium link project to reunite the Forth and Clyde canal and the Union canal. [28077]

Mr. McLeish: The Government have received representations from hon. Members, elected members, local tourist boards and other interested organisations in support of the project. I shall arrange for detailed information to be placed in the Library of the House.

Mr. Canavan: As independent consultants estimate that 4,000 permanent jobs and 1,500 jobs during the construction stage could be generated by the project, plus an annual injection of £55 million into the central Scotland economy, with additional benefits in terms of tourism, leisure and recreation, will my hon. Friend try to ensure that the project receives the full amount of £16.4 million requested from the European regional development fund, bearing it in mind that the total cost of

the millennium link is only about one tenth of that of the millennium white elephant being planned by the Dome Secretary at Greenwich?

Mr. McLeish: I shall ignore the opportunity to comment on the latter part of my hon. Friend's contribution. We share a concern for the project. The Scottish Office supports the project. A meeting is to be held on 24 February at which the two partnerships involved will come together, so there will be an opportunity for British Waterways and Scottish Enterprise to reinforce the case made by my hon. Friend. On Thursday my right hon. Friend the Secretary of State and I will be able to discuss the entire millennium link with canalside Members and we can go into much greater detail with them then.

Electronic Tagging

11. **Mr. Browne:** How the pilot programmes of electronic tagging will be monitored and evaluated. [28078]

Mr. McLeish: The pilot programmes of electronically monitored restriction of liberty orders will be the subject of two research projects. The first, taking place during the pilot projects, will focus on the implementation, use, impact and cost of the orders. The second will examine the long-term impact on reoffending rates.

Mr. Browne: I welcome the addition of restriction of liberty orders to the range of orders available for community-based disposals in the court, not least because they help to move the debate about law and order in Scotland on beyond the Tory obsession with gaols and longer prison sentences. Is it the Government's intention that RLOs will be used as a true alternative to prison sentences, and if so, how do the Government intend to get that view across to sentencers?

Mr. McLeish: My hon. Friend is right. RLOs will be an alternative to custody, but as with the English pilots, will not be exclusively so. That is part of the Government's programme to develop robust, tough alternatives to custody in the community. We have the community service order and the supervised attendance order, we will move on to drug treatment and testing orders, and now we have the restriction of liberty orders. As part of the co-operative exercise in implementing the RLOs, we will be having further discussions with all sections of the criminal justice system, and information will be provided to the courts, but ultimately it is for the sentencers to decide. Our task is to put before them a wide and comprehensive package from which they can choose appropriate, value-for-money and tough sentences in the community.

Mr. Wray: Given that the question deals with prisoners and crime, I wish to ask a specific question relating to two prisoners, T. C. Campbell and Joseph Steele. Will my hon. Friend answer a question regarding section 124 of the Criminal Procedure and Investigations Act 1996? *[Interruption.]* I will ask my question if I am given a chance to speak.

Madam Speaker: Order. Hon. Members must let the hon. Gentleman put his question. It appears to relate to a constituency case with which the Minister is probably not familiar at this stage, but the Minister is indicating that he will respond.

Mr. Wray: My hon. Friend the Minister is well aware of the case. Under section 124 of the 1996 Act, the former Secretary of State for Scotland, Michael Forsyth, released the two prisoners more than a year ago. The criminal appeal court, however, made a different decision under section 17 of the Crime and Punishment (Scotland) Act 1997. In view of new evidence, would my right hon. Friend the Secretary of State for Scotland consider acting under section 124 of the 1996 Act?

Mr. McLeish: The changes in the Crime and Punishment (Scotland) Act were carefully drafted with the intention of achieving a balance between protecting witnesses and allowing a review when circumstances warrant it. We will study the judgments in the Campbell and Steele case, but it would be wrong to rush into decisions on the effectiveness of the new provisions. My right hon. Friend the Secretary of State will, however, consider any fresh petitions submitted to him.

LORD CHANCELLOR'S DEPARTMENT

Queen's Counsel

30. **Mr. Mullin:** What assessment he has made of the advantages of phasing out QCs; and if he will make a statement. [28098]

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Geoffrey Hoon): My noble and learned Friend the Lord Chancellor has no plans at present to phase out Queen's Counsel.

Mr. Mullin: What is the purpose of QCs, except as a device for perpetuating restrictive practices and artificially inflating fees?

Mr. Hoon: Like my hon. Friend, I have the advantage of having recently read a publication called "Silk Cut: Are Queen's Counsel Necessary?". Chapter 7 considers a number of reform possibilities, and chapter 8 advocates outright abolition. I am sure that the Lord Chancellor would welcome hon. Members' views on whether any of the possibilities should be implemented.

Mr. Ian Bruce: Surely what must worry the House is the attempt to phase out the most distinguished QC, namely the Lord Chancellor. Is it not strange that three Ministers who are patrons of an organisation called PressWise should write to hon. Members today to back up the Lord Chancellor in his bid to ensure that the issue of privacy goes before the courts, and that we pass the Human Rights Bill with its provision to control the press? Will the Minister back up his boss by retaining this matter in the Lord Chancellor's Department?

Mr. Hoon: I would be delighted to try to answer the hon. Gentleman's question, but, as I am sure he realises, his supplementary has nothing to do with the main question, or indeed with the Department in which I am a Minister.

Convention on the Abduction of Children

32. **Mr. Gareth Thomas:** If he will make a statement on the working of the Hague convention on the abduction of children. [28100]

Mr. Hoon: The 1980 Hague convention on the civil aspects of international child abduction provides for the return of children who have been wrongfully removed from, or wrongfully retained away from, their country of habitual residence. More than 40 states are party to the convention, which came into force in the United Kingdom in 1986. It has been of significant benefit to the UK in securing the return of abducted children.

Mr. Thomas: I am grateful for that response. Given the draconian nature of orders made under the convention, will my hon. Friend consider implementing a review to ensure consistency and uniformity in its implementation among states that are signatories?

Mr. Hoon: I thank my hon. Friend for his question, and for his representations about the matter on earlier occasions.

The Government are generally satisfied with the operation of the convention, but when issues arise either generally or bilaterally they are discussed at the appropriate level through judicial and administrative channels. I am confident that that is the best way of securing a better and fairer system. The Government participate fully in mechanisms for reviewing the operation of international conventions relating to child abduction, both internationally and bilaterally. Such work involves the alignment of different jurisdictions and different traditions of law and society and inevitably involves difficulty.

Legal Aid

33. **Mr. Gale:** When he next proposes to meet *(a)* the chairman of the Bar Council and *(b)* the president of the Law Society to discuss legal aid. [28101]

Mr. Hoon: I am meeting the chairman of the Bar Council on 9 March and the president of the Law Society on 11 March to discuss the Government's proposed reforms of civil legal aid.

Mr. Gale: When the Minister meets them, will he discuss the proposed blend between legal aid and conditional fees? Does he not consider that the Lord Chancellor's speech made last autumn, relating to the prospect of conditional fees being introduced by 1 April, is now dependent on a total shambles? Would it not have been advisable for the Lord Chancellor to discuss the proposals with consumers and the professional groups involved? Has he not made a cardinal error?

Mr. Hoon: The Government have consulted widely, and, indeed, have been consulting ever since the Lord Chancellor outlined the proposals some four months ago. We have received a number of thoughtful and helpful suggestions as to how to take the proposals forward. We shall publish soon a consultation paper based on those suggestions and listen to the responses to it. By the time the proposals are put before Parliament, we expect there to have been at least seven months of consultation.

Mr. Skinner: Is my hon. Friend aware that it is difficult to sell the argument about cutting legal aid and changing it quite dramatically for people who in many cases need it? Does he accept that it is made even more difficult by the fact that the Lord Chancellor is not helping matters along either? He is supposed to be the brightest brain in the legal profession, but his political judgment seems to be lacking. We cannot sell the idea when at the same time he is spending £69,000 on wallpaper and £8,000 on beds.

Mr. Hoon: I hear my hon. Friend's remarks. Questions relating to the reform of legal aid are clearly within my departmental responsibility, but I hope that he will accept that questions relating to the expenditure on the Lord Chancellor's residence are entirely within the responsibility of the House of Lords.

Mr. Burnett: One major disadvantage of replacing much legal aid with conditional fees is that they pitch the interests of the client not only against those of the lawyer but against those of the insurer, if there is one. What investigation is the Department making into establishing a contingency legal aid fund to fill the void in access to justice for middle-income Britain?

Mr. Hoon: That was one of the helpful suggestions that we received from the Bar Council and the Law Society. We are considering carefully the suggestions that have been made. I hope that the hon. Gentleman will await the publication of the consultation paper so that he can see how we propose to deal with the helpful suggestions that have been made.

Mr. Waterson: Will the Minister confirm that, after the consultation, he will be prepared to look carefully again at the proposals, which not only reduce access to justice for poorer litigants but would deprive those same litigants of much of the fruits of their litigation? Does he accept that it would have been a lot better to have had proper consultation before announcing the proposals rather than afterwards?

Mr. Hoon: The Lord Chancellor made it quite clear in his speech in October, in which he outlined the proposals that we are discussing, that we would contemplate the withdrawal of legal aid only where there were adequate means to ensure that the great majority of our citizens had access to the courts. That remains the case. That principle will condition all the proposals that we introduce.

34. **Mr. Gerald Howarth:** What progress he is making with the introduction of his legal aid reforms. [28102]

Mr. Hoon: A consultation paper will be published in the next few weeks setting out the Government's proposals for the extension of the conditional fee scheme and for changes to the scope of civil legal aid. Decisions will not be made about the reforms to be introduced until the responses to the consultation paper have been fully considered.

Mr. Howarth: The Lord Chancellor told the Law Society last year that he intended to introduce these

proposals by 1 April. Is not the policy in a complete shambles? Would it not be better if the Minister's noble and learned Friend spent more time dealing with the needs of people on middle incomes, who are concerned about these proposals, rather than, as the hon. Member for Bolsover (Mr. Skinner) said, spending taxpayers' money lining his apartment? Does the Minister understand that the gross arrogance of his boss, the Lord Chancellor, is a grave embarrassment to the Government?

Mr. Hoon: I have already explained to the House that the Government have embarked on a detailed consultation process. We have received helpful suggestions to which we have given serious consideration. Before we act on them, we shall produce yet another consultation document, which will allow people to make representations on the Government's intentions. The matter will then be placed before Parliament, which will allow a further debate. I hope that the hon. Gentleman is satisfied that the process is exhaustive, if not exhausting, and takes account of all the affected interests.

Rev. Martin Smyth: Has the Department considered the problem faced by people who have had to take legal aid to defend themselves against malicious claims that have eventually been withdrawn, who have then lost the money that they had to pay up front for that legal aid? Surely those people should be protected.

Mr. Hoon: We are aware of the particular position of defendants in the circumstances that the hon. Gentleman describes. I hope that he will be satisfied by the reference to that problem in the consultation paper.

Legal Profession (Tax Treatment)

36. **Mr. John M. Taylor:** What discussions he has had with the Treasury concerning its proposals to change the tax treatment of the legal profession. [28104]

Mr. Hoon: It would not be appropriate for me to comment on any discussions that may have taken place within Government.

Mr. Taylor: I sincerely hope that, despite that smokescreen of an answer, the Minister argued with the Treasury that the tax changes will have a discouraging effect on young practitioners and new entrants to the profession. Did he make that argument?

Mr. Hoon: The hon. Gentleman knows that my hon. Friend the Financial Secretary announced the proposal well in advance of any Budget determination, precisely so that the professions could be consulted, and so that any representations made about the effects of the proposal could be considered. The hon. Gentleman is surely aware that such representations have been made, and I am sure that my hon. Friend will take them into account.

Mortgage Repossessions

37. **Mr. Kidney:** What assessment he has made on the basis of the last 12 months' figures of the trend in mortgage repossession cases being filed at court and possession orders being made. [28105]

Mr. Hoon: The trend is downwards. In 1997, fewer mortgage possession actions were issued and fewer possession orders made than in each of the previous two years.

Mr. Kidney: I am grateful to my hon. Friend for pointing out that the figures are down. Nevertheless, every repossession represents a personal tragedy, and the figures are still shamefully high compared with previous periods under a Labour Government when the number of mortgage repossessions was tiny. Will he confirm that that shows the need to manage the economy properly to avoid periods of boom and bust, so that people are not thrown out of their homes as a consequence of the mismanagement of the economy? Has not Labour promised to talk to the mortgage industry about more flexible mortgages, and will he confirm that that may be a way forward to avoid such tragedies happening again?

Mr. Hoon: I am grateful to my hon. Friend for his suggestions. Ministerial colleagues with direct responsibility for housing matters are considering those questions as part of the detailed housing comprehensive spending review that is being undertaken by the Department of the Environment, Transport and the Regions with the Department of Social Security. I assure my hon. Friend that the outcome of their considerations will be announced to the House in due course.

Public Records

38. **Mr. Baker:** What steps he is taking to make available in the Public Record Office documents between 20 and 30 years old. [28106]

Mr. Hoon: Our proposals for freedom of information, set out in the White Paper, "Your Right to Know", will enable more records to be released before they are 30 years old. There will be a legal right of access to official documents of any date, except where disclosure would cause harm to specified interests or would be against the public interest. Whether disclosure would cause harm will be a matter for an independent commissioner.

Mr. Baker: I welcome that response and the Government's work on freedom of information. May I commend to the Minister a Bill that would reduce the period from 30 years to 20 years and that was afforded the luxury of three minutes' discussion on 30 January? I hope that the Government will see the merit of that Bill and help it through on 27 March.

Mr. Hoon: I have had the considerable advantage of reading the hon. Gentleman's proposals. Of course, they will be considered carefully.

Law Centres

39. **Mr. Goggins:** What plans he has to improve the funding of law centres. [28107]

Mr. Hoon: Law centres are primarily funded by local authorities. In addition, nine law centres currently receive

grants under the Legal Aid Act 1988, and all law centres employing appropriately qualified solicitors can be paid through the legal aid green form scheme for the advice and assistance they provide. In August 1997, following changes approved by Parliament, the Legal Aid Board extended its pilot for the provision of advice and assistance by not-for-profit advice agencies, to allow the funding of salaried lawyers at law centres.

Mr. Goggins: I thank my hon. Friend for that answer, which clearly demonstrates the complex way in which law centres are funded. In view of the need for impartiality and, in poorer areas, the growing need for access to free legal services, will he consider reverting to the original idea? Is he prepared to fund law centres directly from his Department?

Mr. Hoon: I cannot commit the Department to funding the entire costs of law centres, but I hope that my hon. Friend will be pleased to hear about a number of developments. In particular, the green form scheme will be replaced with fixed-price contracts by the end of 1999. The Government intend to introduce contracts generally for publicly funded legal services once the necessary legislation is in place. It will be open to law centres, along with other suppliers of legal services, to seek contracts. I am sure that that will improve their funding position.

Human Rights Bill

3.31 pm

Mr. Ian Bruce (South Dorset): On a point of order, Madam Speaker. Yesterday, the Home Secretary made a statement on the amendments that were to be made to the Human Rights Bill. Today, along with other hon. Members, I received a letter from an organisation called PressWise, which has as its patrons three Ministers—one at the Department of Social Security, one at the Department for Education and Employment and one at the Northern Ireland Office—decrying such amendments to the Bill. Have any of those three Departments asked to make a statement on control of the press, as it is most confusing when the Government give us one message and we get another in the post?

Madam Speaker: I have not been approached by any Minister seeking to make a statement today.

School Buses (Safety)

3.32 pm

Mr. Malcolm Bruce (Gordon): I beg to move,

That leave be given to bring in a Bill to introduce safety regulations for school buses; and for connected purposes.

Like many hon. Members, over the years, I have received many representations on school bus safety. I commend the present and previous Governments for all that has been done in recent years to reduce the number of deaths and serious injuries. Nevertheless, all hon. Members will agree that there are still too many accidents and injuries. Parents who see their children heading off to the school bus, especially in rural areas, are understandably anxious that everything possible is being done to eliminate the dangers that their children face.

Safety measures introduced in recent years have helped to reduce dramatically the number of fatalities and serious injuries on our roads, in spite of the substantial increase in traffic. The numbers killed have dropped from more than 5,500 per annum in the first half of the 1980s to around 3,500 per annum today. The numbers seriously injured have fallen from around 75,000 to around 45,000 per annum. They are still too high, but there has been a considerable reduction. The total number of injuries, however, has remained about the same, so we have reduced the severity of accidents rather than their absolute number by a combination of technology and road safety measures, with which the Bill is primarily concerned.

The specific record for buses shows a fairly static pattern, but, as all hon. Members will know, the worst accidents and near misses tend to be widely publicised and cause a great deal of public concern and dismay. To a greater or lesser extent, in recent years the Government have taken action on the issues on which I am focusing attention, but there is now clear scope for a consolidating Bill to strengthen and extend safety measures.

I think that everyone—not only hon. Members but the public—is aware, either by visiting north America or by seeing them on television or at the movies, of the highly distinctive north American school buses, which are black and orange-yellow with flashing lights. The north American experience may not be entirely appropriate for the UK, but I believe that we can learn from it.

School buses should have clear and prominent markings. Currently, school buses are required to display a black and yellow sign depicting two children. I argue that those signs are not very prominent, and that they are not always removed when the bus is not on school business. Buses are also allowed to use their hazard flashers to indicate that they are picking up or setting down, but there is little evidence that many do.

I therefore suggest in the Bill that buses must be more prominently and distinctively marked. Even if signs are removable, they should be impossible to miss. Buses carrying schoolchildren should be unmistakeable. Additional warnings and road safety rules should apply when buses are picking up or setting down. For that reason, prominent and distinctive flashing lights, mounted front and rear, should give a clear warning that a bus is stopping, stationary or moving off, and also in which direction it is travelling.

When lights are flashing, it should be illegal to overtake a school bus. The reasons for that seem to be clear. Although it is preferable to encourage children to wait for

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the bus to move off, leaving clear vision, the fact is that very often children getting off a bus attempt to cross the road quickly, when they may be hidden from view by the bus itself. I therefore believe that a prohibition on overtaking would reduce the accident risk in those circumstances. I argue also that traffic approaching from the opposite direction should be required to slow down to no more than 20 mph and be prepared to stop.

I can testify that—according to the police on duty at the time—in the past two or three years, one fatality in my constituency might have been averted had those regulations been in place and enforced.

In the past couple of years, another experiment has been conducted in my constituency which has been largely successful. Variable speed limit signs have been installed outside Kintore primary school, on the A96—which is the main Aberdeen to Inverness road. When children are arriving or leaving the school in the morning, at lunchtime and in the afternoon, the signs are changed from 30 to 20 mph. At those times, buses and cars are parked outside the school.

I have myself observed—I was there last Friday—that most traffic does observe the limit; everyone is much more alert to the possibility of children leaving the school; and the school crossing patrol and children have more safe opportunities to cross the road. The Government also believe that the experiment has been broadly successful and will be encouraging its wider use where appropriate, taking account of local factors.

There has been a long campaign in the House, after some tragic and widely publicised accidents, to ensure the fitting of seat belts in school buses. The Government have introduced regulations requiring the fitting of seat belts in minibuses registered after 1988. It seems reasonable to rule that only minibuses that are capable of being safely fitted with seat belts may be used as school buses, and that seat belts should be so fitted.

It is extraordinary that other buses are subject to no such regulation. Indeed, there is no requirement for seat belts in coaches and buses, and children can even travel standing on buses. It is reasonable eventually to require safety restraints for all our children, as advocated by BUSK—the belt up school kids campaign.

I have discussed the proposals in the Bill with those at ROSPA—the Royal Society for the Prevention of Accidents—who told me that they represent a significant contribution to school bus safety.

I believe that the improvements that we have had—which I have welcomed—in recent years have been piecemeal and remain incomplete. It really is time to consolidate and to make it clear that there is no compromise in our determination to adopt practical measures to make school buses safer.

I accept that no rules will legislate for the idiots or for the negligent: there must be no let-up in vigilance and road safety campaigns that make everyone aware of the dangers. Children must continue to be warned to take every care when crossing the road, whatever regulations are in place. A couple of weeks ago, a truck failed to observe the speed restrictions in Kintore and came within inches of killing the school crossing patrol. Not surprisingly, she has now terminated her employment.

I do not believe that these regulations are a guarantee of absolute safety—I do not pretend they are—but if they were in place, they would reduce risk, accidents and casualties. We must create a culture of care. We must monitor closely how the regulations are working, and we must enforce them. A spokesman from ROSPA told me that a number of the changes introduced in recent years have simply not been monitored to see how effective they are, and how they can be enhanced and improved. I would argue that we need to bring all the measures together.

I am pleased to say that my Bill has attracted support from all parties in the House, and I commend it to the Government and the House. I hope it will lay the foundations for greater safety for school buses and for our children on their journeys to and from school for now and for the coming years.

Question put and agreed to.

Bill ordered to be brought in by Mr. Malcolm Bruce, Mr. Don Foster, Mr. Gareth Thomas, Mr. Graham Brady, Mrs. Margaret Ewing, Mr. Phil Willis, Mr. David Stewart, Mr. Cynog Dafis, Mr. Peter Bottomley and Mr. James Wallace.

School Buses (Safety)

Mr. Malcolm Bruce accordingly presented a Bill to introduce safety regulations for school buses; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 20 March, and to be printed [Bill 122].

Iraq

Madam Speaker: I must tell the House that I have selected the amendment standing in the name of the Leader of the Opposition, and I must limit speeches between 7 pm and 9 pm to 10 minutes.

3.41 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I beg to move,

That this House condemns the continuing refusal of Iraq to comply with its obligations under the relevant post-ceasefire UN Security Council Resolutions, by allowing UNSCOM to carry out without restrictions the required inspections of its chemical, biological and nuclear weapons programmes; believes that these programmes represent a continuing threat to international peace and stability; fully supports the efforts of the Government to reach a diplomatic solution to the present confrontation with Iraq within the framework of these Security Council Resolutions; and expresses its full support also for the resolve of the Government to use all necessary means to achieve an outcome consistent with these Resolutions.

This debate takes place at a critical moment in our confrontation with Saddam Hussein. We still seek a peaceful end to the dispute. Military action is not inevitable. We do not want to take military action, and we would willingly stand down our forces if we can secure our objectives by diplomacy.

It is Saddam—not us—who has refused to engage in the diplomatic efforts to find a solution. He persists in refusing to accept that all sites must be open to inspection. In particular, he is still insisting that inspections of the so-called "presidential" sites must be one-off visits, rather than continuing inspections. At no point during this crisis has he ever put in writing the offers of a compromise which others claim he has made.

We are keeping the door to peace as wide open as possible for as long as is reasonable. Britain believes that Kofi Annan, the UN Secretary-General, should visit Baghdad to explore whether there is a basis for securing Saddam's agreement to the resumption of effective inspections by the United Nations Special Commission.

Until late last night, the permanent five members of the Security Council met to agree on a common position which would provide the brief for the Secretary-General's discussions with Saddam. Discussions centred on a text drafted by Britain, and I believe that all quarters of the House can be proud that, throughout the present crisis, Britain has taken the lead in drafting work at the UN.

I am pleased to tell the House that the remaining areas where agreement has not been reached are narrowing and we are hopeful that an agreed conclusion can be reached later today, after the representatives at New York have had an opportunity to consult their capitals. I am therefore optimistic that we can secure an agreed authority for the Secretary-General to travel to Baghdad. I cannot express the same confidence to the House about the prospects for his success in Baghdad. That will depend entirely on whether Saddam is willing to take seriously the visit of the most senior UN official, and whether Saddam is ready to recognise that any agreement must be fully consistent with the UN resolutions.

We want a diplomatic agreement. We also want an agreement that will be lasting. We are willing to entertain a solution to the dispute over the presidential palaces through which UNSCOM inspectors might be accompanied by diplomatic representatives. We have never resisted a solution that would result in what has become known as "UNSCOM-plus". What we cannot accept is an "UNSCOM-minus" solution. There can be no agreement that compromises the ability of UNSCOM to carry out effective inspections without restrictions, without time limits, and without no-go areas. That is our bottom line.

We do not draw the line there because of diplomatic nicety. Even less do we draw it there because, as was put to me in an interview this morning, we are concerned with saving face. We draw the line there because UNSCOM's job is to prevent Saddam acquiring weapons that could wipe out whole cities. A gutted UNSCOM could not do that job.

UNSCOM and the associated inspections by the International Atomic Energy Agency have scored major successes in reducing the capacity of Saddam to threaten the stability of the region and the peace of the world. They have halted his long-range missile programme, which could have brought Europe within range of Saddam's arsenals, and they have dismantled the nuclear programme, which could have given him an atomic bomb. Through a process of inspection and verified destruction, the UNSCOM inspectors have demolished more weapons capability than was destroyed by the allied forces during the Gulf war.

However, there were four areas in the original mandate given to UNSCOM. It has yet to secure the same success in dismantling Saddam's capability in the other two areas—chemical and biological weapons.

The germ and nerve gas weapons that Saddam is known to covet would be lethal to whole cities. The volume on which Saddam hopes to produce such weapons is on such an irrational scale that it leaves frightening questions over his intentions.

Saddam has not accounted to UNSCOM for 600 tonnes of chemical precursors for the VX nerve agent. That would be sufficient to produce 200 tonnes of the agent itself. One drop of VX is enough to kill.

Mr. Tam Dalyell (Linlithgow): Are we clear about what would happen if a bomb or a missile hit such a stockpile?

Mr. Cook: We are entirely clear about the dangers of hitting such a stockpile. That is why we have taken great care in our targeting plan to ensure that we do not hit such completed weapons. There are many points on the supply chain that can be interdicted. Saddam has the capability in the form of chemical precursors. He needs large equipment to turn it into the final form. Those points in the supply chain could be interdicted without any risk to human life, and would set Saddam back many years in acquiring the capacity to threaten human life in the Gulf.

Saddam's biological weapons programme goes in parallel with his chemical weapons programme. It is dominated by anthrax. UNSCOM estimates that Iraq has the equipment and the growth agents to produce 350 litres per week—enough to fill two more missile warheads each week. Saddam is also known to have sought to acquire at least two other forms of biological weapon—the

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botulinum toxin, which kills over a week by progressive paralysis, and the bacterium clostridium, which causes gas gangrene and produces the most painful death of all three.

Mr. Alex Salmond (Banff and Buchan): Will the Foreign Secretary address a point which I know concerns even those of us who do not believe that doing nothing is an option? That is that the present course of action might result in the bombing of Iraq and the inevitable risk of civilian casualties; and that the position of Saddam Hussein might be entrenched in Iraq, his capacity to oppress his own people unimpaired and his capacity to threaten others only set back if not removed. Will the Foreign Secretary address that real concern?

Mr. Cook: Yes, I assure the hon. Gentleman that I shall address that at some length in my speech. Since he has raised the questions at this point, I shall make two points in response to him. If military force had to be used—the objective of our policy is to try to find a solution without it—Saddam most certainly would not be strengthened. He stays in power by military power and force. He should be under no illusion that that military power would be hard hit in the event of a military strike. I appreciate what the hon. Gentleman said about doing nothing not being an option, but walking away from the crisis and leaving Saddam in possession of such weapons would not be a peaceful outcome, either. It would only guarantee that the peace of the region was broken at a future date when Saddam felt strong enough.

Mr. Chris Mullin (Sunderland, South): Will my right hon. Friend give way?

Mr. Cook: Yes, but then I must return to my speech.

Mr. Mullin: Has my right hon. Friend seen reports that Saddam has taken some of his weapons to third countries such as Libya, Yemen and Sudan? Is there any truth in that?

Mr. Cook: I am not aware of those reports. It would be a very difficult transfer to effect. I shall certainly make inquiries about my hon. Friend's allegations, although we are not aware of any evidence at the moment to support the claim. He is of course correct to draw attention to the fact that the weapons could potentially be easily transported—if Saddam were able to acquire them—and the threat could spread well beyond the immediate neighbours of Iraq.

Mr. Jeremy Corbyn (Islington, North): Will my right hon. Friend give way?

Mr. Cook: No, I said that I would return to my speech—if my hon. Friend will allow me.

It is important that we remember that, with Saddam, the use of such weapons is not merely theoretical. He used mustard gas extensively in the Iran-Iraq war against fellow Muslims. Next month will see the 10th anniversary of his most notorious use of chemical weapons, when he wiped out the entire town of Halabja and its population of 5,000 Iraqi Kurds with a mixture of nerve and cyanide gases. The great majority of those who were killed that day were women, children and elderly men who were not under arms. That fact demonstrates that the weapons are not legitimate weapons of military defence. They are weapons of terror for use against civilian populations.

It is for that reason that Britain, like most other nations, signed up to the chemical and biological weapons conventions, which outlaw the production or use of such weapons. Those international agreements will be pointless if we allow the weapons that we have tried to ban to be retained in the hands of Saddam Hussein. Saddam himself, as a condition of the ceasefire, pledged to abandon his attempts to build an arsenal of mass destruction. He accepted the UNSCOM inspectors as the means of verifying that he had fulfilled his own undertakings. Far from honouring his commitments, Saddam has persistently sought to defeat the inspectors by an organised conspiracy of deception and concealment. As one paper noted at the weekend, he has woven not so much a tissue, as a wall-to-wall tapestry, of concealment.

Three years ago, Iraqi defectors brought with them evidence of a co-ordinated and sustained programme of concealment by Saddam of his chemical and biological weapons. Since then, UNSCOM has attempted to uncover the key points in the supply chain of those weapons programmes. It has been met by determined obstruction of its work. In the 18 months to November 1997, UNSCOM sought access to 63 sites where it believed that concealment was taking place. It was obstructed and delayed from carrying out inspections at 38 sites. It was flatly refused access to a further 14 sites. In other words, Iraq complied with its obligation to permit prompt access at only one in five of the sites under suspicion. As Richard Butler, the executive chairman of UNSCOM, noted:

"Saddam avoids answering questions and prevents UNSCOM from finding the answers."

Against that background, it is wholly false for Iraqi diplomats to appear on television pretending to be the reasonable party, which wants only to discuss some matters of detail. The only reason why, seven years after the Gulf war, the UNSCOM regime and the sanctions to enforce it are still in place is that Saddam has never reconciled himself to dismantling his weapons of mass destruction, and has persistently done everything he can to frustrate the inspections.

The current dispute over the presidential sites shows how unreasonable Saddam's demands can be. The compounds around the presidential palaces are vast, and are typically home to the very organisations that oversee his military and weapons programmes. It is a measure of the magnitude of these sites that the UN has had to dispatch a special team to Iraq to map them. We understand that their total land mass may be 70 sq km. No inspection regime can be effective if Saddam is allowed to punch such big black holes in the area where UNSCOM's writ runs.

The number and size of the presidential compounds exposes as fraudulent the Iraqi propaganda that sanctions are the cause of the hardship and suffering of the Iraqi people.

Mr. Bernie Grant (Tottenham): Does my right hon. Friend recall that, after Saddam was defeated in the Gulf war, he set fire to all the oilfields in Kuwait in an act of spite? If, as my right hon. Friend says, Saddam has anthrax and chemical weapons, I suspect that he would

unleash them on the rest of the region if he were defeated again. Does my right hon. Friend agree that, if that is the case, war should be the very last resort, and every effort should be made to secure a diplomatic solution to this crisis?

Mr. Cook: I have absolutely no difficulty in agreeing with my hon. Friend's punch line. All Labour Members—and, I think, all Opposition Members—agree that military force should be used only as the last resort. We are exploring every possible avenue to achieve a diplomatic solution, which is why we strongly back the visit to Baghdad of Kofi Annan, the Secretary-General of the United Nations. If, however, he goes to Baghdad to discuss in good faith with Saddam Hussein the possibility of finding a diplomatic solution, but is unable to persuade him to reach a meaningful agreement, we are nearing the point of last resort.

Mr. Tony Benn (Chesterfield): The Government's motion clearly expresses the hope of a peaceful settlement. However, if it is carried and Kofi Annan's visit is a failure, the Government will have the authority of the House to use force. Is my right hon. Friend prepared to table such a motion in the Security Council authorising the use of force? If so, can he assure the House that the five permanent members would agree to it, as required by the United Nations charter?

Mr. Cook: I cannot guarantee what other permanent members of the Security Council will do—I can speak only for Britain. However, I can certainly confirm that Britain very much wants a further resolution in the Security Council. Indeed, for the past two weeks, we have been negotiating the draft of such a text with the other permanent members and with a number of the non-permanent members, from which we have received overwhelming support.

We believe that, whatever the outcome of Kofi Annan's visit to Baghdad—even if he secures agreement—it will be prudent to introduce a further resolution to ensure that any agreement is codified before the Security Council, so that we are all, including Saddam Hussein, quite clear about what he has agreed to.

Mr. Michael Colvin (Romsey): On legitimacy, the use of force is authorised by Security Council resolution 687. Will the Foreign Secretary confirm that 687 also reaffirms resolution 678, which authorised Operation Desert Storm? Is he happy that that authorisation covers the use of ground troops as well as air strikes? Some of us are concerned that air strikes alone will not be enough to bring about a satisfactory conclusion of military conflict, if that is the way that we have to go.

Mr. Cook: Neither we, the United States nor any other member of the United Nations have any plans to deploy ground troops. My hon. Friend is correct: resolution 687 is a ceasefire resolution—in other words, it sets out the terms of the ceasefire of the Gulf war, and that is the ceasefire that Saddam Hussein is breaking, which in turn gives rise to a legal interpretation about authority. Having said that, our view is very strong. There should be a further Security Council resolution to demonstrate to Saddam and the rest of the world that any action taken by the United States and the United Kingdom has the support of an international consensus.

As I said, it is Saddam Hussein, not sanctions, who is responsible for the suffering of the Iraqi people. There are no sanctions against the import of food or medicine. Those are in short supply in Iraq because Saddam's first priorities are his presidential sites and his weapons programmes.

Unlike Saddam, we are neither afraid of the Iraqi people nor are we foe to them. On the contrary, Britain has continuously been in the lead at the United Nations to increase the oil-for-food programme. I am pleased to tell the House that we intend to table before the Security Council this week our resolution more than doubling the volume of that programme, and we are confident that it will be adopted. It enables Iraq sharply to increase the oil revenues that it can earn, but they must be earmarked for humanitarian purposes, and they will be closely monitored to ensure that they are not diverted from food and medicine into the military machine or internal repression.

Mr. Corbyn: Will my right hon. Friend give way?

Mr. Cook: I will give way to my hon. Friend on this occasion, but I must make progress, and this may be the last intervention.

Mr. Corbyn: Can my right hon. Friend confirm that, under the current arrangement, only half the value of the oil sold under the oil-for-medicines-and-food programme is spent on medicines and food, and that the rest is taken by the oil companies and the United Nations itself?

Mr. Cook: No, I cannot confirm any such thing. The receipts from that programme are closely monitored. It is not merely food and medicine—about that, my hon. Friend is right—as Saddam Hussein is allowed to purchase equipment that would help him to restore water supplies and to provide for other humanitarian forms of relief. The problem has been that the Iraqi regime has constantly obstructed the programme. Indeed, when the original oil-for-food programme came on stream, the Iraqi regime undercut much of its value by making an offset reduction in its contribution to the rations of the Iraqi people.

Today, we will have a frank and open debate. The House will weigh carefully the gravity of the situation and the complexities of achieving an acceptable solution. Those in the House who may agree with the Government on our objectives, but disagree with the Government on our tactics will be free to deploy their arguments.

Of course, we would not be having this debate at all if Saddam allowed one tenth of that freedom and democracy to his own people. He does not do so because he knows that, if he did, he would be toppled. Any statement critical of Saddam Hussein is punishable by death under Iraqi law.

Mr. Nicholas Soames (Mid-Sussex): Just like the Labour party.

Mr. Cook: That was a flippant response to what is a very serious question for the Iraqi people. Saddam and his family remain in power through force and fear. He even murdered both his sons-in-law when they disagreed with him.

[Mr. Cook]

If any hon. Member doubts the brutality of Saddam's regime, I invite them to study the report of Max van der Stoel, the UN special rapporteur on Iraq, who only last November described the human rights situation there as "terrible", and concluded:

"the system of military dictatorship effectively requires that human rights violations occur in order to retain the positions and privileges of those in power."

His report describes the use of murder by the internal security forces as routine. Since that report only last November, Iraqi security forces have shot 1,200 prisoners, following a directive from Saddam's son to reduce prison overcrowding.

I began by stressing that we would prefer a peaceful solution to the crisis, but, as I have said, a solution that left Saddam with his present capability would not be a peaceful solution. Saddam Hussein has already used such weapons in the past. If we leave him in possession of those weapons, sooner or later he will use them again. That is why, while seeking a diplomatic solution, we continue to prepare for the use of military force if necessary.

The task of UNSCOM is to find and destroy Saddam's chemical and biological weapons. If we cannot get agreement that enables UNSCOM to do that task effectively on the ground, we are ready to do it by air power. Saddam should not doubt our resolve, nor should he doubt that, in the event of military action, his military power base would be hit hard. The air power now in place in the Gulf is substantial.

There has been some recent speculation that Saddam might retaliate with chemical or biological weapons. Our assessment is that the threat of such retaliation is low, and it would be difficult for him to square any such retaliation with his continual claim that he does not possess any such weapons. As in 1991, he should be in no doubt that, if he were to do so, there would be a proportionate response.

To those who want us to rule out military action now, I warn them that that would make it impossible for us to achieve a satisfactory diplomatic solution. Saddam has a history of backing down under pressure. The more clearly we demonstrate that we are ready to use force, the better the chance we will have of securing the diplomatic solution that all reasonable people would prefer.

That message is widely understood throughout the international community. The majority of our European partners have recognised that the twin tracks of intensive diplomatic efforts, backed by the pressure of military preparations, offer the best prospect of a satisfactory solution. At the informal meeting of the European General Affairs Council last week, the majority of the countries present supported that approach. Germany, Portugal and the Netherlands have all offered support facilities for military preparations.

All the countries of the Gulf peninsula have been visited by me or another British Minister. Our diplomatic success is reflected in the strong communiqué issued by the Gulf Co-operation Council at the end of last week, which

"stressed that the current crisis has been created by the Iraqi regime alone",

and concluded that Iraq alone must bear responsibility for

"the severe results"

of what might happen as a consequence of what the council described as

"Iraqi intransigence".

Dr. Jenny Tonge (Richmond Park): I thank the Minister of State for giving way. How far will it be possible for the Government, the Government of the United States and the United Nations fully to inform the Iraqi people of the situation and ensure that they know what is being said over here, and do not just have to listen to the propaganda of Saddam Hussein?

Mr. Cook: I hope that the hon. Lady does not know something about my demotion that has not yet been notified to me. To respond to her precise point, we have made all reasonable efforts to make sure that that message is heard in Iraq. Indeed, I made a point of spending an hour on television in Kuwait when I visited the Gulf, in the full knowledge that its broadcasts can be received throughout Iraq.

I will not deny to the hon. Lady that it is extremely difficult for us to get past the censorship of Saddam Hussein. The one thing that he cannot censor from his own people is their clear knowledge of the degree of oppression, hardship and brutality that he imposes upon them. We note that he has not had the courage to appear in public in Iraq for a long time now.

Mr. George Galloway (Glasgow, Kelvin): Will my right hon. Friend give way?

Mr. Cook: In view of my hon. Friend's long interest in the matter, I shall give way, but it must be the last time I do so.

Mr. Galloway: I am most grateful to the Foreign Secretary. Can he say how free the debate was in the Parliaments of those countries of the Gulf Co-operation Council that have even the pretence of Parliaments? How free was the debate in the mass media of the countries that belong to that council? Have any of the Governments of the member countries of that council supported his plan to bomb Iraq?

Mr. Cook: I quoted at length from the strong and tough statement of the Gulf Co-operation Council, which pins clear responsibility on Saddam Hussein for any military action. My hon. Friend is well aware of the constitutional arrangements around the Gulf. I can tell him that the press conference I held in Kuwait was a vigorous one, at which I was cross-examined effectively by what were obviously extremely lively media, whatever the limitations on democratic practice elsewhere in the Gulf.

I have mentioned that we have support in Europe and understanding in the Gulf. Around the globe, we have received strong statements of public support—from Australia to Argentina in the southern hemisphere, and from Canada to Japan in the northern hemisphere. At the United Nations, we have obtained overwhelming support for our position among the non-permanent members of the Security Council, and we are working particularly closely with our European partners, Portugal and Sweden, which are currently non-permanent members. Last night's

meeting demonstrated the wide common ground and the agreement on objectives among the permanent members of the Security Council.

That broad degree of international support underlines the other issue that is at stake in the current confrontation. It is vital that we win this confrontation because of the clear and real danger posed by Saddam's arsenals of terror; but it is also important that we win this confrontation because the authority of the UN itself is at stake. It was the UN that approved the terms of the ceasefire in the Gulf war; it was the UN that passed resolution 687, which provides the authority for UNSCOM to carry out effective inspections; and it is the UN's Secretary-General who may be about to depart for Baghdad with the full authority of the UN for his mission to get Saddam to abide by the undertakings that he gave to the UN.

If Saddam were now to be permitted to set aside all those decisions of the UN, and if we were to walk away and allow him to do so with impunity, there would be no point in invoking the power of the UN the next time we are confronted by a dictator threatening the security of his region or the lives of his people. There would be no point, because we would have allowed the authority of the UN to become another of the many casualties of Saddam Hussein.

The Government firmly believe that, in the modern world, we need a United Nations that can speak with authority for the international community, and can act effectively against those who threaten the peace of member states. That is why we are determined that Saddam Hussein must recognise the authority of the UN, by abandoning for all time his programmes for weapons of mass destruction. We ask the House to show the same resolve by backing us tonight.

4.14 pm

Mr. Michael Howard (Folkestone and Hythe): I beg to move, To leave out from the second "Resolutions" to the end of the Question, and to add instead thereof:

"fully supports the resolve of the Government to use all necessary means to achieve an outcome consistent with these Resolutions; and emphasises the importance of setting the clearest possible objectives linked to any action that might be taken.".

I am grateful to the Government for arranging this debate, for which I and others called last week. It is essential that the House has the opportunity to consider what is undoubtedly a very grave situation. No one who has taken part, as I did before the Gulf war, in a Cabinet decision to authorise military action can be insensitive to the difficult judgments that the Government have to make. We are discussing today matters of life and death.

We in the Conservative party support the stand that the Government have taken: we support their efforts to find a diplomatic solution and to keep the military options open. The Foreign Secretary has this afternoon described in detail the evil nature of the regime of Saddam Hussein. We endorse that description in full, but the justification for military action goes far beyond the evil nature of the regime. To understand that justification, it is necessary to go back to the Gulf war and its immediate aftermath.

The Gulf war was a great achievement by the international community: naked aggression was reversed and the rule of international law upheld. British Governments, under the leadership first of my right hon. and noble Friend Baroness Thatcher and then of my right hon. Friend the Member for Huntingdon (Mr. Major), played a critical part in that achievement. British forces played a crucial part in the military campaign, displaying great skill in what was widely acclaimed as a campaign notable for its support, planning and execution.

However, there are different views about the outcome of the Gulf war. There are those who say that we stopped too soon, that the coalition forces should have continued to Baghdad and that Saddam Hussein should have been toppled. Others point out that there was no authority for action of that kind, that the resolution that the Security Council had then passed did not authorise it and that in the circumstances such action would have been difficult to justify. The point that links that outcome to the dilemma that we face today is this: faced with that difficulty, the Security Council did not do nothing; it did not simply abandon the area or wash its hands of the problems that remained.

The Security Council passed a resolution that formed the basis for what was intended to be a comprehensive settlement. That resolution was Security Council resolution 687 and it was adopted on 3 April 1991. It dealt with several questions that remained to be resolved in the aftermath of the Gulf war. It dealt with the boundary between Iraq and Kuwait and with reparations to Kuwait. It made it clear that the trade embargo against Iraq that had been authorised by previous resolutions did not apply to materials and supplies for essential civilian needs, in addition to the previously authorised exemptions for medicines and health supplies and certain foodstuffs.

The resolution also dealt with the question of chemical, biological and nuclear weapons, with stocks of related materials and with ballistic missiles. It recorded that Iraq shall unconditionally undertake not to use, develop or acquire any of those weapons; and that Iraq shall unconditionally accept the destruction, the removal or the rendering harmless under international supervision of those stocks. In order to ensure that Iraq complied with those undertakings, the resolution authorised the formation of a special commission, which we know as UNSCOM. UNSCOM was to inspect Iraqi relevant capabilities and Iraq was to yield to UNSCOM the weapons and stocks referred to in the resolution. Those provisions were at the heart of the settlement in the aftermath of the Gulf war.

Of course, resolution 687 is not the only relevant Security Council resolution—in particular, it has to be read with the resolutions that went before it—but it sets out the basis of the settlement that was reached. It was accepted by Iraq and it represents the clearly expressed will of the international community.

Had the questions then been asked, "What happens if Saddam Hussein ignores these provisions? What happens if he reneges on these undertakings? What happens if he flouts this resolution?", it is inconceivable that the answer would have been, "We should allow him to do so with impunity."

The provisions that I have cited to the House were not empty requirements. They were not formalities. They were not meant to be taken lightly. They were not meant to be defied. They set out a real, compelling obligation. It is an obligation that must be enforced.

[Mr. Michael Howard]

It is not, of course, an abstract obligation. Since 1991, UNSCOM personnel have unearthed 48 Scud missiles, 30 chemical missile warheads, 480,000 litres of live chemical agents and a manufacturing plant designed to produce anthrax and other biological weapons. Therefore, the obligation of securing full, comprehensive and continuous access to those sites is not just an abstract question of enforcing Security Council resolutions, however important that is; it is about preventing a dangerous dictator from acquiring the means to destroy whole populations.

We have horrifying evidence of Saddam Hussein's disregard for human life. We have seen his brutal aggression against neighbouring states, against his Kurdish citizens, against his Arab citizens, against members of the Baath party, against members of his own Takriti clan—even against members of his immediate family. Such a man, armed with the capacity to cause destruction at a distance, would not hesitate to use it.

Mr. Paul Flynn (Newport, West): Does the right hon. and learned Gentleman recall that, after repeated pleas from Labour Members, in the late 1980s and early 1990s, to stop the export of the precursors of nuclear, biological and chemical weapons from this country, a previous Home Secretary, Douglas Hurd, told me and the House, on 20 April 1990, that I should remember that Saddam Hussein was a signatory to the international non-proliferation treaty and that, as such, the previous Government had full confidence that he would not manufacture nuclear weapons or other weapons of mass destruction? Should not we have at least some apology from the previous Government, who treated today's evil dictator as a trusted ally?

Mr. Howard: The truth is simple. We know now much more than we knew then. Those matters have been exhaustively canvassed since then, and if the hon. Gentleman thinks that the point that he raises has any relevance to the issues before the House this afternoon, he needs to make that clear to the House in a way in which he has not done so far.

Mr. Rhodri Morgan (Cardiff, West): Over the weekend, I read that, in 1994, an export licence was given for growth medium to be exported from this country by a British subsidiary of Unilever; the culturing mechanism to grow anthrax spores was exported from this country to Iraq. Can the right hon. and learned Gentleman tell the House how that was allowed?

Mr. Howard: I heard the Secretary of State for Defence reply to a question on exactly those lines on a television programme last week. He said that he would investigate those reports, and I am sure that he will. The Secretary of State also made the point that distinguishing between materials that can be used for genuine medical purposes and those that can be misused for the type of purpose to which the hon. Gentleman referred, is by no means easy. I expect that it is common ground across the House that it is sensible for us to make available materials that can be used to heal the sick in Iraq.

For the reasons that I have given, securing access to Saddam Hussein's weapons sites is, first and foremost, a measure designed to save human lives—perhaps millions of lives. Another reason why we support the Government's stand is that we believe that lawbreaking, terrorism and violence must never be rewarded. That is an issue of absolute principle. Every time aggression achieves its goals, or is seen to do so, the fabric of the law is torn. If a dictator can use violence to his advantage, others will be encouraged by his example.

That was the lesson of the League of Nations. It is a lesson well understood in this House and in this nation. It was in support of that principle that the United Kingdom fought for the sovereignty of the Falkland Islands. It was in defence of that principle that we joined the original coalition against Saddam Hussein in 1991.

Mr. Dalyell: If that principle is so immutable, why does it not apply to Israel?

Mr. Howard: I shall deal later with the comparisons frequently made between Israel and Iraq, so I ask the hon. Gentleman to exercise a little patience.

The question, then, is: how is that obligation to be enforced? There is no one in the House who would not prefer it to be enforced without military action, and without the suffering, misery and death that will inevitably accompany any such action. That is why it is so essential that every diplomatic avenue that remains should be fully and thoroughly explored. That is why, if the Secretary-General of the United Nations goes to Baghdad, he will carry with him our hopes and prayers.

Saddam Hussein has stepped back from the brink on many previous occasions; we all hope and pray that he does so again. But—it is a "but" that must be faced—if he does not, are we to walk away and content ourselves with empty gestures? Or are we to combine with our allies to take whatever action we can to enforce those solemn obligations?

We in the Conservative party believe that it is right to take such action. That is why we support the Government in the stand that they have taken. However, we make this plea: let there be no confusion or uncertainty in our objectives. Let there be no doubt or ambiguity about them.

Those objectives have in the past been expressed in different ways. The Foreign Secretary has spoken of the need to allow the UNSCOM inspectors to complete their tasks. The President of the United States has spoken of the need to reduce Saddam Hussein's ability to use weapons of mass destruction to wage war on his neighbours. The Secretary of State for Defence has spoken of weakening the ability of Saddam Hussein and his regime to survive.

The Foreign Secretary used different language again on the radio this morning. Not only do the words of those statements differ; they mean different things. I hope that the Foreign Secretary will agree with me that there must be clarity and consistency in our objectives.

Clear objectives, diplomatic, strategic and military, must be linked to the action that the Government propose to take—and they must be objectives capable of being achieved by that action. That is the purpose of the amendment on the Order Paper in the names of my right hon. Friends and myself.

However, as the Foreign Secretary will be aware, among the things that I have never sought to press him to make public are the range of military options available

to the allies, and the specific targets of any air strikes. Ministers have, rightly, stressed the difficulty of discussing those options in public, for the obvious reason that that would alert Saddam Hussein to the allies' intentions. Given that, was it wise of the Foreign Secretary to be quite as precise as he was on the "Today" programme this morning in discussing options and targets?

I have set out the Conservative party's position. There are, however, some other matters touched upon by the Foreign Secretary with which I must deal before I finish.

Mr. Gordon Prentice (Pendle): May I ask the shadow Minister, just so that I can get it clear in my own mind, whether he is suggesting that his favoured outcome would take us beyond the UN resolution, and that he seeks the removal of Saddam Hussein?

Mr. Howard: Not at all. I have not said anything that would give ground for any such supposition. Indeed, it is for the Government, with their knowledge of all the relevant factors, to define their objective with clarity and without ambiguity.

There are some matters touched upon by the Foreign Secretary with which I must deal before I finish. It is, of course, a matter of intense regret that the coalition of forces that has been assembled to enforce the will of the United Nations is not as broad as it was at the time of the Gulf war. It is a matter of particular regret that there has not been unanimous support from within the European Union. The countries of the European Union are, after all, those with which for the most part we work most closely. They are those with which we have many interests in common. It is bound, therefore, to be a matter of particular regret that notwithstanding welcome declarations of support from many of our partners, agreement across the board is lacking.

I must deal also with suggestions that are made not only in the House but by many of our friends in other parts of the world that we and the United States would in some way be guilty of double standards in taking action to enforce Security Council resolution 687—the point that the hon. Member for Linlithgow (Mr. Dalyell) had in mind.

It is one thing to criticise the actions of the current Israeli Government in the context of the peace process and the lack of progress in reaching a settlement between Israel and the Palestinians. We have made such criticisms and we shall continue to do so. However, it is quite another thing to attempt to equate Saddam Hussein with the democratic Government of the state of Israel. We do not believe that there is any such equation. We think that the differences should be recognised.

The Foreign Secretary was somewhat less than wholly forthcoming when he answered a question from the right hon. Member for Chesterfield (Mr. Benn) about the fresh Security Council resolution that the Foreign Secretary has mentioned to us in the past. Can we be told in the wind-up to the debate what progress the Government have made in securing it? Given what the Government have previously told us about the legal authority provided by resolution 687, what is the purpose of this resolution? What are the prospects of success in achieving it?

Mr. Galloway: Did the right hon. and learned Gentleman see the pictures last week of Mordecai Vanunu, the longest-serving solitary confinement prisoner in the world, being led into a courtroom in Israel with his face in an iron brace like the one for Anthony Hopkins in "The Silence of the Lambs", to prevent him from speaking out about the weapons of mass destruction in the possession of Israel? On the subject of UN resolutions, has not Israel been in breach of resolutions 242 and 338 for more than 30 years?

Mr. Howard: As I have just said, it is perfectly possible and indeed legitimate to criticise Israel for a number of its actions, but that does not mean that it is right to make the equation that the hon. Gentleman and some of his hon. Friends are wont to make between a dictator such as Saddam Hussein and the democratic Government of the state of Israel.

Mr. Gerald Kaufman (Manchester, Gorton): Would the right hon. and learned Gentleman, as a Jew, agree with me, as a Jew, that many of the actions of the Israeli Government are disgraceful, loathsome and contemptible, but that such actions cannot be allowed to confuse or cross lines with the gross violations of the dictator who has murdered millions of people and who is ready to murder more if given the opportunity?

Mr. Howard: I have never sought to compete with the right hon. Gentleman in his command of invective. I will not follow him precisely in the first part of his question, although I have readily acknowledged that there are many aspects of the decisions that have been taken by the Government of Israel which are the object of legitimate criticism. I agree with the second part of the right hon. Gentleman's question, and he makes a telling point.

I welcome what the Foreign Secretary told us about the oil-for-food resolution. It underlines the fact that our quarrel is with Saddam Hussein and not with the Iraqi people.

I hope that when the Secretary of State for Defence winds up, he will tell us a little more about the command arrangements in the event that military action should be necessary. Will British forces on this occasion defer to overall US command? If so, will there be a right of access to a higher political level, as there was during the Gulf war? I hope that we can be enlightened during the wind-up to the debate.

As the crisis in the Gulf reaches its denouement, the Government will have difficult judgments to make. Conservative Members will be scrutinising those judgments with vigilance, as is our duty. We shall continue to insist on clear objectives linked to the means of achieving them. But, in regard to the essentials of the stand that they have taken, the Government can rely on the support of Her Majesty's Opposition.

4.34 pm

Mr. John Major (Huntingdon): I support the Government's policy. I do so reluctantly, because the situation at present is fraught with danger, but, if diplomacy were to fail, doing nothing would be no acceptable option. For that reason, I believe that the Government deserve the support of the House at the present time.

Let me say at the outset that the present crisis is no rerun of the Gulf war. In 1990, Iraq had invaded a sovereign nation: it had invaded Kuwait. The Gulf war

[Mr. John Major]

was a mission of expulsion—a mission to throw out an aggressor who had occupied a peaceful neighbouring country. On this occasion, there is a separate problem. This time, the diplomatic action—and, perhaps, the military action to follow—is to enforce international law as set out in United Nations resolutions, and to prevent something that might happen if we did not do so: to prevent the danger of a dictator continuing to develop chemical and biological weapons and the means to use them, perhaps over a wide region.

That is, for many people, a more difficult and a more subtle objective, and the risks associated with it are certainly different. The political decisions to be made, in many ways, may be more difficult than those that were to be made at the beginning of the 1990s.

I want, very briefly, to make four straightforward points. The first is to do with international support. Of course, a diplomatic solution is the preferred option: no sane person would wish for anything else, if it is available. I hope—I trust that every hon. Member hopes—that, if agreement can be reached and Kofi Annan goes to Baghdad, he will be successful. A great deal has been happening, and continues to happen, on the diplomatic front. But whether Kofi Annan's mission is successful will not depend just on what he says to Saddam Hussein; it will depend on whether Saddam Hussein is prepared to accept the will of the international community when, yet again, it is presented to him by the Secretary-General of the United Nations.

There is one other element of diplomacy that I think is very important to the Gulf, and very important not just to the international community but, particularly, to the British nation. I think it absolutely essential for the Government to continue to use all our diplomatic resources to explain our policy, and to enlist support from our friends across the middle east. I know that the Foreign Secretary has had meetings in Kuwait and Saudi Arabia; I know that the Prime Minister is seeing King Hussein; I know that Ministers in the Ministry of Defence and the Foreign Office have met other Gulf and middle east leaders. All that is immensely welcome.

Let me say to the Prime Minister and the Foreign Secretary that I hope that that effort will continue. Speeches in the House—important though they are—or at the United Nations are not a substitute for continuing face-to-face contact with our allies across the Gulf to explain why we are following the policy that we are following, and what we believe the dangers would be if we were to do anything else.

We British have many long-standing friends and allies in the Gulf. They will have said to the Foreign Secretary, as they have said to many of his predecessors, that they believe that the British have a better and deeper understanding of the wider region of the middle east than many other western democratic nations. For that reason, I hope that the Government will continue to explain personally to our friends that we are not engaged in a knee-jerk reaction to Saddam Hussein, but we are concerned that there are great dangers in not upholding international law—not least to those very friends in the Gulf who are so concerned at the moment. Last time, Saddam Hussein invaded Kuwait. No one doubts that, had he been successful, his next target would have been the Gulf states themselves, which are unable to resist a military might of the size of Iraq's.

There is a further point that I hope we shall emphasise on every occasion. We have no hostility to the Iraqi people or to the Iraqi nation as a whole. We have no intention—neither have the Americans, nor any other western democratic nation—of dismembering the state of Iraq now or at any stage in the future. That may seem self-evident to us in the cosiness of the United Kingdom, but it needs stating and restating all across the middle east, because, outside mosques in every middle eastern country, after every prayer meeting, a different message will be cried out daily to fuel anti-British and anti-American sentiment. We should lose no opportunity to refute that whenever we are in the middle east or have access to a middle eastern audience.

My second point is about what we delicately call collateral damage. It is a fashionable phrase. Bluntly, it means the death of innocent people in any military action that we may be forced to undertake. In our country and in the democratic west as a whole, if military targets are at risk, we move civilians away from those targets, to protect them. In Iraq, Saddam Hussein may well move people to the targets, to protect the targets themselves.

The Foreign Secretary and our other allies will be well aware of that, but if we are driven to military action, I hope that the targets will be the means of production of chemical and biological weapons, and that we shall be as cautious as possible to ensure that we are nowhere near known storehouses—I know that we have a great deal of information about where they are. Our job is to stop Saddam Hussein making more chemical weapons, not by accident to release existing stocks into the atmosphere. The whole purpose is to be able to get at those stocks and safely and securely to destroy them.

I hope that, among the military targets, we shall look at the assets of the Republican Guard and other elements of the Iraqi war machine. They are not only legitimate targets, but their destruction would weaken the apparatus of repression that has kept this man in power, abusing his position and the lives of the people in his country for too long.

My third point is, perhaps, less often examined, but should be: what will Iraq do in the present circumstances? We know little or nothing about what Iraqi intentions may be. I remember that, in the middle of the Gulf war, to our complete surprise Saddam Hussein flew a whole squadron of aircraft to Iran. We were never entirely sure why. To the best of my knowledge, it was not a smart move—he never got them back. It was wholly unexpected. He might have other surprises for us. He fired Scud missiles successfully at Israel—at Tel Aviv. We do know why he did that—to provoke a reaction; to unite Arab opinion against the west and against Israel. I am not confident that he will not do that again.

The Foreign Secretary has assessed the risk as low. I pray that he is right, but it is not a negligible risk. It could occur. For that reason, I hope that Saddam Hussein will be warned, as he was before, of massive retaliation should he attack any third country, including Israel. Those countries, including Israel, should be assured that massive retaliation will come from countries other than themselves. In those circumstances, I hope that Israel—we can all understand how difficult the decision

would be for the Israeli Cabinet—would leave the retaliation to other people, were it to prove necessary, as it wisely did in the early 1990s. It would require restraint and bravery on the part of the Israeli Cabinet, but it is necessary. Iraq's motives would be to provoke Israel to retaliate, because if it did so, many of the Arab states would be diverted into an anti-Israeli coalition, and it would magnify the risk of a wider war.

Do not brush aside and underestimate that danger, because, quite apart from extreme Arab opinion, moderate Arab opinion is very sour indeed at present because of the total lack of progress recently in the middle east peace process. I hope that both the United States Government and our own Government will make it clear straight away that, quite apart from this dispute, it is the clear priority of our Governments to re-establish a momentum in the negotiations before that bitterness continues to sour so much of what happens across the middle east.

Mr. Dalyell: Before the right hon. Gentleman leaves the issue of Iran, as a visitor to Iran in October, I ask him why those who have suffered casualties of first world war proportions—one sees the war memorials to the horrendous Iran-Iraq war in every city and small place in Iran—and who have every reason to loathe Saddam Hussein, and do, still do not think that a British-American air pounding of Iraq, particularly of Karbala, An Najaf and other places of the Shi'ites, is either sensible or justified?

Mr. Major: With respect to the hon. Gentleman, who feels deeply about this issue, that is a question for the Iranians and not for me. I can answer from our point of view. Suppose that we were to do nothing. Suppose that we decided to take no action because it was too difficult or too uncomfortable, or it might go wrong—all those things could happen—and two years from now Saddam Hussein had a delivery system for chemical and biological weapons and used it. What would the House say to itself and what would history say if we knew that we had the opportunity to take action now and we chose not to? I do not suggest for a moment that this is an easy option. The Government have no easy option, and they deserve our sympathy in the decisions that they have to take, but the securest option, the option of least long-term risk, is to accept the policy on which the Government have embarked. For that reason, they have my full support.

My fourth point concerns the internal situation in Iraq—a situation that is intolerable for millions of ordinary Iraqis. We were absolutely right some years ago to allow the sale of oil for the purchase of medicines and food in Iraq. I very much regret that that was not taken up in the interests of the people of Iraq in the way that it could have been, and for the reasons that we intended it to be taken up.

I was very pleased to hear what the Foreign Secretary had to say about a new UN resolution to enable a greatly increased amount from oil revenues to be used for the benefit of the people of Iraq, but it depends on Saddam Hussein taking up the option. I wonder whether he will. Does he really regard that as the way in which he wishes to go? Based on precedent, he might well not. Therefore, I hope that we shall look again at how we might alleviate the hardship of innocent people in Iraq, if necessary through targeted, specific aid, delivered and approved under UN resolution—a most welcome initiative—if we can achieve it. That at least bypasses the obvious and easy block that Saddam Hussein has at present on assistance.

In 1991, in a different range of circumstances, we led the world in establishing the safe havens policy in northern Iraq. I believe that time and circumstances are right to look again at innovative and fresh ways in which we might help other people who are in great distress across Iraq. Not only does that seem right in terms of ordinary humanity, but it would emphasise our concern for the Iraqi people and strengthen support from friendly Arab leaders, who are appalled at the hardship in Iraq and fearful of it worsening. It would also have the incidental advantage, but advantage none the less, that it would massively embarrass the present Iraqi regime if the nations against which Saddam Hussein is whipping up such hatred were to seek to help the very people whom he oppresses so vilely.

We are in a miserable and dangerous situation. This is no time for jingoism: only a fool goes into battle smiling. If diplomacy fails, the Government will be faced with unpalatable choices. Do we allow Saddam Hussein to flout international law, to break his word, to build up a weapons arsenal and to increase greatly the danger of a wider middle east war? Surely that is unthinkable.

Do we accept that there are other would-be strutting dictators around the world who would be encouraged and emboldened if Saddam Hussein were to get away with turning up his nose at the rest of the world? Surely we accept that.

Ann Clwyd (Cynon Valley): A year ago, the right hon. Gentleman lent his support to a campaign to indict Saddam Hussein as a war criminal. Does he agree that whatever happens, we must focus attention on Saddam Hussein's crimes? He should appear before an international criminal court to answer for those crimes.

Mr. Major: I believed that a year ago, and I believe it just as strongly today. It applies not only to Saddam Hussein, but to other people. The sooner such an international mechanism is in place and workable, the better.

Diplomacy might not fail, because Saddam Hussein has backed away at the last minute before. From what the Foreign Secretary said, it seems that we can hang on to at least a glimmer of hope for a little while. However, if diplomacy failed, it would be right for us to use force. I do not like it: indeed, I hate it, but I know that it might have to be done. As I understand it, that is the Government's position. If so, they deserve support. I am here this afternoon to declare that they have mine.

4.51 pm

Mr. Gerald Kaufman (Manchester, Gorton): When the right hon. Member for Huntingdon (Mr. Major) was Prime Minister, he had to deal with problems comparable to those with which my right hon. Friends on the Government Front Bench now have to deal, and Her Majesty's Opposition gave him their full support. Not only did the elected shadow Cabinet of the parliamentary Labour party give him its full support, so did the parliamentary Labour party, the national executive committee of the Labour party, and the Labour party conference by an eight to one vote. It is essential to draw

[Mr. Gerald Kaufman]

the House's attention to the fact that the Labour party is pursuing the very same policies in government as it pursued in opposition.

It perplexes me that certain Labour Members have tabled an amendment that, among other things, "notes" the failure of the Iraqi Government to comply with United Nations Security Council resolutions. The amendment does not condemn or deplore, but notes the failure of Saddam Hussein to conform to those resolutions. Clause 4 of the Labour party's constitution contains a commitment to the defence and security of the British people, and to co-operating with European institutions, the United Nations, the Commonwealth and other international bodies. The words "the United Nations" were inserted into clause 4 by one of the principal signatories to the amendment that "notes" the failure of Saddam Hussein to conform to United Nations Security Council resolutions.

The situation is clear. Saddam Hussein invaded Kuwait on 2 August 1990. When he gained possession of Kuwait, he murdered and tortured Kuwaitis, destroyed their property, looted their homes and, as my hon. Friend the Member for Tottenham (Mr. Grant) pointed out, risked environmental catastrophe by blowing up Kuwaiti oilfields. He had previously invaded Iran, causing massive casualties both to his own population and to innocent Iranians who had never provoked any fight with him.

After Saddam Hussein gained possession of Kuwait, he launched unprovoked missile attacks on civilian populations in Saudi Arabia and Israel. He has murdered, tortured and poison-gassed countless of his own citizens.

There are many dictators and many deplorable Governments in the world today, but there is no Government whose record of murder of their own and other populations compares remotely with that of Saddam Hussein. He has violated every one of the United Nations Security Council resolutions that has been passed since 2 August 1990. More relevantly, he has violated ceasefire resolution 687. If one goes through that resolution clause by clause, one realises what he has failed or refused to do despite the specific commitment he gave when he agreed to the ceasefire in 1991.

The Security Council has affirmed all 13 resolutions that it has passed since 2 August 1990. Let us put on record in *Hansard* what Saddam Hussein accepted in the ceasefire resolution. He accepted unconditionally

"the destruction, removal, or rendering harmless, under international supervision, of . . . All chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities"

and

"All ballistic missiles with a range greater than 150 kilometres and related major parts, and repair and production facilities".

We have heard from the Foreign Secretary that Saddam Hussein was working on missiles that could have delivered warheads to this country, which is much more than 150 km away.

As part of the ceasefire agreement, Saddam Hussein unconditionally undertook

"not to use, develop, construct or acquire any of the items"

and he accepted that there should be a plan for developing

"the future ongoing monitoring and verification of Iraq's compliance".

There was not a limited timetable. I utterly fail to understand what is going on in the heads of hon. Members who table an amendment saying that the United Nations Security Council should abandon what was decided in exchange for the lifting of sanctions, given that the resolutions originally passed were unconditional. Saddam Hussein accepted "ongoing monitoring and verification". That resolution is as valid today as it was when it was carried seven years ago, and Saddam Hussein has violated it deliberately, repeatedly and continually.

Mr. David Winnick (Walsall, North): Did not all hon. Members who signed the critical amendment, if they were here at the time, strenuously oppose the war and the liberation of Kuwait? Had they been listened to at the time—fortunately they were not—Kuwait would have remained under Iraqi enemy occupation and a number of other countries probably would have been invaded.

Mr. Kaufman: That is absolutely true. The issue does not appear to matter to those hon. Members, who intermittently favour conformity to Labour party conference decisions.

I quoted from United Nations Security Council resolution 687 the commitments that Saddam Hussein made and failed to carry out. The resolution reaffirmed a previous resolution, which authorised the military action that was taken at the beginning of 1991. Resolution 678, which was carried on 29 November 1990, made it clear that, in authorising member states to use "all necessary means", it was authorising military action. Those exact words appear in the Government's motion this afternoon.

The resolution authorised the United Nations

"to use all necessary means to uphold and implement resolution 660"—

which told Saddam Hussein that he had to get out of Kuwait—and gave validity to such action under

"all subsequent relevant resolutions".

The "all necessary means" that the Government properly included in their motion this afternoon applied not only to all the resolutions passed before resolution 678, but to "all subsequent relevant resolutions", including resolution 687. Although I agree with my right hon. and hon. Friends and with the right hon. Member for Huntingdon that it is laudable for the Government to go to the UN Security Council and seek to obtain another resolution, resolutions 678 and 687 already authorise military action, if that is what the Government, the United States and their other allies decide.

Let us therefore be very clear that the words that authorised the military action on 15 January 1991 also authorise such action now, if such a decision is made. There is specific authority under a United Nations Security Council resolution to do so.

Of course Saddam Hussein has never at any time for a single moment voluntarily accepted a Security Council resolution, ever since he invaded Kuwait in 1990. My right hon. Friend the Foreign Secretary and the right hon. Member for Huntingdon were absolutely right to make the point that, if Saddam Hussein gets away with the continuing violation of a whole series of UN Security Council resolutions, he will undoubtedly feel free to continue to violate them. If we do not take action now—whether it is diplomatic action to require him to conform

to the resolutions or military action in the absence of his readiness willingly to do so—we shall have to act later, when it will be even more difficult and dangerous.

The Kuwait Information Centre has issued a bulletin that quotes from the emergency session of the Gulf Co-operation Council of Foreign Ministers, stating:

"The crisis was created by Saddam Hussein's continued refusal to allow UN weapons inspectors free and open access to all suspected sites in accordance with UN Resolutions which Iraq itself had previously accepted . . .

Following the meeting of the Gulf Co-operation Council, ministers issued a statement calling for Iraq to submit to the demands of UN weapons inspectors for unrestricted access to its weapons sites.

The Foreign Ministers said Baghdad would be entirely to blame for the grievous consequences if it persisted in its refusal."

My hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway) intervened in the speech of my right hon. Friend the Foreign Secretary and alluded to the fact that the states that make up the Gulf Co-operation Council may not be the most democratic nations in the world, and he has an inviolable point in doing so. However, I would say to my hon. Friend and to others that, if the Gulf Co-operation Council had taken a different point of view and declared its opposition to military action, I do not think that the lack of democracy in its member countries would have impeded anyone from quoting it in aid in opposing military action.

The bulletin also referred to the firm line taken by Italy, Spain, Norway and Denmark, which announced that they would back military intervention if it became necessary and condemned Saddam Hussein's refusal to agree to the implementation of the existing oil-for-food deal.

Some may say that the bulletin was produced by Kuwait, and one would not expect anything else from that country. Indeed, what else would one expect from a country that has been invaded, ravaged, raped, pillaged, had many of its citizens murdered and its national assets destroyed by the very same person some hon. Members think that we should go a bit soft on and who, if we are nice to him, perhaps may be nice to us? There is no evidence whatsoever that Saddam Hussein will respond to anything but the toughest possible line.

Like the right hon. Member for Huntingdon, I hope that the toughest possible line will stop short of military force, but if there is to be military force, it is better that it should be now, at the end of the diplomatic road, rather than later. It should be swift, definitive and conclusive. If force is used, only the dictator of Iraq will be to blame. My right hon. Friends have the total support of the overwhelming majority of right hon. and hon. Members in the line that they are pursuing.

5.6 pm

Mr. Menzies Campbell (North-East Fife): The Government deserve our support in the Lobby tonight, not least because of the balanced and rational speech by the Foreign Secretary. If anyone had been in any doubt about the Government's position, surely that doubt would have been removed by the eloquent sincerity of the right hon. Member for Huntingdon (Mr. Major). He speaks with an informed and proper understanding of the serious and even sombre issues involved in the debate because, just over seven years ago, he had the responsibility of committing British service men and women to the action to remove Iraq from Kuwait. For Parliament to contemplate that is a serious and sombre moment, and we should never forget it.

As the Foreign Secretary made clear, for seven years, since the end of the Gulf war, Saddam Hussein's behaviour has been characterised by prevarication, deception and obstruction. The issues that lie at the heart of the present crisis could have been resolved long ago. The rehabilitation of Iraq could have begun and the condition of its people could have been improved. What stands in the way of that today is exactly what has stood in its way since the end of the Gulf war—the unconscionable intransigence of Saddam Hussein.

In preparation for this debate, I have read again the House's debates between August 1990 and February 1991. I cannot help but observe that—as we have just passed the second anniversary of the publication of the Scott report—the character of some of those debates might have been rather different had the House possessed the information that Sir Richard Scott set out in the report that he ultimately published. Neither should the House ignore the fact that Michael Rose, Hugh Beach and James Eberle—three men with distinguished military careers—have once again, this week, underlined the folly of failing to control properly the export of materials that, in the hands of adversaries, could easily be used against our own service men and service women.

As the right hon. Member for Huntingdon said, the issue in 1990 was the expulsion of Iraq from Kuwait. Nevertheless, the debates are striking, because many of the issues of principle that were being discussed then are the same issues of principle that we are trying to grapple with today. The debates are striking also because military action was seen then as a last resort. For six months, Saddam Hussein was given chance after chance to withdraw from Kuwait. Each opportunity was spurned. Notwithstanding that, diplomatic efforts continued—although, time after time, they were treated with contempt.

As the right hon. Member for Manchester, Gorton (Mr. Kaufman) rightly reminded us, during that period of six months, Kuwait City was laid waste. Its citizens were taken hostage. The people of Kuwait City were intimidated and murdered; their wives and daughters were raped; and the city was sacked, as if by some mediaeval warlord. Even the traffic lights were looted.

After all that—after the Gulf war—the international community gave Iraq an opportunity for redemption and to make reparation; and it did so, rightly, with conditions. Does anyone now say that those conditions were unreasonable? I think not. Does anyone now believe that Saddam Hussein should not have been required to give up weapons of mass destruction? I think not. Can anyone say that Saddam Hussein has not had enough opportunity to do so? Again, I think not.

Does anyone believe that Saddam Hussein should be permitted freedom of action, to acquire and maintain chemical and biological weapons or the means of their manufacture? Does anyone seriously believe that, if he acquired that capability and the means of delivery, he would not threaten to use it to pursue his aims in middle east? Does anyone deny that, if he had weapons of mass destruction, there is a real risk that he might use them? He has done so in the past.

[Mr. Menzies Campbell]

Just as was done before the Gulf war, we must take every opportunity to resolve those issues by diplomatic means. It is right that the United Kingdom should be in the vanguard of such efforts. There can be no compromise on the principle of immediate and unrestricted access, as set out in the terms of resolution 687—which, as the right hon. Member for Gorton has just said, followed hard upon the terms of the agreed basis upon which a ceasefire was entered into.

Diplomatic efforts should be directed to three separate issues. First, there is room for manoeuvre on the composition of inspection teams, so long as their core membership remains suitably qualified and trained inspectors of the United Nations Special Commission. We can add diplomats from other countries to those teams so long as the teams retain the technical capacity to identify and destroy weapons of mass destruction, the means of their manufacture and the means of their delivery.

Secondly, we can permit or—more correctly—encourage increased sales of Iraqi oil for humanitarian aid. It is surely a measure of Saddam Hussein's inhumanity to his own people that he has consistently failed to take full advantage of opportunities to sell oil for food—just as he has consistently failed to import food and medicines, against which there are no sanctions. The international community can only do its best to reach out over the head of Saddam Hussein to try to assist the citizens whom he is so readily willing to sacrifice.

Mr. Andrew Robathan (Blaby): The hon. and learned Gentleman has mentioned the debates on Iraq in 1990 and 1991 and the diplomatic objectives. Is he concerned, as I am, that, if Saddam Hussein remains in power regardless of what happens in the next few months, in seven years, those of us who survive general elections will be back discussing the same issues?

Mr. Campbell: If, seven years ago, someone had said to those of us who were then hon. Members that we should be revisiting the issue in seven years, because Saddam Hussein would not have destroyed or allowed access to the means of production of weapons of mass destruction, we simply would not have believed it. In the post-Gulf war atmosphere, it was believed—perhaps naively—that so comprehensive had been the defeat and so easy had been Iraq's ultimate expulsion from Kuwait that there was no basis on which Saddam Hussein could resist the will of the international community.

Thirdly, as part of those diplomatic initiatives, it should be made clear that—if the inspections are permitted and all the obligations and resolutions are implemented—sanctions can be lifted. There is a view that sanctions must last as long as Saddam lasts. It is sometimes said that that is the view of the United States. If it is the view of the United States, it is wrong.

Sanctions were imposed by Security Council resolutions that required the implementation of certain obligations. However, there is no continuing legal basis for sanctions once all those obligations have been fully met. The Security Council should make that clear. As a clear matter of legal principle, one cannot impose penalties beyond those that are authorised by resolution.

Mr. Dale Campbell-Savours (Workington): Does the hon. and learned Gentleman recall the resolution on the need for Saddam Hussein to end his repression of the Kurds? As he has not ended his repression of the Kurds, how can it be said that we should proceed on the basis described by the hon. and learned Gentleman?

Mr. Campbell: With respect to the hon. Gentleman, I do not think that he heard the preface by which I reached that conclusion. I said that, if the obligations in the resolutions are implemented in full, sanctions can be lifted. If, as he said, there are resolutions containing provisions dealing with the continuing repression of—if my memory serves me correctly—not only the Kurds but the marsh Arabs, continuing sanctions to that extent would be legally justified.

Ms Diane Abbott (Hackney, North and Stoke Newington) *rose—*

Mr. Campbell: I should like to make some progress.

Six diplomats of considerable experience proposed in the pages of *The Independent* on Monday the foundation for a United Nations Security Council resolution. From their experience and understanding of those matters, it is clear that that proposal is worthy of serious consideration. I hope that it has received such consideration in New York.

We were told by the Foreign Secretary that the Secretary-General of the United Nations may go to Baghdad, but that as yet, unsurprisingly, the complete details of his mandate are unclear. I hope that he receives a more courteous reception than his predecessor did some six or seven years ago, when Saddam Hussein kept him waiting in an anteroom cooling his heels for approximately six hours.

When the Secretary-General goes to Baghdad, if he does, it must surely be the case that he should carry the instruction of the Security Council that the principle of the observance of the obligations and the resolutions of the Security Council is not something upon which he can compromise. Suppose all those efforts fail? As a last resort, I accept that we should be prepared to use military force. I do not say that lightly, without having weighed the consequences or without being conscious of the risks.

The first objective of military action should be to reduce Saddam's present capability to manufacture and deliver weapons of mass destruction; the second, to suppress his capability to do either of those in the future; the third—as I thought the Foreign Secretary rather implied in response to an intervention—to target his wider military capability as a recognition of the refusal to implement the obligations contained in the peace settlement and embodied in the UN resolutions.

Questions have been asked as to whether such military action is legal without a further resolution of the Security Council. In my opinion, it is—for these reasons. The ceasefire was agreed on certain conditions, including the obligation now contained in the resolutions. Saddam Hussein is in material breach of the obligations and, as a result, in breach of the terms of the ceasefire. In those

circumstances, it is my considered view that there is no further legal reason for a Security Council resolution before military action is commenced. However, there may well be compelling political reasons, and I very much hope that the initiative being taken in New York at the instance of the British Government is successful.

Supposing we were to rule out military force? Supposing it were impossible to reach a diplomatic solution to the present crisis? What sanction would we have? How could we encourage or compel compliance? The truth is that the threat of military force is not separate from the diplomatic campaign—it is an essential part of it.

Mr. Robert Marshall-Andrews (Medway): Does the hon. and learned Gentleman agree with the view expressed by the right hon. Member for Huntingdon (Mr. Major), and endorsed by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), that there is legitimacy in an attack immediately upon other targets in Iraq—specifically military targets, such as those of the Republican Guard—on the basis of the UN resolutions?

Mr. Campbell: Yes, and I rather thought that I had made that point.

It is right to emphasise again that we have no quarrel with the Iraqi people who daily have to suffer the brutality of Saddam Hussein's regime. Let us be clear—Saddam Hussein does not care for his own people. Otherwise, he would not use them as human shields; otherwise, he would not have refused, until recently, to avail himself of the oil-for-food arrangements; otherwise, he would not subject them to systematic barbarity. Iraq is a country in which executions on a whim are commonplace, in which there is no due process of law and in which sadistic cruelty is practised without care for the consequences.

In the debates of 1990 and 1991 which surrounded the Gulf war, there was a constant theme which, regrettably, still provides a context against which present events must be assessed. The theme contained two elements. The first was that, once Kuwait was liberated, strenuous efforts must be made to achieve a just settlement between the Government of Israel and the Palestinian people. The second was that there could be no lasting peace in the middle east unless there were such a settlement.

Strenuous efforts were made after the Gulf war, for which President Bush has never received the credit he undoubtedly deserves. Those efforts culminated in the Oslo accords, based on the principle of land for peace. Those accords have the status of treaties and the Palestinians and the Israeli Government are bound by them. Their implementation was never going to be easy, but Mr. Arafat and Mr. Rabin—with great personal and political courage—signed them and began to try to put them into practice. Mr. Rabin, in due course, paid with his life for that courage.

The Government of Mr. Netanyahu are in breach of the treaties, and therefore in breach of international law. The Government of Mr. Netanyahu consistently breach international law by the programme of illegal settlements in the Palestinian lands, particularly in and around Jerusalem. The peace process is in stagnation. That is deeply damaging for stability in the middle east but, worse, it has provided Saddam Hussein with an opportunity to harness anti-American sentiment.

The timing of the latest crisis is no accident. It follows hard upon the failure of the economic conference at Qatar where, in spite of the efforts of the United States, there was a clear demonstration of Arab disillusionment. The stagnation of the peace process has made it impossible for Egypt to support military action. It has embarrassed Jordan, and made it impossible to form a coalition such as was created in the days before the Gulf war.

As we are uncompromising in our condemnation of Saddam Hussein's breaches of international law, we must be equally vocal in our criticism of the failures of the present Israeli Government to fulfil their obligations. In international law, resolutions 242 and 338 of the UN have the same weight as resolution 687. By 242 and 338, the Palestinian people are, by law, entitled to a proper homeland.

Like everyone else in the House, I earnestly hope that military force will not be required, that Saddam will accept his legal obligations and that diplomatic initiatives will prevail. If he were to accept the obligations, the stability of the middle east would be greatly enhanced. However, there will, in truth, be no opportunity for long-term stability until the international community does as it promised seven years ago—find a just and lasting settlement between Israel and the Palestinian people. Until that is done, Saddam Hussein will be quick and adept to exploit the frustrations of the countries of the middle east, and these debates may be rather more frequent than we should have preferred.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. As the House knows, a large number of hon. Members wish to speak. It would be appreciated if hon. Members did not approach the Chair to ask where they are in the order of things. The shop will be closed.

5.26 pm

Mr. Tony Benn (Chesterfield): If this debate is to make sense, we should understand the area of total agreement and where differences of opinion exist. First, no one in the House supports the regime of Saddam Hussein, who is a brutal dictator. I shall come to the support he has had from the west, but he is a brutal dictator and nobody in the House defends him. Secondly, no one in the House can defend for one moment the denial by the Iraqi Government of the implementation of the Security Council resolution which said that there should be inspections. The third issue on which there is major agreement, but little understanding yet, is the sudden realisation of the horror of modern chemical and biological weapons, which do not depend on enormous amounts of hardware—previously only available to a super-power—but which almost anybody, perhaps even a terrorist group, could deliver.

The disagreement is on how we deal with the matter. The former Prime Minister, the right hon. Member for Huntingdon (Mr. Major)—whose speech was listened to with great attention—was talking about a preventive war. I shall read *Hansard* carefully, but he talked about a preventive war. There is no provision in the UN charter for a preventive war. If we are realistic—we must not fool ourselves—that huge American fleet of 30 ships and 1,000 aircraft is not in the Gulf waiting to be withdrawn when Saddam makes a friendly noise to Kofi Annan. The fleet has been sent there to be used, and the House would be deceiving itself if it thought that any so-called "diplomatic initiatives" would avert its use.

[Mr. Tony Benn]

This is a unique debate as far as I am concerned. I have sat here with the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) through four wars—the Korean war, the Suez war, the Falklands war and the first Gulf war. I cannot remember an occasion when any Government asked the House to authorise, in a resolution, action which could lead to force.

Mr. Donald Anderson (Swansea, East): Will my right hon. Friend give way?

Mr. Benn: No. If my hon. Friend will forgive me, I want to develop a case briefly.

The reason is that the right to go to war is a prerogative power. The Government are inviting the House—I understand why—to share their responsibility for the use of force, knowing that force will be used within a week or two.

We are not starting afresh. I opposed the Gulf war. We should have asked why Saddam got into Kuwait and why he was not stopped. We had the war. The equivalent of seven and a half Hiroshima bombs was dropped on the people of Iraq—the biggest bombardment since the second world war. Some 200,000 Iraqis died. Depleted uranium bullets were used. I have had two or three letters from Gulf war veterans in a mass of correspondence in the past week, one of whom has offered to be a human shield in Iraq because he feels that he was betrayed by the British Government and does not want the Iraqi people to suffer again.

All the evidence confirms my view that sanctions are another instrument of mass destruction. They destroy people's lives, denying them the food and medicines that they need. It is no good saying that Saddam took the money for his palaces. If that is the case, why does the United Nations Children's Fund now say that there are 1 million children in Iraq starving, along with 500,000 who have died?

Bombing the water supply and the sewerage plants is like using chemical weapons, because the disease that spreads from that bombing contributes to disease in the country. And, at the end of all that, Saddam is stronger than he was at the beginning. Nobody denies that. People ask why we have to go back seven years later. It is because the previous policy inevitably made him stronger. We know that when a country is attacked, leaders wave their fists and say, "We will never give way." It happened in Britain, it happens when we are dealing with bombings from Ireland—it happens all the time. Are we such fools that we think that if we bomb other people they will crumble, whereas when they bomb us it will stiffen our resolve? The House ought to study its own history.

The Government's motion would not be carried at the Security Council. I asked the Foreign Secretary about that. Why is he asking us to pass a resolution that he could not get through the Security Council? On the basis of his speech, the Russians and the Chinese would not vote for the use of force. Why involve the House of Commons in an act that runs counter to what the Security Council would accept?

Several hon. Members *rose—*

Mr. Benn: I have very little time. I want to develop my argument. There are many others who want to speak. I hope that the House will listen to me. I know that my view is not the majority view in the House, although it may be outside this place.

I regret that I shall vote against the Government motion. The first victims of the bombing that I believe will be launched within a fortnight will be innocent people, many, if not most, of whom would like Saddam to be removed. The former Prime Minister, the right hon. Member for Huntingdon, talked about collateral damage. The military men are clever. They talk not about hydrogen bombs but about deterrence. They talk not about people but about collateral damage. They talk not about power stations and sewerage plants but about assets. The reality is that innocent people will be killed if the House votes tonight—as it manifestly will—to give the Government the authority for military action.

The bombing would also breach the United Nations charter. I do not want to argue on legal terms. If the hon. and learned Member for North-East Fife (Mr. Campbell) has read articles 41 and 42, he will know that the charter says that military action can only be decided on by the Security Council and conducted under the military staffs committee. That procedure has not been followed and cannot be followed because the five permanent members have to agree. Even for the Korean war, the United States had to go to the General Assembly to get authority because Russia was absent. That was held to be a breach, but at least an overwhelming majority was obtained.

Has there been any negotiation or diplomatic effort? Why has the Foreign Secretary not been in Baghdad, like the French Foreign Minister, the Turkish Foreign Minister and the Russian Foreign Minister? The time that the Government said that they wanted for negotiation has been used to prepare public opinion for war and to build up their military position in the Gulf.

Saddam will be strengthened again. Or he may be killed. I read today that the security forces—who are described as terrorists in other countries—have tried to kill Saddam. I should not be surprised if they succeeded.

This second action does not enjoy support from elsewhere. There is no support from Iraq's neighbours. If what the Foreign Secretary says about the threat to the neighbours is true, why is Iran against, why is Jordan against, why is Saudi Arabia against, why is Turkey against? Where is that great support? There is no support from the opposition groups inside Iraq. The Kurds, the Shi'ites and the communists hate Saddam, but they do not want the bombing. The Pope is against it, along with 10 bishops, two cardinals, Boutros Boutros-Ghali and Perez de Cuellar. The Foreign Secretary clothes himself with the garment of the world community, but he does not have that support. We are talking about an Anglo-American preventive war. It has been planned and we are asked to authorise it in advance.

The House is clear about its view of history, but it does not say much about the history of the areas with which we are dealing. The borders of Kuwait and Iraq, which then became sacrosanct, were drawn by the British after the end of the Ottoman empire. We used chemical weapons against the Iraqis in the 1930s. Air Chief Marshal Harris, who later flattened Dresden, was instructed to drop chemical weapons.

When Saddam came to power, he was a hero of the west. The Americans used him against Iran because they hated Khomeini, who was then the figure to be removed.

They armed Saddam, used him and sent him anthrax. I am not anxious to make a party political point, because there is not much difference between the two sides on this, but, as the Scott report revealed, the previous Government allowed him to be armed. I had three hours with Saddam in 1990. I got the hostages out, which made it worth going. He felt betrayed by the United States, because the American ambassador in Baghdad had said to him, "If you go into Kuwait, we will treat it as an Arab matter." That is part of the history that they know, even if we do not know it here.

In 1958, 40 years ago, Selwyn Lloyd, the Foreign Secretary and later the Speaker, told Foster Dulles that Britain would make Kuwait a Crown colony. Foster Dulles said, "What a very good idea." We may not know that history, but in the middle east it is known.

The Conservatives have tabled an amendment asking about the objectives. That is an important issue. There is no UN resolution saying that Saddam must be toppled. It is not clear that the Government know what their objectives are. They will probably be told from Washington. Do they imagine that if we bomb Saddam for two weeks, he will say, "Oh, by the way, do come in and inspect"? The plan is misconceived.

Some hon. Members—even Opposition Members—have pointed out the double standard. I am not trying to equate Israel with Iraq, but on 8 June 1981, Israel bombed a nuclear reactor near Baghdad. What action did either party take on that? Israel is in breach of UN resolutions and has instruments of mass destruction. Mordecai Vanunu would not boast about Israeli freedom. Turkey breached UN resolutions by going into northern Cyprus. It has also recently invaded northern Iraq and has instruments of mass destruction. Lawyers should know better than anyone else that it does not matter whether we are dealing with a criminal thug or an ordinary lawbreaker—if the law is to apply, it must apply to all. Governments of both major parties have failed in that.

Prediction is difficult and dangerous, but I fear that the situation could end in a tragedy for the American and British Governments. Suez and Vietnam are not far from the minds of anyone with a sense of history. I recall what happened to Sir Anthony Eden. I heard him announce the ceasefire and saw him go on holiday to Goldeneye in Jamaica. He came back to be replaced. I am not saying that that will happen in this case, but does anyone think that the House is in a position to piggy-back on American power in the middle east? What happens if Iraq breaks up? If the Kurds are free, they will demand Kurdistan and destabilise Turkey. Anything could happen. We are sitting here as if we still had an empire—only, fortunately, we have a bigger brother with more weapons than us.

The British Government have everything at their disposal. They are permanent members of the Security Council and have the European Union presidency for six months. Where is that leadership in Europe which we were promised? It just disappeared. We are also, of course, members of the Commonwealth, in which there are great anxieties. We have thrown away our influence, which could have been used for moderation.

The amendment that I and others have tabled argues that the United Nations Security Council should decide the nature of what Kofi Annan brings back from Baghdad and whether force is to be used. Inspections and sanctions go side by side. As I said, sanctions are brutal for innocent people. Then there is the real question: when will the world come to terms with the fact that chemical weapons are available to anybody? If there is an answer to that, it must involve the most meticulous observation of international law, which I feel we are abandoning.

War is easy to talk about; there are not many people left of the generation which remembers it. The right hon. Member for Old Bexley and Sidcup served with distinction in the last war. I never killed anyone but I wore uniform. I was in London during the blitz in 1940, living where the Millbank tower now stands, where I was born. Some different ideas have come in there since. Every night, I went to the shelter in Thames house. Every morning, I saw docklands burning. Five hundred people were killed in Westminster one night by a land mine. It was terrifying. Are not Arabs and Iraqis terrified? Do not Arab and Iraqi women weep when their children die? Does not bombing strengthen their determination? What fools we are to live as if war is a computer game for our children or just an interesting little Channel 4 news item.

Every Member of Parliament who votes for the Government motion will be consciously and deliberately accepting responsibility for the deaths of innocent people if the war begins, as I fear it will. That decision is for every hon. Member to take. In my parliamentary experience, this a unique debate. We are being asked to share responsibility for a decision that we will not really be taking but which will have consequences for people who have no part to play in the brutality of the regime with which we are dealing.

On 24 October 1945—the right hon. Member for Old Bexley and Sidcup will remember—the United Nations charter was passed. The words of that charter are etched on my mind and move me even as I think of them. It says:

"We the peoples of the United Nations determined

to save succeeding generations from the scourge of war, which twice in our life-time has brought untold sorrow to mankind".

That was that generation's pledge to this generation, and it would be the greatest betrayal of all if we voted to abandon the charter, take unilateral action and pretend that we were doing so in the name of the international community. I shall vote against the motion for the reasons that I have given.

5.42 pm

Mr. Tom King (Bridgwater): The right hon. Member for Chesterfield (Mr. Benn) spoke with passionate sincerity, as he has spoken often in the House on such matters. As the hon. Member for Walsall, North (Mr. Winnick) pointed out, the right hon. Gentleman spoke with equally passionate sincerity at the time of the invasion of Kuwait. If his voice had been listened to then, Kuwait would still be a ravaged, pillaged and destroyed country—and very probably, other countries in the middle east would be as well.

The right hon. Member for Chesterfield said that people's lives were at risk by the House's decision tonight. I do not think that anybody listening to the Foreign Secretary, my right hon. Friend the Member for Huntingdon (Mr. Major) or my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) is under any illusion that anybody is enjoying this debate, or believes that it is an opportunity to score some political success. The House is facing the least worst option in an appallingly difficult situation.

[Mr. Tom King]

The right hon. Member for Manchester, Gorton (Mr. Kaufman) correctly reminded the House that the motion incorporates words that are directly lifted from United Nations resolution 687: "all necessary means". In that respect, the right hon. Member for Chesterfield is correct. I did not have a chance to leave the Chamber to check, but I am not sure whether he is correct in saying that this is the first time that the House has been asked to support the Government's position on the use of force, because that was precisely how we approached the previous unfortunate encounter which led to the Gulf war.

Debates were held consistently in which the House was asked to support the Government's use of military force. With increasing majorities on every occasion, the House supported the Government's position, which eventually led, following the refusal of Saddam Hussein to leave Kuwait, to the need to use military force.

This is a critically important debate. It is very important that we stand up and make clear our position. It is important that, if the House supports the Government, as I and other right hon. Members do, it makes that support abundantly clear by the clearest possible signal. It is no secret that Saddam Hussein and the regime in Baghdad are some of the keenest observers of international opinion, attitudes and views. He watched CNN regularly before and during the Gulf war.

It is no secret, either, that we are here today because Saddam Hussein observed divisions in the Security Council; the international community was no longer speaking with the same united voice. Saddam Hussein saw that as his opportunity, which, as the hon. and learned Member for North-East Fife (Mr. Campbell) pointed out, has been made all the greater by disaffection among much moderate Arab opinion from Israel's attitude. Saddam Hussein has seen his opportunity to test once again the international community as he did with the invasion of Kuwait. We must show very clearly where we stand.

My right hon. Friend the Member for Huntingdon said that this is not a rerun of the Gulf war, and of course he is right. But, in a real sense, it is unfinished business. My right hon. and learned Friend the Member for Folkestone and Hythe made the point very well. Where did resolution 687 come from? It is the ceasefire resolution. It was the condition under which we stopped the previous, highly successful, military campaign to liberate Kuwait. Some might say that we stopped it too soon, but stop it we did, and on the explicit condition that the resolution would be observed.

On 6 April 1991, the Iraqi Foreign Secretary wrote to the UN Secretary-General accepting the terms of resolution 687. The right hon. Member for Gorton clearly spelled out how the core of the resolution is, explicitly, the setting up of UNSCOM and the rights to search for, identify, inspect and destroy weapons of mass destruction. It has been accepted specifically by Iraq. Connected resolutions which have followed have been implicitly accepted as well.

The Foreign Secretary occasionally says that UNSCOM has destroyed more weapons of mass destruction than were destroyed in the Gulf war. Everyone who was familiar with the problems of bombing in the Gulf war—I shall speak about them later—knew that the programme of destruction would not be hugely successful, because, at that time, we knew relatively little about many of the dispositions in Iraq. It is no secret that intelligence is one of the commodities in shortest supply because of the strength and ruthlessness of the Iraqi regime.

We won the victory that secured the liberation of Kuwait, and we caused significant damage to Saddam's military capability, but we were not particularly effective in destroying the weapons of mass destruction. Resolution 687 recognised that the programme to eliminate the weapons of mass destruction would have to be continued.

I pay tribute to the extraordinary courage and determination of the officials and members of the United Nations team. Some hon. Members will have read in the Sunday newspapers this week the interesting personal account of a member of that team, who described what it was like to be in Iraq and to look down the barrel of the gun of a security man who was determined to obstruct the UN's work.

The article described what it was like never to know whether one's life was at risk because the people UNSCOM was dealing with were going to engineer an unfortunate accident. UNSCOM has carried out its work and destroyed so many weapons of mass destruction in the face of the Iraqi regime's massive attempts at evasion and deception.

The right hon. Member for Chesterfield referred to common ground. I hope that all hon. Members accept that Saddam Hussein has been determined to maintain a programme for the production of weapons of mass destruction of a nastiness and evil that the world has arguably never before seen in terms of biological and chemical warfare. We cannot simply walk away and allow that to continue. I hope that part of the common ground, even for those who are not in favour of military action, is that that massive programme must be stopped.

The right hon. Member for Chesterfield asks whether we care about young children and the casualties that might occur as a result of military action. We are here today precisely because we care hugely about the possible consequences if the situation is not dealt with, not only for children, but for people of all ages and all races, in Iraq, in the middle east and perhaps beyond.

Mrs. Alice Mahon (Halifax): Will the right hon. Gentleman give way?

Mr. King: I hope that the hon. Lady will excuse me if I do not give way at the moment.

The critical point is to establish whether we can secure diplomatic agreement to a strong and united resolution. I am concerned about developments in the United Nations. I had the privilege to be Secretary of State for Defence when we had strong support in the United Nations and the middle east, including from the Arab community.

The current situation is obviously much more difficult, but I hold the view that resolution 687—which flows directly from resolution 678 and refers back to it—is firm ground on which to stand. I hope that, whatever political imperative drives the new resolution, the strength of our position—of which I share the interpretation of the hon. and learned Member for North-East Fife—will not be undermined.

I agree with the proposal to expand the oil-for-food programme, which the Foreign Secretary announced. If I recall rightly, one of the grievances that Saddam Hussein

claimed to have against Kuwait when he invaded it was the way in which it was handling the oil market; he believed that Kuwait had allowed the upstream price to fall too low, but was profiting from its downstream retail distribution. Significantly, the world oil price is currently at rock bottom; the oil-for-food programme must be expanded if only to take account of that, although there are obviously also strong humanitarian grounds for expansion.

I hope that we shall secure a strong United Nations resolution, to prepare the ground for the Secretary-General's visit to Baghdad. I believe that he is the right person to go. I do not believe for a moment that the Foreign Secretary should go—that would be quite improper. This is a United Nations matter, based on a United Nations resolution; it is not, as the right hon. Member for Chesterfield tries to pretend, a personal fight between America and Iraq or between Britain and Iraq.

I trust that the Secretary-General will not go to Baghdad unless it is pretty clear that Iraq will give a positive response. It would be unacceptable if he were humiliated in an attempt by Saddam to score a public relations coup. With that reservation, I hope that he will go.

Everyone must devote their efforts to solving the crisis peacefully; the Foreign Secretary made it very clear that that is much the best way. I have a modest qualification for knowing some of the problems of a military response. I believe that targeting can now be much more effective than it was in the Gulf war, as our intelligence about the dispositions in Iraq is much greater than it was then. Many lessons have been learned to improve the accuracy of weapons; I believe that we are better equipped to ensure the most accurate possible targeting.

None the less, everyone recognises that there is no certainty in this. Military action is an extremely dangerous and difficult course on which to embark. It is also obvious that there is a limit to what air power alone can achieve. If all other options fail, however, the world community cannot walk away. I have assumed that there is unanimous recognition in the House that Iraq has massive supplies and the determination to continue to produce extremely nasty weapons of mass destruction. That knowledge—I hope that it is common ground—surely makes it impossible for us to walk away.

It has often been said that, during the Gulf war, a perhaps rather surprised world was shown for the first time—it was the end of the cold war and all those years when the United Nations had not worked, with vetoes coming from one side or the other and no real cohesion, authority or power—that, when the nations of the world, with the permanent five and the other members of the Security Council, were prepared to stand together, they could be a real force for good in a troubled and uncertain world. In some ways, on this occasion we are fighting too much on our own. Perhaps too few countries yet appreciate that the United Nations standing together is a precious asset that is valuable to every citizen in the world.

Therefore, I hope that we will understand the importance of standing by the authority of the United Nations, and will recognise that it must be defended at all costs. I hope that, from our standing together with other nations that share that view with sufficient resolution, Saddam Hussein will recognise the force and determination of the world community, and our objectives will be achieved by diplomatic means. If not, alternative, military action may be necessary.

5.59 pm

Mr. Bruce George (Walsall, South): History, constitutional law, political practice and the Executive orientation of our political system have determined that the House does not declare war, or initiate or terminate wars. Our role is to endorse, which we usually do, or to oppose, which we rarely do.

On occasions, opinion in the House and in the country is divided. Some would argue that the House is at its best when we are indulging in hysteria and displaying signs of being a legislature on heat, with the hurling of abuse and creative tension, but I would argue that, on national security issues, the House is at its best when it displays none of those characteristics, but exhibits a large degree of consensus. I suspect that when people analyse our proceedings today, they will appreciate that there has been a remarkable degree, if not of unanimity or consensus, of basic agreement. I cannot recall many occasions on which a Foreign Secretary's speech was largely approved by the Opposition spokesman, who made a similar and almost indistinguishable speech. A former Prime Minister, the Liberal Democrat spokesman on defence and foreign affairs and almost everyone else who has spoken have said that we do not want to go to war, that we are not being jingoistic and that we are speaking critically, not cynically. In most cases, we are speaking without emotion and telling the Government that they must negotiate hard, but that if the negotiations fail and we have been seen to be using our best endeavours to resolve the crisis by negotiation, regrettably, we may have to have recourse to physical force.

I deeply disagree with the imputation of my right hon. Friend the Member for Chesterfield (Mr. Benn), whose views I do not agree with, but respect. He is part of our post-war history, although I disagree with his interpretation of that history. I do not believe that if I go into the Lobby in support of the Government—which I will—there will be blood on my hands. If I sit on my hands or oppose the Government, and if the House is foolish enough to dissent from their view, we shall have to accept responsibility for that action too. In supporting the Government—as we will do—we shall not be initiating the action, but endorsing it. We shall be saying that we must share a responsibility. If things go right, we shall claim some of the credit. If things go wrong, we may want to run and hide, but we must accept responsibility for our individual and collective action.

Having studied security issues for many years, I cannot say with absolute confidence what is going to happen tomorrow morning, let alone in one, two or three weeks. One politician is supposed to have said of another, "I wish I was as certain of some things as he is of everything." I do not approach the crisis with any absolute confidence that what our Government or the American Government are doing will inevitably turn out be right. The world is not like that. To accept the argument in terms of simplistic good and bad or right and wrong, is to delude oneself considerably.

The House has debated other wars. On one occasion, it was not even recalled to discuss a war because it was thought to be too insignificant. On occasions, the House

[Mr. Bruce George]

has been deeply divided—divided Houses and divided countries will almost inevitably lead to the failure of the military venture that has been reluctantly authorised. Jingoism has been absent from this debate. The House's sober approach reflects the fact that most people realise that the Government have proceeded cautiously and with good intent.

I do not like the phrase, "the just war". There are very few just wars. Even during the second world war, there was no unanimity. The fascists opposed what we were doing and until the Communist party in Moscow gave the British communists direction, there was considerable ambivalence among them. There were pacifists, whose views I respect, and those who believed that we should sit out the war and gain the advantage after it—a view that I do not respect. If ever there was a just war, it was the second world war.

People should not have a moral sense of superiority, saying, "My perception of history and events is so perfect and my moral perception so beyond criticism that anyone who dares disagree is per se immoral, his views should be deprecated and he or she bears blood on their hands." That is to reduce a complicated dilemma to such a trivial level as to be almost worthless.

What the Government are doing is right and just. The alliance of nations that George Bush was able to assemble in 1991 may not be so arrayed on this occasion, but let us remember that most of the coalition countries played a marginal role in providing military forces as their role was largely symbolic. The United States could have completed its military task without recourse to anyone else but, politically, the authorisation of the United Nations was necessary.

Are we to say that because France, Russia and China, which have their own agendas, do not endorse what Britain or the United States wants to be done, the whole institution should be paralysed? If necessary, we have an authorisation for the use of force, as lawyers have told us. Even if there were not that authorisation, we could argue strongly that it would be necessary to threaten or use physical force.

As everyone knows, even those who oppose physical force, Saddam Hussein has violated international law and United Nations resolutions, and has built up such a substantial and threatening arsenal of chemical and biological weapons that he has to be stopped. Those who argue against military force rely on the United Nations and its moral authority to undo the damage. However, the United Nations was unable to resolve the crisis in Bosnia by using purely its moral authority. Only when certain countries, notably the United States, decided to put more than moral authority into resolving the crisis was real success gained.

Saddam has repeatedly obstructed, prevaricated and done everything possible to elevate ducking and diving to a science. To argue, as he does, that he has been co-operative with UNSCOM inspectors is to stretch reality. If he is not stopped, he will be a threat to regional and international security. In pressurising him and taking him to the brink, up to the point of switching on the engines of the aircraft, he must be given the opportunity of accepting the United Nations resolutions. If he accepts them, it is imperative that we do not simply accept his word because his word is worthless. If we accept a climbdown—there will be attempts to try to mask such a climbdown; certainly to his people whatever he does will be deemed a major diplomatic success—the armed forces should remain to ensure that he complies with United Nations resolutions. The moment the ships go over the horizon, he will be encouraged to return to his old habits.

The consequences of backing down now and withdrawing without achieving our justifiable objectives would be serious, although some will disagree with my reasons for saying that. As a great believer in the North Atlantic alliance, I think that if we leave the United States on its own, the alliance's future would be jeopardised. The United States would ask why it should bother to remain in the alliance. Senators may ask why they should ratify NATO enlargement or retain US forces in Bosnia if, in a time of crisis, their NATO partners are not prepared to stand by them. I believe in the special relationship with the United States; it would be in tatters in such a situation. European-American relations would degenerate worryingly. Above all, Saddam would be left alone. If the United States and other countries do not get together on this, he will be free to use his weapons at a time of his choosing. It is wise to get the lessons—the retaliation—in first.

As many have said, perhaps the United States should be more diligent in putting pressure on the Israeli Government. First, the limited success in putting together a coalition can be significantly attributed to the intransigence of the Israeli Government in implementing the middle east peace accords. Secondly, I believe that we should be more vigilant in controlling the export of arms. Few countries can be free of guilt in respect of exporting arms that can be used for immoral purposes.

Thirdly, I invite our good friends in the Treasury to realise that wars can begin when they are not anticipated. If we have forces that are as capable as ours are at present, we at least have a range of options that would not be available if defence expenditure were further reduced. Fourthly, hon. Members should not hold their breath, expecting a European defence policy to provide an alternative to our current alliance structure. It has been said that some of our allies in the previous Gulf crisis reached for their cheque books and dived into their cellars. It is important that European nations rely less on the United States or the United Kingdom and do more than offer moral support; many are not even offering that.

The Defence Select Committee this morning had a briefing in the Ministry of Defence from the Secretary of State for Defence and the Minister for the Armed Forces. The Committee will visit the United States next week. That does not reflect brilliant timing on my part, but it should be an interesting time to exchange views with our American colleagues.

Mr. Dalyell: Did the Defence Select Committee hear the views or advice of the chiefs of staff? It may be unrealistic to think that their advice could be given to the entire House of Commons, but I have asked the Secretary of State for Defence to make it available to either the Intelligence and Security Committee or the Defence Select Committee. I am not a member of either, but has that been done?

Mr. George: When I began my speech, I did not think that I would agree with what the hon. Gentleman would

say, but I would like people such as the assistant chiefs of the defence staff to appear before the Select Committee. With the Chairman of the Foreign Affairs Select Committee, I expect to meet military personnel later in the week.

It is clutching at straws to assume that there is any profound difference between senior military advice and political leadership. If my right hon. Friend the Member for Chesterfield were here, with his knowledge of history, he could have reminded us that, on defence, the House in the 19th century was largely occupied in trying to establish parliamentary and civilian control over the military. If a member of the military cannot accept political direction from those democratically accountable to the House, that person should seek an alternative career. I suspect and hope that there is agreement. I suspect that, in the country, it is widely agreed that Saddam must be confronted if all else fails. I accept that that is inevitable, but those who wish to exercise their moral judgment against the decision of the overwhelming majority of this House will perhaps give some aid and comfort to Saddam. I am appalled by that.

Mr. Galloway: Disgraceful.

Mr. George: That remark is not disgraceful. My hon. Friend's views are well known.

I was glad to have been called because I waited a long time in the Falklands debate, but was not called. Even though there was no vote on that Saturday morning in 1982, no one could have been under the illusion that there was more than fractional support for those who opposed the Government's decision to send the task force. I was part of the fractional minority who felt that sending the task force was wrong, first, on the ground that we had been thrown out of better places than the Falklands without resorting to military means. Secondly, it was dangerous; the balance of forces was such that I had no great confidence that we would emerge victorious. I was wrong—just. Once the Government and Parliament had made that decision, my opposition ceased and I totally supported, as we should now support, our men and women, be they up in the air, on the sea, under the sea or on land. I hope that even if hon. Members disagree with what the Government are doing, they will express their views privately. I do not expect them to do it, but I hope that they will do as I did. When the chips are down, we must support the men and women fighting on our behalf.

6.18 pm

Mr. Nicholas Soames (Mid-Sussex): I wholly endorse the words of the Chairman of the Defence Committee. From my experience of the Secretary of State for Defence and my long-standing knowledge of the Chief of the Defence Staff, I should be surprised if a cigarette paper could be put between them. Any mischief-making suggestions on that account are unhelpful to the decision-making process and totally untrue. I also endorse what he said about how imperative it is that the House sends a strong message to the Royal Air Force detachments and the Royal Naval task force, which will be heartened and invigorated by the support that I am sure will be expressed for the Government in the Lobby tonight.

Let us be quite clear, as everyone has been, that Saddam Hussein and his wicked, vile regime must be dealt with. Beyond any doubt, he possesses chemical and biological weapons and, contrary to all the articles of war, he has used chemical weapons on the Kurds and the Iranians. He invaded the sovereign state of Kuwait and visited the most wicked cruelty and devastation on its population and its land. He dropped Scud missiles at Riyadh, Tel Aviv, Dhahran and Haifa. He is in wilful, permanent and gross breach of UN resolutions and has persistently interfered with the UNSCOM inspectors as they try to carry out their mandate to secure and destroy those weapons of mass destruction.

During my two and a half years at the Ministry of Defence, every three months or so I was visited by Ambassador Ekeus, the then head of UNSCOM, who reported on what was happening. He told me that there was nothing new about that interference, which had been going on for years, but that it had finally reached intolerable levels.

The Iraqis have lied, cheated and attempted to conceal that arsenal of weapons. In the face of continuing Iraqi intransigence, it is clear that they have more to hide and that this matter must be resolved. Saddam Hussein's treatment of his own people is unspeakable, and the world must be a safer place by forcing him to comply with the 1991 ceasefire, let alone the terms of the UN resolutions.

I hope that it does not have to happen, but if it comes to it, it will be the job of the American and British forces to dismantle the apparatus of Saddam's wicked regime. We are all probably agreed upon that proposition, but how to go about it is an altogether different kettle of fish. There are respectable grounds for believing that the bombing of Iraq will achieve nothing. There are people in the House who hold such views with great passion and who have every right to be heard. Such bombing could lead to the strengthening of Saddam Hussein's position internally and it could alienate world opinion, particularly if there are large numbers of civilian casualties. In extreme circumstances, it could increase the risk of a wider, prolonged war.

For my part, and with some reluctance, I believe that, on this occasion, it is right that Britain should support the United States because the proposed military action is for just motives. I pray that the targeting experts will have developed a careful and sophisticated plan. Unlike the right hon. Member for Chesterfield (Mr. Benn), I hope that they will pause regularly to remind Saddam Hussein that he only has to agree to unrestricted, unconditional access for that military action to be discontinued.

The problem is that the military option is not an effective substitute for UN weapons inspectors having unrestricted access on the ground and the ability to get hold of and destroy those ghastly, malign weapons. It is imperative that every worthwhile diplomatic avenue is explored. There is no point in the Secretary-General going to Baghdad without clear instructions from the permanent five on the Security Council. To do otherwise would gravely damage the credibility of the UN, whose credibility and integrity are already seriously questioned. If he were to go to Baghdad, it should be made plain to the Iraqis that a prompt response is required and that, failing a satisfactory answer, the military option will then have to be exercised.

[Mr. Nicholas Soames]

What will happen? Saddam will be bombed and the sanctions kept in place indefinitely, and the only sure losers will be Iraq's poor, long-suffering civilians. If that happens, this House should understand and focus clearly upon the grave consequences for British interests in the middle east and British foreign policy in Europe and beyond. My right hon. Friend the Member for Huntingdon (Mr. Major) made a good point about the middle east with which I whole-heartedly agree.

I travelled regularly to the middle east when I was at the Ministry of Defence and I always reported back on the increasing resentment and anti-western feeling that existed in all countries of the Gulf. That has come about because the Arabs, quite rightly, deeply resent the uneven-handed way in which the Americans, and, regrettably therefore, ourselves, have dealt with the Arab-Israeli question. They are right to be angry and they are right to be frustrated with America and her allies, but the fallout for us is serious and must be addressed by a more creative and vigorous policy. The middle east peace process is now in critical need of repair and, whatever the result of events as they unfold in Iraq, unless important steps are taken to reinvigorate that process, it will remain a festering and dangerous source of discontent and mischief, with potentially grievous consequences for stability in an already highly turbulent area.

I believe that Foreign Office Ministers have not done enough to push forward the middle east peace process. The Foreign Secretary will need to devote a great deal more time to the middle east than his rather exotic and varied priorities have thus far enabled him to do. The right hon. Gentleman has neglected our friends in the Gulf. Labour Members may disagree, but in nine months in office, he has made one visit to the Gulf and that was only in response to an emergency. It is little wonder that our Arab friends attach so little credibility to the Government's policy on the middle east.

Quite apart from the neglect of our interests in Arabia, the Government have failed dismally during the current crisis to give any leadership in Europe. I agree with the right hon. Member for Chesterfield that it is quite extraordinary that at a time when Britain has the presidency of the European Union, the Government have done so little to try to build a coalition and to carry our European partners with us. It really is time for the Government to drop the rhetoric and lead the Governments of Europe in a new initiative to try to bring peace to the middle east.

Of course, it is much harder for Britain to find common ground with the Germans and the French than it is with the Americans, but that effort must be made. The Government may have tried, but they certainly have not done enough. Our European friends and allies are rightly angry and bemused by the behaviour of the Labour Government. The Foreign Secretary must understand that without a real commitment to the nitty-gritty detail of business with Europe on all fronts, the utility to Washington of the Government-to-Government special relationship will gradually diminish, to our great disadvantage.

It is now clear to European politicians that, at the end of the day, the Labour Administration, with all the rhetoric and fancy packaging about their commitment to Europe, most favour a client state relationship with America. That is a lamentable and foolish state of affairs, which has done our country grave harm.

We should support the current American position, but we should do so from a European perspective. We should not just follow along blindly, but bring to the vital decisions the broader European opinion which, through our presidency, we must represent, and which we have so foolishly neglected in international affairs.

If the military option is judged to be unavoidable and if it is to succeed, the forces must be of a greater strength than those currently prepared. There will need to be a steady build-up of ground troops, but that should be run in tandem with a continuing extensive diplomatic effort. If Britain is to take part in those operations in the future, it is well prepared to do so with the joint rapid deployment force. I pray that it will not come to that.

When the Secretary of State replies to the debate, I hope that he will tell us about the Government's thinking on the future of Iraq, post a military strike. What has been their response to the concerns of the neighbouring countries? What about the Saudis, who really fear that Iraq might be split into a Kurdish north, a Sunni Muslim centre and a Shia Muslim south, supported by an untrustworthy and unreliable Iran? What account have the Government taken of the views of President Mubarak of Egypt, who believes that things will be much worse after an air strike—and he a great supporter of the west? What steps in the light of a military or indeed non-military resolution do the Government intend to take to renew the middle east peace process, which is all of a part with the Iraqi problem? We need some vigorous British and European ideas that will enable us to stop hanging on with both hands to America's coat tails and break the deadlock that is so deeply damaging to peace in the area.

6.29 pm

Mr. George Galloway (Glasgow, Kelvin): I am grateful to my right hon. Friend the Foreign Secretary for his assurance that this is a free Parliament composed of free Members of Parliament who have a right—indeed, an obligation—to make their views known in the House and to follow their conscience on matters of war and peace. How different was that assurance from the extraordinary statements of my hon. Friend the Member for Walsall, South (Mr. George). It would be a strange sort of Parliament in which Members kept their views private. It would be a strange sort of Parliament in which Members who expressed a view different from that of the majority could be accused of giving succour and comfort to a dictator whom some of us have fought for far longer than some of those who muster such dread condemnation as has been voiced this evening. It would be a Parliament more like the Parliament in Baghdad than the Parliament in this country, for which we fought over the centuries. I disdain to keep my views on this matter secret.

The Iraqi regime has been effectively carpet-bombed this evening and I shall not repeat the condemnations that I have been making all my political life and that have already been made. I shall speak up for some people who have not been much mentioned this evening: the poor Iraqi citizens, who never elected Saddam Hussein and who—however much we make them suffer, however often we bomb them and however long we sanction them—cannot remove the dictator who stands astride them.

Last week, for three whole days, the attention of the whole country was fixed on the village of Chippenham. It was evacuated, people were moved out of their homes and a 30-ft mound of earth was built by the Royal Engineers. Witnesses who saw the explosion of the so-called "fat boy"—the 50-year-old piece of ordnance dropped by the Luftwaffe during the second world war—spoke of how terrifying it was and how awesome were the shock waves. Are we really saying that we are going to vote tonight to drop, not one fat boy, not 10, not 100, not 1,000, not 10,000, but tens of thousands of fat boys on the Iraqi people? Let us be clear: there is no such thing as precision bombing. There is no such thing as a smart bomb—bombs do not have brains, still less hearts. I have been in the Amariya air raid shelter in Baghdad, where the silhouettes of men, women and children are carbonised on to the walls as a result of a precision bomb launched by the United States of America.

In parenthesis, let me tell those who say that the Americans have carefully targeted their strikes so that they will not hit the chemical and biological weapons that my old grandfather was bombed by the United States air force all the way from Alamein to Monte Cassino. Given the US record on friendly fire, I am not sure whether it is a good thing that they know or do not know where the weapons are. One thing is for sure, if one bomb lands on one stockpile of one sort of biological or chemical weapon, it will send into the atmosphere enough poison gas to choke the very Iraqi people with whom we are told we have no quarrel. If the wind changes, all the kings and sheikhs of Araby had better be on aeroplanes to London or Paris, or they will be choked and poisoned too. If the wind blows the right or the wrong way, poor citizens will suffer the consequences of American precision bombing.

On that subject, Mr. Deputy Speaker, you may have noticed the weather report for England on Saturday—St. Valentine's day. As a result of freak atmospheric conditions, sand from the Sahara desert landed on England's green and pleasant land. If sand from the Sahara can reach England, what about anthrax, VX gas and all the other dreadful, hideous and obscene weapons that we have been talking about this evening? By the way, those weapons are in the possession of almost all the countries in the middle east—indeed, they are in the possession of almost all the countries in the world.

We were the first people to drop chemical weapons on Iraq. In 1920, under the colonial secretaryship of Winston Churchill, the grandfather of the hon. Member for Mid-Sussex (Mr. Soames), rebel tribesmen in the Euphrates valley were bombed with chemical weapons by the British armed forces. The United States of America, our special friend, has 30,000 tonnes of those obscene weapons—yes, the same United States of America that carpet-bombed with chemical weapons the people of Vietnam for almost 20 years. Agent orange and defoliation bombs were used and, to this day, children are born hideously deformed because of the chemicals dropped by our special friends.

The reality is that the Iraqi people have suffered long enough. It is sheer sophistry to talk about there being no sanctions on food and medicine. My hon. Friend the Member for Linlithgow (Mr. Dalyell) and I have walked in the hospitals where the children are expiring for want of medicines in Iraq. Of course there is a food-for-oil deal now, but for many years under sanctions there was no such deal—*[Interruption.]* There was not a food-for-oil deal from the beginning of the conflict. For many years the Iraqi Government, even if they were ready to do so, were starved of the ability to buy food and medicines. If the food-for-oil deal is to be doubled, that means that it is now only half what it will become if that proposal goes through; and the current level of food for oil is double what it used to be.

First there was no food for oil, then there was food for oil, then it was doubled and now it is to be doubled again and that is because anyone who has eyes to see knows that the Iraqi people are dying like flies as a result of economic sanctions. Do not take my word for that—ask the United Nations Children's Fund, ask the World Health Organisation, ask the Harvard medical team, ask the Cambridge medical team and ask all the doctors and scientists who have been there and who have smelt the death being caused in Iraq as a result of the sanctions.

Sanctions are at the core of the issue. The Iraqis believe—the Arab world, the broader Muslim world and many others agree with them—that the United States has no intention of lifting sanctions and that it will move the goalposts at each and every opportunity. They have been moved even during this debate: my right hon. Friend the Foreign Secretary said that the Iraqis must comply with the requirements of UNSCOM, but other hon. Members rose to say, "What about the Kurds?" and other hon. Members will rise to say, "What about the Shi'ites in the south?" or "What about the lack of parliamentary democracy?" The goalposts are constantly being moved—that is what the Arabs believe. They believe that UNSCOM, which is stuffed with American military personnel and paid for by the Pentagon, not by the United Nations, has no intention of ever giving Iraq a clean bill of health in respect of chemical weapons.

As I am talking about sophistry, let me say that the impression has been given here this evening that the Gulf Co-operation Council countries support the attack on Iraq. That is entirely false. The United Arab Emirates opposes this strike, as does Qatar. Saudi Arabia, our most important ally in the area, opposes this strike. His Highness Prince Sultan, the Defence Minister of Saudi Arabia, has unequivocally stated that Saudi Arabia is against this military strike. What about President Hosni Mubarak, our best friend in the Arab world? Last week, he warned the British Government that an attack on Iraq would detonate shock waves of extremism across the entire middle east, and begged the allies not to do it.

It is a strange policy that can count only on the support of the Government Front Bench, the Opposition Front Bench and Bill Clinton's discredited Administration in Washington, that cannot count on the support of the Arab countries, of the European countries or of a majority of the Security Council of the United Nations. Everyone is out of step except Uncle Sam and Johnnie Bull. Well, it is just not credible.

I shall close on this point. So far—*[Interruption.]* I hear the Minister for the Armed Forces, sotto voce from a sedentary position, talking about 1940. Let me tell him about appeasement: the appeasement of Israel for 50 years by the international community, during which time Israel has invaded Arab country after Arab country, occupied Arab lands, bombed Arab capitals, and imprisoned, tortured and murdered the Palestinian people.

[Mr. George Galloway]

Let me tell the Minister about the appeasement of a country that has done all that—that has broken international law times without number, and that possesses so many weapons of mass destruction, from the nuclear to the chemical, that it has to wire up its biggest dissident, Vanunu, with a metal cage on his lower jaw so that he does not, in court, impart to the world community how many weapons of mass destruction he saw with his own eyes while working on Israel's nuclear programme.

The appeasement of Israel's crimes is the real reason why the Arabs are not with Great Britain and the United States of America in this enterprise. It is the appeasement—

The Secretary of State for Defence (Mr. George Robertson): May I ask my hon. Friend a simple question? Is it not true that every one of the Arab countries that he listed just now has called on Saddam Hussein to comply with the resolutions, and called on him to allow the inspectors back in the terms that were in the resolutions? At what point in his speech will my hon. Friend call for that as well?

Mr. Galloway: Right now. Every one of those countries has said what the Secretary of State said, and I say it too. I want to cleanse the entire world of these filthy, obscene weapons, which are sold to dictatorships for profit by private enterprise companies. I want them to be eliminated in all countries. However, the Secretary of State's use of words does not avoid my central point, that every one of those Arab countries opposes this attack. Every one of them is begging the international community to avoid and avert this attack. Why does not the Secretary of State for Defence deal with that substantive point? A policy that cannot command even the support of the royal family of Saudi Arabia is a friendless policy indeed.

I believe that the Americans are holding Kofi Annan back from the car to the airport right now. They have locked the Secretary-General away until they lasso him with enough conditions and enough qualifications to guarantee that his mission will be a failure. I believe that the majority of right-thinking people in the world are thinking, "Godspeed, Kofi Annan. Make haste to Baghdad. Stay there as long as is necessary. Go the extra mile for peace." When Iraqi women and children start to be carried out—no, swept out—of burning buildings in Baghdad, it will be a shame, a blot—which all the perfume in Arabia will never extinguish—on the reputation of this country.

6.44 pm

Mr. Alan Clark (Kensington and Chelsea): It is certainly an experience to follow, and to listen to, the hon. Member for Glasgow, Kelvin (Mr. Galloway). Plainly, he has not had implanted in his skull one of those electrodes programmed by the Minister without Portfolio and Mr. Alastair Campbell to which the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) attributes the brain power of every one of the hon. Ladies on the Labour Benches. He is on record as having said that in a recent speech.

It is also a great pleasure, which enlivens every debate in this place, to listen to the right hon. Member for Chesterfield (Mr. Benn), but I should like to supplement his trips down the memory lane of history with a recollection of my own. When he ran through all the various episodes in which the United Kingdom had militarily intervened in theatres around the globe since the war, he rather skated over the Falkland Islands. I was in the Chamber on 9 April 1982, and I remember hearing him say—in a magnificent speech, every bit as eloquent and moving as the one that he made today, and at such pitches of volume as we heard this afternoon—that the President of the United States would intervene, that the task force would have to turn round and come back, that it would be a complete rerun of the Suez expedition, and that we were incapable of recapturing the Falkland Islands because we were under the thumb of the Americans and because we were industrially, economically and militarily incapable of doing so. Well, the right hon. Gentleman chose not to remind us of that occasion, but I hope that it at least establishes that his predictive powers are not always impeccable.

The debate is taking place at a time when, for the second time in six years, there is an amphibious and carrier task force in the Gulf, and plainly the whole House must give the members of that force our loyalty, support and admiration for the manner in which they are responding to the task—a task by no means clear—which has been set them. Therefore, I hope that the putting of a number of questions to the Secretary of State will not be taken as impugning to any degree our support for individual members and units of the armed forces. I hope that you will agree, Mr. Deputy Speaker, that those are questions which can, and should, legitimately be asked in the House.

First, what has been done to protect our personnel from chemical and bacteriological weapons? I understand that the full range of available injections is not being administered. Why not? Secondly, what provisions are in place for protecting the lives and safety of United Kingdom civilians in Iraq? Thirdly, will the Secretary of State make it clear that the abuse and torture of prisoners, as happened in the last Gulf war, would not be tolerated, and would be treated as an escalation of the conflict?

Fourthly—I think the House will agree that this is important—to what extent are we privy to, or have we consented to, United States tactical planning and targeting? Fifthly, do these weapons actually exist—that is to say, in capable weapon form—or are we talking simply about supplies and components that are to be interdicted?

Next come the broad strategic realities. What do we hope to achieve? Is it that Saddam will simply roll over, apologise and admit the inspection teams to wherever they wish to go—or, if that is too utopian, that Saddam will disappear, be displaced or assassinated? If we hope for that, we have certainly altered our objectives since the time when I was a Minister at the Department of my right hon. Friend the Member for Bridgwater (Mr. King), when Saddam was deliberately kept in place as a make-weight to the ayatollahs on one side and the unfettered exercise of Israeli power on the other.

If Saddam is to be destabilised by military action—although I suggest that that is no more likely than his being strengthened in his position—what will be the position of a fragmented Iraq? We have heard the Foreign Secretary and others say that there is no intention to break up Iraq but, as my hon. Friend the Member for Mid-Sussex (Mr. Soames) pointed out, the break-up of

Iraq is almost inevitable if the Iraqi Government are destabilised in conditions of extreme violence. It is the most likely consequence.

Will Turkey then be reconciled to the emergence of a Kurdish state in the north? How will the ayatollahs in Iran respond to division and demarcation between Sunni and Shi'ite Muslims? How will all those repercussions affect the ruling families of Saudi Arabia and the Gulf states?

The scene has much of the appearance of an impending retributive military action whose consequences have not been fully thought through. History shows that such actions can be the precursors of very long wars indeed.

6.50 pm

Mr. Donald Anderson (Swansea, East): Like the right hon. Member for Kensington and Chelsea (Mr. Clark), I descend from the peaks of absolutes and certainties and recognise, with him, the uncertainties and the judgments that will have to be made, often on the basis of inadequate evidence.

There are indeed problems involving the strategic balance within the region, such as the position of Iran if Iraq is crippled. There are also wider questions that we must consider in the context of our transatlantic relations, as well as the problem of Russian-American relations.

Obviously there are no certainties, but at the end of the day we must seek on the basis of principle, with whatever difficulty, to reach decisions. We are not academics, weighing the series of problems that face us. Ultimately, amid all the gloom and the problems, a decision must be made.

As parliamentarians we must accept the fact that much of the evidence is not properly before us. For example, we cannot make a proper assessment of the strength of the Iraqi opposition. We do not know whether they have been so ruthlessly extirpated by Saddam Hussein that there is no chance of their rising up against him.

We do not know about other key matters, either, such as the possible effect of bombing that goes astray and lands on the anthrax barrels. We do not know to what extent, if any, any serious diplomatic movement has been shown by Saddam in response to the flurry of diplomatic activity over the past few days. We can only wish godspeed to Kofi Annan and hope that he has been given a sufficiently flexible brief, not to negotiate but to take a message that will be seen as reasonable by world opinion.

We are prey to many sources, and we are not sure whether some of them may be designed to mislead us. Last Friday, for example, there was a suggestion in *The Times* that many, or at least some, of the Russian weapons inspectors were feeding information to Saddam Hussein. If that were well founded it would certainly cast doubts on the idea of increasing the number of Russian inspectors, as well as on Russia's mediation efforts. We do not know.

In that context, I congratulate the Foreign Secretary and the rest of the Government on seeking to throw some light on the background by the publication for Members on 4 February of a paper showing not only the mandate of the United Nations Special Commission, which is binding on Saddam Hussein as part of the peace agreement, but an analysis of UNSCOM's work since 1991 and an account of the increasing evasions and obstructions on the part of Saddam Hussein.

In the light of that paper, surely no one can put faith in the veracity of Saddam Hussein's word, or with any credibility see him as a victim rather than as someone who is the author not only of his own fate but, alas, of that of the people of his country. The Foreign Secretary set out a catalogue of deception and obstructions. Anyone inclined to give the benefit of any sort of doubt to Saddam Hussein should read and reread that note, which hon. Members received on 4 February.

Clearly Saddam Hussein is an evil dictator and a threat to the peace of the region, and perhaps more widely. However, there are other evil dictators in the world—other people who threaten the peace of their regions. What is different about Saddam is surely the fact that, as a result of the war of 1991, he reached an agreement with the United Nations of which he is blatantly in breach. We as an international community are faced with the choice of whether to do nothing, to do something ineffective, or to seek to do something that, despite all the problems, is as effective as we can manage.

We must of course concede that there are far greater difficulties now than there were in 1990-91, when the aim was clear. There had been an invasion of a neighbouring country—Kuwait, a member of the United Nations—and the aim was clearly to expel the invader from that country. Had the United Nations coalition force gone beyond that, invaded Basra, gone on to Baghdad and tried tyrannicide, that would have had no international legitimacy because it would have gone well beyond the remit of the UN resolutions.

I can see that different United States spokesmen have set out different war aims and that Saddam Hussein has used the suffering of his people, which he has inflicted on them for his own ends, for successful propaganda. The difficulty of reassembling the Gulf war coalition is now much greater, in part because of the way in which Premier Netanyahu has behaved in Israel, with his settlements policy and his failure to comply, at least adequately, with the Oslo accords.

All that said, Russia has its own agenda, as does France which, putting the most generous construction on it, is best able, it says, to play the role of "interlocuteur valable" by seeking to distance itself from the other European allies. In the main, our European allies are now very much on board in the current initiative.

In spite of all those difficulties and problems, which are different from those of 1991, I remind my right hon. Friend the Member for Chesterfield (Mr. Benn) that, had we accepted his position in 1991, during the six months of negotiation before the military strike we would still have been negotiating—but negotiating with a Saddam who was in Kuwait, and possibly in Saudi Arabia and the other Gulf states too.

That is the essential weakness of the case—

Mr. Corbyn: Will my hon. Friend give way?

Mr. Anderson: My hon. Friend did not give way to me when I was trying to put that case to him.

Mr. Corbyn: That was not me.

Mr. Anderson: I give way to my hon. Friend.

Mr. Corbyn: I thank my hon. Friend for giving way now that I have reminded him who I am.

[Mr. Corbyn]

Does my hon. Friend not recall that, in the last few days before the launch of the strikes against Iraq by the allied forces to liberate Kuwait in 1991, President Gorbachev had indeed intervened, and successfully negotiated the principle of withdrawal from Kuwait? Does that not demonstrate that there was a serious attempt by the then Soviet Union to achieve a settlement, which the United States simply did not want?

Mr. Anderson: I suspect that my hon. Friend is rewriting history. Had those diplomatic efforts continued beyond six months, as some are suggesting now, without the option of a military strike, we would still be negotiating and Saddam would still be encamped in Kuwait City. That is the essential weakness of the argument of those who want a form of diplomacy without any military strike at the end to back it. That is the real problem.

Even those who are willing to give Saddam Hussein the benefit of many doubts must acknowledge his clear defiance of the United Nations resolution. What is now the proper response? Do we do nothing? That surely would be unthinkable. What a precedent for any other dictator who sought to defy the will of the United Nations and the world community. Do we rely simply on diplomacy? We know what might have happened if we had tried to do that without backing it with an ultimate military option in 1990–91.

A reasonable policy is surely diplomacy plus. Negotiation has a better chance of success if there is a military message behind it, but the military message can be credible and saleable to world opinion only if it can be shown that a serious process of diplomacy preceded it. The war drums may now be rolling and there may be a feeling of inevitability. I hope that we shall show by all our actions that we are serious about diplomacy, and that we are prepared to be flexible on some key details, such as what we learn about the package that is being discussed with Kofi Annan in respect of the weapons inspectors.

We must show to the people of Iraq and wider regional opinion that there is light at the end of the tunnel. There have been contrary indications from US spokesmen about sanctions. As a sign of good will, there should surely be a linkage between compliance and the gradual removal of sanctions.

Mr. Allan Rogers (Rhondda): My hon. Friend has invoked the strength of United Nations resolutions and the issue of sanctions. Is it not strange that we return to that argument, especially after listening to the right hon. Member for Kensington and Chelsea (Mr. Clark)? When he was in power as Minister for Defence Procurement, and when he served at the Department of Trade and Industry, he flouted UN resolutions regarding the imposition of sanctions in the export of arms and conspired with British industrialists to feed Saddam Hussein's war machine. Part of the problem that we face now is that when people like him were in government, they ignored UN resolutions and broke them, when Lord Howe, who was then the Foreign Secretary—

Mr. Deputy Speaker: Order. The intervention is far too long.

Mr. Anderson: I hear my hon. Friend. My aim tonight is to give a clear signal, along with all sections of the House, that if the reasonable diplomatic options have been exhausted, the military option exists. If diplomacy stands alone, it will have no effect. Of course any option is high risk and there are many uncertainties, but to do nothing would involve far greater uncertainties than the policy pursued by my right hon. Friend the Foreign Secretary, which I endorse.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Before I call the next speaker, may I remind the House that Madam Speaker has placed a 10-minute limit on speeches from 7 pm until 9 pm.

7.3 pm

Sir Geoffrey Johnson Smith (Wealden): May I say how much I agree with the hon. Member for Swansea, East (Mr. Anderson). As I have only 10 minutes, and I know that many other hon. Members want to speak in the debate, I shall try not to repeat points that have already been made, although I may refer to the fact that I agree with them.

I have visited the United States a number of times, and I was there a few weeks ago with some colleagues. We went to the Senate, the House of Representatives, the National Security Council, the Pentagon and the State Department. I could not recognise the policies described by some hon. Members, as though there were some great devious plot on the part of the United States to continue to ram sanctions down the throats of the poor, suffering people of Iraq, to pave the way for bombing and to tear Iraq apart, thereby creating a disruptive situation in the middle east.

I have never found people in the United States more thoughtful than I did on my most recent visit, or more considerate about the repercussions of a policy that is devilishly difficult to deal with.

How does one ignore a country that has deliberately flouted United Nations resolutions? As the hon. Member for Swansea, East said, that is a matter for diplomacy. I agree with him that diplomacy is not an end in itself. There comes a time when it must be backed up with threats, and possibly the threat of military action, which can be be shown only by positioning troops. If our experience between the wars is anything to go by, we must recognise that reality.

The right hon. Member for Chesterfield (Mr. Benn) went back to the past and spoke about his childhood. Let me say why, when it comes to upholding the United Nations, I subscribe so strongly to diplomacy plus military action if diplomacy fails. I remember the circumstances in which I grew up. My father had been gassed and wounded in the first world war, and recovered. My mother had the guts to get in a car and drive people round through zeppelin raids as a volunteer. As the shadow of that war began to recede, a new shadow loomed—the threat of another war.

That threat of that war got worse and worse, because we appeased and appeased. We never stopped appeasing. We tried to reckon that we could deal with Mussolini over sanctions. We failed, and a Foreign Secretary resigned. We tried to think that something could happen to stop a dictator moving his troops into a demilitarised zone, contrary to the treaty of Versailles, and we did not have the guts to go in and oppose him.

We could not find allies, just as today it is difficult to find Arab allies. I understand why. Why should Arab states that got involved in the war when one of their fellow states was invaded stick their neck out now, especially in view of the difficulties that arise over Israel? They know that they would put their lives and kingdoms under threat, partly because of Israel, partly because of the lies that are told, partly because of Muslim fundamentalism, and partly because in the end there are some nations that cannot face up to the reality, just as happened between the two world wars.

What, then, are we to do? Are we to sit back and do nothing? I agree with the Foreign Secretary's speech. It is not in line with reality, realpolitik, decency, a sense of moral fibre or leadership if we wash our hands and say that we can do nothing. Of course we have compassion for the people of Iraq, although I am bound to say that, from the shots that I see on television, the people of Iraq look remarkably well fed, compared with pictures of people in the poor states of Africa, where we can see how badly fed they are. We hear of the destruction that was rained on Baghdad, but it is amazing how many new buildings one sees and the palaces that have been built.

I will not take moral lectures from anyone on either side of the House that the responsibility is mine. The initial responsibility lies with the regime in Iraq and with that dictator. I ended up as a soldier in the second world war because of the refusal of many countries between the two world wars to recognise that there are people who are intrinsically evil. We must stand up to them and their dictatorships, because, if we do not, our turn will come in the end. The second world war was unnecessary and would not have happened, if we had had the guts to stand up at the right time.

Opposition Members share similar experiences to mine with regard to the North Atlantic Assembly. We tried to back through parliamentary means the resolution of our Governments to stand up to Russian threats during the cold war. We did so, and we did not at the same time threaten the Russians with weapons or acts of aggression; we stood our ground. That, for me, is the real reason why today there is a generation throughout Europe that can look forward to years of peace—which goes for the Russians as well as everyone else.

In the end, those dictatorships tumbled because we faced them down. That, I think, is the root of the argument that we are having today. Obviously, if diplomacy is to succeed, we must convince those with whom we wish to enter into an agreement—those whom we wish to discard the reckless creation and use of weapons—that there is no future for them in such action. I believe that, by doing so, we shall do them a service, provided that we have the courage in the end to say that a lesson must be learned.

Mr. Mubarak, for example, knows very well where the danger lies. It does not lie in the United States—although it has made mistakes over Israel, as many hon. Members have pointed out. Mr. Mubarak knows that the threat to his country, and to other Arab countries, lies right there in Iraq. That is why he has said—it is on the record; I believe that it was quoted extensively in yesterday's *Financial Times*—that he would like the United Nations representative, be it the Secretary-General or whoever else is sent, to tell the Iraqi leader that he should submit to the conditions imposed by the Security Council resolution. He should allow the inspectors to return, without imposing any conditions. He could then hope that his friends outside—for he has friends outside—would put pressure on the United States and its fellow UN members to lift the sanctions that have imposed the hardship, and help his countrymen on their way. First and foremost, Saddam Hussein must renounce the weapons he has; but if he cannot respond to Mubarak, how much less likely is he to respond to us at present?

I hope that the Government will have our full support in the rest of the debate. Because we have experienced wars, we know how terrible they can be. I never want to see another, but my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark) has posed some important questions: the public out there need to be convinced.

Let me say one more thing about the United States. I observed no gung-ho attitude among Congressmen. I note that the President is taking the argument to the people, and so should we.

7.12 pm

Ann Clwyd (Cynon Valley): Although I feel as passionately as some of my hon. Friends who have spoken, I do not share their view. I have not been to Baghdad, but I have been to northern Iraq many times. If people think that things are bad in Saddam's Iraq, they should realise that things are far worse in northern Iraq.

The Kurds of northern Iraq are the subject of a double embargo—the embargo of Saddam Hussein, and the embargo of the United Nations. I can list the names of the places that I have visited: they include Sulamania, Erbil, Kifri and Penjwin. I have seen children in hospitals who, having taken half a course of antibiotics, have been told, "There are no more medicines for you." Their parents have been told that they will have to rely on the black market.

I have seen refugees thrown out of their homes by Saddam Hussein, who never ceases his repression of the Kurds living in his territory. Saddam Hussein has broken not only the resolution applying to UNSCOM, but many others—resolutions telling him not to oppress the Kurds. That oppression has continued since 1988, and has taken place before and after the Gulf war. Saddam Hussein has engaged in a programme of Arabisation. As recently as November, he was throwing Kurds out of their homes, telling them that they had 24 hours to go into the north or into the desert in the south.

The first time I went into northern Iraq was in 1991, when the Kurds were fleeing across the mountains into Iran. Thousands upon thousands died in those mountains—victims of Saddam Hussein's oppression. I saw what was happening inside the north. As I crossed into the north, I heard continuous bombardment. I stayed for 24 hours; then I came back to the House and described, from the Dispatch Box, what I had seen in the mountains. People—including the then Prime Minister—said at the time, "This will never happen to the Kurds again. We will protect them from the oppression of Saddam Hussein." Unfortunately, although that was the wish, it was not the reality.

As those of us who take a close interest in it know, there is no consistency in foreign policy: there are constant contradictions. We have continually encouraged the Kurds in their uprising. I say "we", and by "we" I mean both the Americans and ourselves, for we were

[Ann Clwyd]

involved as well. We encouraged the Kurds in 1991, and in 1995. I visited northern Iraq again in March 1995, when the Kurds were battling with Saddam Hussein's forces. They were told, "Keep on fighting—the Americans are coming." We falsely promised them that we would be there to support them in the event of their taking on Saddam's forces. We let them down on that occasion, and we did the same in September 1996.

In January 1996, we and the Americans attempted to deal with the two Kurdish sides which, by that time, were fighting each other over the taxes from the traffic across the borders between Turkey and Iraq and between Iran and Iraq. We ignored the sanctions-busting that has continued since 1991. Kurds fought each other because they were short of resources, and, again, we turned a blind eye. We did not assist them; we just let them get on with what was supposed to be a new democracy. We encouraged the elections and sent observers, but after that we let the Kurds get on with it again.

There was a big gap between January and September 1996. In January, there was a budget freeze in the United States. The Kurds had agreed to reach some kind of peace. A commission was supposed to be being set up to monitor that peace. When the American budget was restored, nothing happened until the end of August, by which time it was too late.

What was the allies' response? Instead of protecting the Kurds from the invasion of Saddam Hussein, who went into the north with hundreds of thousands of troops, we sent cruise missiles into the south. It looked very good on television, but it did not help the Kurds at all. Saddam's forces and the security police were then inside northern Iraq, as they still are.

I am very worried about what may happen now. I believe that it is very important for Saddam Hussein to be made to comply with UN resolutions. UNSCOM has managed to unearth and destroy many of the weapons that he was rebuilding. I ask again: why did he ignore the UN's offer of food for oil for five years? If he was concerned about his people, why did he spend five years refusing to accept that offer? He was, of course, rebuilding his weaponry. Instead of spending the money on his own people, he spent it on increasing his weapons of mass destruction. That is why it is essential that he is made to comply with the resolutions.

I know many of the Iraqi opposition, because I have campaigned on this issue for more than 20 years. We have talked to the Iraqi opposition, and it is not true to say, as my right hon. Friend the Member for Chesterfield (Mr. Benn) did, that they are totally opposed to military action. Except for the Iraqi Communist party and one other small party, they are not. However, they want to see it linked with the end of Saddam Hussein. They do not want military action on its own, only to find that he is still in power. They want that ruthless dictator removed from the scene. They do not want any more unfinished business.

We all hope that military action will be averted, but if it takes place—because I still believe that he must be made to comply with the resolutions—our Government must have a political programme, and part of that must be the indictment of Saddam Hussein. After that, I suggest that we give assistance to the people in the north and the south of Iraq. Sanctions against them should be lifted, because we have no quarrel with them. They are not involved with Saddam Hussein. They oppose him, so it makes no sense that the UN embargo against them should continue.

A no-drive zone should be put in place, so that Saddam Hussein will not have the opportunity further to oppress the people in the north or the Shias in the south. Most of all, it is important to assure the public in Britain and the Iraqi opposition that we are not sending useless cruise missiles to bomb the deserts—that, if any missiles are used, they have specified targets, and that they will take out those places that may contain the weapons with which we are concerned, the Republican Guard, and the things that Saddam Hussein holds dear to him. If military action takes place, he has it in his hands to ensure that his civilians are moved away from possible targets.

I disagree with those who say that Saddam Hussein is a bad man, but the Iraqi people—

Mr. Deputy Speaker: Order. The hon. Lady has had her time.

7.22 pm

Mr. Andrew Robathan (Blaby): I am delighted to follow the hon. Member for Cynon Valley (Ann Clwyd), because I agree with much of what she said. There is not a great deal that is new to be said in the debate, so I shall try to avoid repeating points that have been made. I shall certainly not dwell on the seriousness of the situation, the threats of terrorism that may exist to the United Kingdom, the threats to the whole of the middle east, and the threat to Israel, which could lead to nuclear retaliation and thereby a threat to world peace as a whole.

Before we send our young men to kill other people's sons and daughters, whether or not they be Iraqi soldiers, we should be absolutely certain of what we are trying to achieve. It may be that bombing raids are the least worst option with regard to Iraq, but I urge caution, for it seems that there is a lack of clarity in our objectives.

In January 1991, I volunteered to rejoin the Army because I believed that the threat to world peace demanded that I, too, should play my part. Hon. Members may recall that we were expecting the most awful war. I argued during the selection process for the seat of Blaby that if we had to fight, we should, and I had no reasonable excuse for not going.

The force that we assembled in Saudi Arabia in January 1991 was, I believe, the largest military force assembled by the western allies since D day. The coalition of countries and armies has been called President Bush's greatest success. It was a tremendous logistic effort and was very impressive. It was an outstanding military force. As one very unimportant member of that force, it seemed to me more like taking part in a large military exercise, such as those of the British Army on the Rhine, rather than a war. Indeed, it transpired that our deaths as a result of Iraqi action were fewer than our deaths in road accidents. Indeed, I believe that they were fewer than the deaths as a result of friendly fire from American jets.

One hundred hours after the ground assault began, the Americans stopped the war. Most of us who were there—the allies, including the Arabs—were astonished that we should have left the job unfinished. People said that we must not go to Baghdad. We did not need to. All that

we had to do was cut off those in the Iraqi Republican Guard, who were then in the east of the country, from their escape routes. Instead, we allowed them to escape. They would probably have surrendered, as most of the Iraqis did. They then kept Saddam Hussein in power.

Mr. Salmond: Will the hon. Gentleman give way?

Mr. Robathan: I am sorry; I cannot.

Mr. Salmond *rose—*

Mr. Robathan: No. We have only 10 minutes, as the hon. Gentleman knows.

I suppose that the Americans stopped partly because they believed that they had achieved their aim, and partly because there was tremendous American public reaction to the devastation on the road north of Kuwait city. How could anybody have been so foolish as to allow television cameras into A-10s as they shot up fleeing Iraqis? How could anybody have allowed over-excited pilots to make comments on television such as, "This is a turkey shoot?" More than anything else, why on earth was it necessary, because the road north of Kuwait city was already cut some 100 miles north by the French? So it was that James Baker could appear on television in Washington, saying, "The allies have taught Saddam Hussein a lesson." Thus Bush's greatest success became his greatest failure.

What lesson had the allies taught the world? That Saddam Hussein remained and remains in power despite the best efforts of that huge army, while all his protagonists and antagonists—Thatcher, my right hon. Friend the Member for Huntingdon (Mr. Major), Bush and Mitterrand—have gone. The lesson to Saddam Hussein's neighbours could not be clearer. Another lesson that our Government should take on board is that the United States might make decisions that are in its own interests and not in the best interests of Britain and the world.

This is not 1991. For a start, I shall not be volunteering for service. President Clinton is not President Bush. No coalition is assembled. There is no support from the French, the Russians or from many local Arabs for military action. No substantial ground forces are assembled. As far as I can see, there is no specific, attainable and lasting objective. In military terms, bombing can do little on its own. It might destabilise Saddam Hussein, but it will certainly not destroy all his capabilities or his armies, and I fear that it is unlikely to destroy him.

What is the political objective? It has been suggested that this will "bring him to heel". When I hear comments such as that made by the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leeds, Central (Mr. Fatchett), who said:

"We are determined to ensure that Saddam Hussein complies with Security Council resolutions"—[*Official Report*, 13 February 1998; Vol. 305, c. 746.],

I fear that we have learnt nothing from the past.

When I came back from the Gulf, somebody said to me, "Doesn't it suit us to have a weakened Saddam Hussein in Baghdad?" It was reminiscent of James Baker's comment. We should understand that there is no riding this particular tiger.

There is a political objective that we should have, and it should be stated: the removal of Saddam Hussein from power. Everybody talks about him as a tyrant, naming him as responsible for atrocities against his own people and others. He is evil incarnate, but we seem unable to make the final, logical step—to say that if he is responsible, he must be held responsible and removed from power. Instead, we may add to the woes of his own people by bombing them.

As a start, we should, as the hon. Member for Cynon Valley said, indict Saddam Hussein for war crimes or crimes against humanity. The list of his crimes is endless and includes unprovoked attacks on Kuwait and Iran, executing prisoners of war and using nerve agents against his own people. How much worse are his crimes than those committed by Radovan Karadzic in Bosnia, who was, for good or ill, elected in a quasi-democratic process as President of Republika Srpska? The Foreign Secretary said that that may have to await the establishment of an international criminal court. That is nonsense. If there is any point in being a member of the Security Council, surely it is to persuade it to act now on this issue.

We should pursue Saddam Hussein by legal means, and we should ensure that the World Service and others get the message home to the people of Iraq. We must drive a wedge between the coerced and intimidated population of Iraq and the dictator, and we should give that population hope of deliverance.

In September 1995, Saddam Hussein was reaffirmed in office for a further seven years by a vote of 99.96 per cent. Surely that says all that needs to be said about the intimidation and fear on which his rule is based. We should assist the Iraqi opposition as best we can, despite their fragmentation and internal quarrels.

It was reported today that MI6 attempted to achieve the assassination of the dictator. I do not expect any comment on that, or on reports of SAS hit squads trying to get Saddam Hussein. The SAS is not superhuman, and I do not think that there would be many volunteers for that exercise.

Indictment is not the whole answer, but it would at least be a start. We blame Saddam Hussein for atrocities, and then we deal with him as a legitimate leader. He has no legitimacy: he has only de facto authority. This is a man with whom it is impossible to negotiate in any positive meaning of the word. Of course, we must be able to fulfil weapons inspections, but we must be able to dictate terms and not negotiate. We were able to dictate terms in 1991 after the use of force.

In the aftermath of the Gulf war, it was often said that the allies had to stop when they did, because otherwise Iraq might have fallen apart. To which I would respond, "So what?" The kingdom of Iraq was cobbled together by the British in the 1920s. If the Kurds wish to go their own way, that is up to them and we should let them decide their future, notwithstanding any concerns in Iran, Syria or Turkey. It seems unlikely that the southern Shi'ites would be particularly interested in becoming part of Iran, but that is up to them. That would have been the logical result of the uprisings that we encouraged in those areas. What could be worse than the current situation?

My plea to the Government is that we move on, and that we take as our primary aim the end of Saddam Hussein's rule, otherwise we shall be back discussing this problem in another seven years. To his people and to his

[Mr. Robathan]

neighbours he is as bad as Hitler. With the advantage of hindsight, we would not think twice about trying to displace Hitler. If it is considered by better informed judges than me that air strikes are necessary, I support that as the least worst option. But it must be recognised that they are only a temporary option, and that there can be no lasting peace in the middle east while Saddam Hussein remains in power in Baghdad.

7.32 pm

Mr. Tam Dalyell (Linlithgow): May I, as a Gentile, say a gentle word to my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman)? I visited Jerusalem and was greatly moved by the holocaust museum. I was moved in exactly the same way when I visited the Amariya in Baghdad. Conclusions can be drawn. The commemoration of such horrors has an effect on the Arab people, just as it has on the Jewish people.

I should like to follow the right hon. Member for Kensington and Chelsea (Mr. Clark) and ask questions about chemical weapons. I asked similar questions in the Adjournment debate on Friday, but they remained unanswered.

Anthrax is a bacterial disease of cattle and sheep that can affect humans. The germ can exist as spores, like those scattered from a ripe mushroom or toadstool, which can be blown for long distances by the wind. Rubbed into the skin, anthrax is a deep black sloughing sore that leads to blood poisoning. Inhaled, one hundredth of a millionth of a gram of anthrax spores is enough to cause severe pneumonia, again with blood poisoning.

Both forms of the illness are fatal in up to 80 per cent. of cases within hours or days, unless intensive antibiotic treatment is given urgently. That is unlikely to be available in post-sanctions Iraq or to the ordinary population of its neighbours. No one has told anthrax spores that they must not go for the civilian population, and that they should not harness a wind to be blown to friendly states.

My first question is: are we sure that by bombing we are not risking pollution and a terrible disease scourge in western Asia?

Anthrax spores can survive for a long time in soil or dust, and may remain a risk to health for years. The hon. Member for Banff and Buchan (Mr. Salmond) knows Gruinard island off the west coast of Scotland. That beautiful conical island has been anaesthetised for 50 years. People still cannot go on to the island because at the end of the second world war anthrax experiments took place there.

My second question is: are we sure that even by accident—not on purpose—we shall not let anthrax spores loose throughout vast tracts of the Tigris and Euphrates valleys and further afield?

VX agent is one of the nerve gases. It was used by Iraq against Iran, and probably against the Kurds. It is similar to sarin, which was used by the Japanese urban terrorists Aum Shinrikyo in the Tokyo subway about two years ago. I am told by Dr. Douglas Holdstock that it is a volatile liquid that can be dispersed as an aerosol. A 1 mg drop can be fatal, and it can be absorbed through intact skin. An amount equivalent to a half-litre bottle of spring water could theoretically kill half a million people. It paralyses the nerve-muscle junction, and floods the throat, lung and bowel with fluid. Death is due to asphyxiation and can occur within minutes.

Treatment requires rapid transfer by trained ambulance personnel to an intensive care unit. Pralidoxime is a specific antidote, but I am informed that only a few hospitals in the United Kingdom stock it, and that it is currently in short supply.

My third question is: does the Ministry of Defence have quantities of that antidote? If so, can we at least be given an assurance, without the details, that such eventualities are taken into account? That dovetails with the question of the right hon. Member for Kensington and Chelsea.

There are three possible ways in which chemical and biological weapon agents may be distributed as a result of an attack on Iraq, and they are not mutually exclusive. It is not possible to give figures for possible casualties, which depend on the amount of agent, population density and weather, as rain would deposit the agents close to the site of deposition.

If Iraq has CBWs in a usable form, such as Scud missiles, they could be fired in response to a US-UK attack, which was the use-them-or-lose-them scenario for NATO and Warsaw pact nuclear weapons for more than 30 years. If those missiles were to land on cities such as Riyadh and Tel Aviv, they could cause many casualties, and in the case of Israel could trigger a response with nuclear weapons against Baghdad.

My fourth question is: are we suggesting that those weapons, if they exist, would not be used? I repeat the question that was put earlier: what would Saddam Hussein do if his back was against the wall in those circumstances? That is a serious question.

My fifth question concerns accidental release by bombing. An accurate direct hit on a cache of CBWs in a closed space could generate sufficient temperature and pressure to incinerate and destroy the cache. As far as can be gauged from reports, the United Nations and the United States do not know precisely how many sites contain CBW agents, or indeed where some of them are. A near miss either from inexact aiming or as a side effect of an attack on another target could liberate large amounts of CBW agents. The House may recollect that an explosion at a Russian munitions factory at Sverdlosk in the Urals in the 1960s liberated anthrax from a nearby store. Although there were not great populations in the Urals, it had an absolutely devastating effect. What do we do in the event of an accidental release?

There is also terrorism. CBW agents could be transported in the baggage of travellers and used by terrorists on US and UK cities. They could be sprayed from crop-spraying aircraft, liberated in underground railway systems—as in Tokyo—or even scattered from high buildings. It would not be without risk to the distributors, but suicide missions are not unknown in the middle east.

The possibilities that I have outlined highlight the risks of the possible bombings of Iraq, over and above doubts that they would advance the cause of weakening Saddam Hussein and allowing the UN inspectors to continue their work. We should take seriously the concerns of the International Physicians for Prevention of Nuclear War and many others.

Finally, it may be asked of people like me, "What on earth would you do?" Frankly, I would at least try lifting sanctions by stages, because that might let loose all sorts of forces in Iraq that wished to change the regime. I know that I am accused of being naive, but at least I speak from personal experience, having been there in 1994, and it is the best judgment that I can offer the House.

7.41 pm

Sir Raymond Whitney (Wycombe): The hon. Member for Linlithgow (Mr. Dalyell), whose sincerity and persistence are greatly admired throughout the House, is right to emphasise the horrors of chemical weapons and biological agents, but sadly, his speech—and the amendment in his name and that of the right hon. Member for Chesterfield (Mr. Benn)—suggests that he ignores many of the other factors in the difficult equation with which we are trying to wrestle.

More than a century ago, statesmen of various nationalities tried to construct an international organisation that would somehow eliminate the scourge of war from the world. Of course, the search continues and yet remains to be successful. The League of Nations was a gallant effort that failed—partly because of the non-participation of America, but more importantly, because the democracies of the 1920s and 1930s lacked the courage and resolution to stand up to dictators who were not very powerful when they started out. Mussolini and Hitler could have been nipped in the bud had the international community had the guts to do so.

After the second world war, the international community tried to learn from its mistakes and it constructed the United Nations. Here too, we ran into difficulties with the Soviet veto in the Security Council and for many years, the United Nations was, in effect, neutralised. Happily, we were saved from the ultimate horror of a nuclear holocaust by the balance of nuclear deterrence between east and west. That is not to say that there were not hundreds of small and quite horrible wars throughout the period. That brings us to the crucial importance of the United Nations today and the challenge that Saddam Hussein represents.

The position is clear and we must guard against determined efforts to fudge that clarity, examples of which we have heard from the right hon. Member for Chesterfield and the hon. Member for Glasgow, Kelvin (Mr. Galloway). They tried to cover the harsh and difficult reality that confronts the Government—and indeed all of us—with a fog of confusion. It is a time for clarity and steadfastness, and the recognition of what is at stake and what is not. What is not at stake includes the issues of Israel and Palestine. They may be serious, but they are not directly related to the issue at hand. The issue is not oil supplies or who supplied Iraq with what and when. Mistakes have always been made and they will always be made. The issue is not the United Kingdom being a poodle of the United States, as has been alleged. The Labour Government and the Opposition are at one in recognising the size of the problem and the remedy that is available to us. Of course it is not a good solution, but it is the only one available and it is increasingly recognised by countries with which we have an affinity and which are generally recognised to have the international standards to which we happily aspire.

It is a simple matter and we must not let the obfuscators get away with it. It is also unique because only Iraq, under Saddam Hussein, invaded a neighbouring country without provocation. Only Saddam Hussein offended against United Nations Security Council resolution 687, having agreed to scrap his weapons of mass destruction and allow UNSCOM to operate. Only Saddam Hussein has shown himself ready to use horrific chemical and biological weapons to which the hon. Member for Linlithgow referred, not only against his enemies, but against his own people. Although other countries may have stocks of those weapons, only Saddam Hussein is producing them in the massive quantities that we have now discovered.

None of those points has been denied. All the members of the Security Council agree on the circumstances and I believe that the course is clear. Of course, we must continue to negotiate, but there must be a limit. Negotiation without the potential use of force will never succeed against Saddam Hussein, as all our experience of him demonstrates. Certainly it is difficult, but any alternative to the course that the Government are embarked on and that we support would be very much worse.

As I said, for nearly a century we have been struggling to find an international mechanism and, on the whole, the position is favourable. Members of the Security Council are not pure democracies by our standards, but at least Russia and China are now countries with which, I hope, we can do business. Of course we do not all see eye to eye at the moment, and the French position on the issue is regrettable, but we can make more progress in the United Nations and the Security Council. The one way in which to torpedo that and to destroy any hope of progress would be to let Saddam Hussein get away with it. If he is seen to win, it will be a fatal blow to the United Nations and to the region, and other rulers in the region know that. Very much has been made of the position of the Gulf countries, including Saudi Arabia, but there is no doubt that if and when Saddam Hussein departs the scene or is toppled, the first to celebrate will be his Arab neighbours.

Let us have an end to the cant and hypocrisy. Of course war is terrible. We do not need the hon. Member for Kelvin to shout at us about his compassion for people who are killed in war. We support the Government's motion because we understand that war is terrible and we want to stop it.

This is an historic debate. Hon. Members have already mentioned the Falklands debates. I remember, on that first Saturday debate, urging some caution. I believe that it is not too fanciful to compare this debate to that notorious one in the Oxford union in the 1930s which—in the words of that motion—encouraged Hitler to believe that "this House" would not fight for Queen and country.

If there were substantial support today for the amendment tabled by the right hon. Member for Chesterfield, it would have the most harmful effect on peace in the middle east and on the future of the structure of the United Nations.

7.49 pm

Mr. David Winnick (Walsall, North): I should like to nail the lie that the United States, Britain and other countries are engaged in warmongering, and that we cannot wait for military action to be taken. If Britain and the United States were so keen on war—because of the length of the crisis over weapons inspections in Iraq—we would already be involved in war.

There is an overwhelming wish to determine whether diplomacy can succeed. We do not want war; we want to avoid war. Therefore, the accusations made by

[Mr. David Winnick]

some—whether they are Members or some outside here—that we are warmongering and cannot wait to bomb Iraq or to see Iraqi civilians killed are lies. Such lies should be nailed at every opportunity.

There will be no war if, because of the latest diplomatic activity, Saddam Hussein complies with the wishes of the United Nations Security Council and does what he said that he would do at the end of the 1991 war. He has only to do what he agreed to do when he lost the war in Kuwait.

What means of persuasion would exist if we said that military action would be taken in no circumstances? Do we expect that butcher—that murderous dictator—to say, "In all the circumstances, I must agree with the Security Council's 1991 decision"? If there is any hope that he will comply—who knows; but I do not have much hope that he will—and avert war, it will come about only because of the threat of force. Only the threat of force will determine whether there is a peaceful outcome—which is what we all want.

Those who demand that there should be no war should realise that responsibility for military action, if it comes, will lie with the Iraqi criminal regime. I do not accept for one moment that there will be blood on my hands or on the hands of any of my colleagues who go into the Government Lobby today; it is nonsense to suggest that. If we were so interested in war, military action and killing civilians, why would we place such great emphasis on diplomacy? If we want war, why are we desperately hoping that the Iraqi dictator will even now see sense?

The hon. Member for Glasgow, Kelvin (Mr. Galloway) told us that there were terrible civilian casualties in 1991. I deplore those civilian casualties; I will always deplore civilian casualties. However, I must accept that, if military action is taken, there cannot possibly be a guarantee that innocent civilian lives will not be lost.

I was here, in September 1990, when the House was recalled after the invasion of Kuwait, and I was in the Chamber for all the debates that preceded military action in January 1991. The allies gave Saddam Hussein four months to get out of Kuwait; they gave him four months to avoid war. At every opportunity, he was pleaded with to avoid war.

Now we are told that—somehow—the allies, the international community and those of us who were Members of Parliament in 1990–91 are responsible for the casualties and the harm that resulted. Responsibility for what occurred lies with only one source—the Iraqi dictator. As one who said then that military action was justified if Saddam Hussein refused to leave Kuwait, I do not accept responsibility for what occurred. It is as sensible to say that, from 1939 onwards, the House was responsible for the terrible casualties and millions killed in the second world war. We know only too well where the responsibility for that war lay.

The critics were wrong about what happened in 1991. The hon. Member for Kelvin quoted my hon. Friend the Member for Walsall, South (Mr. George). Although I agreed with my hon. Friend the Member for Walsall, South, I did not agree with his concluding line. I would be the last person to lecture any hon. Member. I accept entirely that if one believes that an action is wrong, one should oppose it, no matter what. I have no disagreement with the hon. Member for Kelvin on that particular score.

Nevertheless, seven years ago, the critics were hopelessly wrong. Although it does not automatically follow that they are wrong now, the line that they pursued then—that virtually all the Arab world would rise up against the west if war broke out, and that there was no guarantee that Kuwait would ultimately be liberated—was wrong. The Iraqi occupation of Kuwait did end. Had it not ended—as sanctions would never have done the trick—not only would Kuwait have remained under enemy occupation, but Saddam Hussein would have learnt that he could invade any country in the region. Why not? If the allies were unwilling to intervene militarily, there was no reason why he should not have continued with other invasions. Therefore, seven years ago, the war not only liberated Kuwait, but has ensured that no other country in the region has been invaded by Saddam Hussein.

Yes, ordinary people in Iraq have suffered—they have suffered greatly. I think that even the critics agree that, for over 20 years, they have suffered from a terrifying, brutal dictatorship. I agree that some—not all—of the critics were enemies of the Saddam Hussein regime long before Opposition Members expressed an interest in it. I accept that entirely. However, it is not very logical for one to be against that brutal dictator and to use every opportunity in the House to say so, but also to be against taking action against him when he commits criminal aggression. I did not see the logic of that seven years ago, and I do not see it now.

We have been told about civilian casualties. What about the casualties in the war between Iraq and Iran? The fact is that, on both sides, a total of 1 million people died in that war. Who started that war? We are told that the United States supported Iraq. That may well be so, but the United States did not instigate the war. Saddam Hussein started that war, with callous indifference to the suffering of the Iraqi people, and he stopped it only when he could not win it. Therefore, when we are rightly told—we should be told; we should remind ourselves—about all the civilian casualties and about all the innocent people who died who were in no way associated with that regime, let us remember also how many others died and suffered because of that terrible war that lasted for eight years.

As we know, Saddam Hussein's regime is a brutal dictatorship. He used gas 10 years ago; 5,000 people were killed. I do not know how many hon. Members protested in the House. Nevertheless, that is the nature of the criminal regime that we are facing.

We are told that other countries are in breach of United Nations resolutions and the hon. Member for Kelvin made much of the Israeli-Palestinian conflict. I agree that Israel has been in breach of conditions, which I deplore, but it is senseless to be unable to distinguish between Governments such as Israel's and terrible, brutal dictatorships such as Iraq's.

Let us hope that diplomacy works. If we surrender now, however, there will be every incentive for Saddam to continue to play cat and mouse with the UN and the international community. We have a duty and a responsibility to act if diplomacy does not work. I accept my responsibility, as I did seven years ago. If there is, as I hope, an overwhelming vote in the House in favour of the motion, it will be justified and will reflect the broad feelings in the country at large.

7.59 pm

Mr. Alex Salmond (Banff and Buchan): Two things have depressed me about this evening's debate. First, there have been a number of disparaging references to agendas—"the French agenda" and "the Russian agenda"—as if the United Kingdom and the United States do not have agendas. We are trying in the debate to find the agenda of the international community.

The second thing that has depressed me—I absolve the hon. Member for Walsall, North (Mr. Winnick) from this—is the attempt to say that people should stop thinking, salute and rally round the flag. I do not think that the hon. Member for Linlithgow (Mr. Dalyell) would pay the slightest attention to any such request but no such request should be made and he is entitled to speak his mind, as are others.

Mr. Winnick: I said that.

Mr. Salmond: If the hon. Gentleman had been listening, he would have heard me say that I absolved him from that criticism.

I am glad that I am speaking after the hon. Members for Cynon Valley (Ann Clwyd) and for Blaby (Mr. Robathan), who started to put together a better position than either of those taken by the Government and Opposition Front-Bench Members, and also better than the position taken by the hon. Member for Linlithgow and his friends. I do not believe that it is morally indefensible to take military action, but I do believe that it is morally indefensible to take such action unless there is a political strategy designed to end the suffering of the peoples of Iraq.

I want to list a few of the aspects on which I agree with the Foreign Secretary and which I welcome. I welcome his support for the Secretary-General's mission to Iraq and the fact that a new Security Council resolution is to be sought. The legitimacy of the existing resolutions is debatable, and I welcome the doubling of the allowance for oil for food.

I want to make some serious points to the Government about my great concerns about their position. The Foreign Secretary did not touch at all on the substantial charge of hypocrisy that can be levelled against the western world. Saddam Hussein is a western creation. He was armed to the teeth by western Governments and western companies. There is no doubt about that—the only doubt is over how long the supply of weapons went on.

It is also the case that other countries oppress their populations—Indonesia, for one—and that other countries, such as Israel, have weapons of mass destruction. I do not compare even the dictatorship of Indonesia with the evil of Saddam Hussein, and I certainly do not compare Israel with Saddam Hussein. None the less, Israel is a state in breach of international obligations to the Palestinian people.

Whatever we say about the differences, that is not how it will play in the Muslim world. The right hon. Member for Huntingdon (Mr. Major)—in what was an impressive speech—argued that we should take every opportunity to tell the people of Iraq that we are not really their enemies. However many opportunities we may get on CNN or Kuwaiti television, I do not think that the man in the mosque will believe the occasional interview with western politicians in comparison with what will be put forward daily in the Arab world about western hypocrisy and intentions.

The hon. Member for Blaby should be listened to. He was there, and he saw the duplicity in the aftermath of the last Gulf war, when the Republican Guard was allowed through allied lines to slaughter the people who had been asked to rise up and overthrow the dictator by no one less than the President of the United States. Anyone who has spoken to the Iraqi opposition forces knows the grievance that still exists as a result of that action.

Dr. Julian Lewis (New Forest, East): Will the hon. Gentleman give way?

Mr. Salmond: I apologise, but because of the time I shall not give way.

The right hon. Member for Kensington and Chelsea (Mr. Clark) gave the game away by speculating about the impact of the dismemberment of Iraq and about what might happen if there were democracy in Iraq. The feeling among Iraqi opposition forces is that the western aim to keep Iraq together has been more important than the interests of the peoples of Iraq. There are some, perhaps, who would not like to see a democratic Iraq unless there were a democratic Saudi Arabia, or unless democracy spread to the other friendly states of the Gulf.

The charges of hypocrisy cannot be swept aside. Apart from the armed conflict which might result, they are the very stuff of the propaganda war that will inevitably take place, whether there is armed conflict or not. We are in a poor and invidious position, standing with our hands on our hearts saying, "Unlike the other countries, we do not have an agenda."

Where I depart from the right hon. Member for Chesterfield (Mr. Benn) and the hon. Members for Glasgow, Kelvin (Mr. Galloway) and for Linlithgow is on the question of what has to be done. I disagree not with their analysis, which is correct, but with their conclusions. The right hon. Member for Chesterfield told the House that we should be all be aware of the dangers of chemical and biological weapons, and that there should be international agreements to stop our companies selling those weapons to people who could use them against their own people or others.

However, we already have an international agreement to stop the development of those weapons in Iraq. Where would we stand in terms of forging other international agreements if that international agreement could not be defended? I depart from the hon. Members in that I do not think that the do-nothing option is credible.

That is why I agree with the hon. Members for Cynon Valley and for Blaby. We should try to put together a genuine political strategy. It will not be easy, but bombing parts of the production system in Iraq in the hope that that might destabilise, as opposed to entrench, Saddam Hussein is not an easy option. The collateral damage in terms of the innocent human beings who almost certainly will be killed will be one of the elements not just of propaganda but of truth, which will weigh against that as a successful strategy.

The right hon. Member for Chesterfield was correct about the likely reaction among Iraqis to bombing of that nature. Also, the idea of a no-drive zone to stop tank

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movements south of the 32nd parallel and north of the 35th parallel is not an easy option. It is a military option, but it is designed to expand something that we should have defended; the safe havens concept which the right hon. Member for Huntingdon, rightly, was proud of seven years ago. It is a much better option than bombing, and should be accompanied by the indictment of Saddam Hussein for crimes against humanity. As the hon. Member for Cynon Valley said, it should be accompanied also by the release of sanctions from those parts of Iraq which we hope to make genuinely safe. We should try to bring about the destruction from within Iraq of its tyrannous evil regime.

I conclude where I started. It is not my position, nor that of my party, that it is morally indefensible to fight in defence of what we know to be right. It would be morally indefensible to impose yet more suffering on the Iraqi peoples unless we have—and can convince everyone that we have—the genuine interests of the peoples of Iraq at heart.

8.8 pm

Mr. Dale Campbell-Savours (Workington): I think that the speech of the hon. Member for Banff and Buchan (Mr. Salmond) will stand the test of time. The speech of my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway) was quite remarkable. It was moving, beautiful and passionate, but at its very heart there was a flaw. He did not deal with what might happen in the event that the negotiations sponsored by the UN with the Iraqi Government were to collapse. That is what we are talking about this evening. What happens if those negotiations fail? What is the way forward?

My right hon. Friend the Member for Chesterfield (Mr. Benn) also made an interesting speech. He has a rich tapestry of experience to back up his contributions. He, too, did not come up with any conclusions. The only hon. Member on that side of the argument who did was my hon. Friend the Member for Linlithgow (Mr. Dalyell). However, his softly, softly approach on sanctions is opposed by the Iraqi opposition, who believe that it will strengthen Saddam Hussein's position.

We have to consider the basic principles of what we are dealing with. Saddam Hussein is a dictator. We know that he has chemical weapons. We know that he is prepared to use them. We know that he is prepared to occupy neighbouring states. We know that he is prepared to lie. We have to do something. Whatever happens in the negotiations, the major powers will have to address the need for military action at some stage to resolve the problems in that part of the world.

We have to set clearly identified political objectives for military action. Military action without clearly defined political objectives will be a disaster. Everything will be lost and those who participate in the action will be discredited. I accept that military action may be necessary, but we should have specific objectives.

In recent years, we have failed to secure a policy on Iraq that meets political objectives and commands the support of the opposition groups inside and outside Iraq. The Iraqi National Congress has had a lot to offer in the past three or four years. Unfortunately, it has not been treated reasonably by the United States of America or by the previous United Kingdom Government. I do not know what is the present Government's attitude.

I remember going to Washington in 1991 to lobby the Executive on the treatment of the Kurds. Officials in the State Department told us that action would be taken to protect them. That never happened. I went to the inaugural international conference of the Iraqi National Congress in Ankara in 1993. All the opposition parties from here and throughout the near east were assembled. There were great hopes, but nothing happened. Today, much of the Iraqi opposition have been dissipated. The future rests in sponsoring their activities.

I should like to lay a few possibilities before the House. We should support the Iraqi opposition openly. We should release frozen assets in the west to fund the opposition as a Government in waiting. The INC should be given the Iraqi seat at the United Nations. We should promise the Iraqi opposition groups that sanctions will be lifted on the fall of Saddam Hussein. We should announce a limited amnesty for certain individuals who might feel that they were likely to face trial for genocide. I recognise the important work being done by Indict. It is important that some people in Iraq realise that they will not face trial if the Government fall. We should organise and fully fund a propaganda bombardment campaign of Iraq by television, radio, short wave communication and even leaflet drops. We should consider lifting sanctions on the north for some products for which safeguards against leakage are possible.

Most importantly, if diplomacy does not work, we should punish Saddam Hussein for his UNSCOM transgressions by taking the port of Basra on the Shatt al Arab. A Basra enclave should be established, under the control of a substantially reinforced and properly funded INC. That would form the basis for a free Iraq, shielded to the north by the no-fly zone that currently covers southern Iraq. It would be a bridgehead supplied by sea—a sanctions-free zone. Its territory and influence would expand to the north as it gained the confidence of the people of Iraq. I am sure that Ministers recognise the implications for oil exploration and exports, given Basra's location. It is a strategic military site; an oil, trade and freight centre. It should be developed with western money, under the control of the INC.

If that were part of a wider military agenda, which could include the highly selective bombing of strategic sites, there would be potential gains. Bombing without clearly defined political objectives would be a disaster. If the Iraqi people feel sure that the odds are stacked against Saddam Hussein and see hope on their boundaries in the Basra enclave, they will respond accordingly.

8.16 pm

Mr. Ieuan Wyn Jones (Ynys Môn): This has, understandably, been a sombre debate, full of emotion. The opinions expressed on both sides have ranged from absolute support for military action to equally passionate opposition. Among those who have reluctantly come to the conclusion that military action is inevitable there has been considerable unease about the enterprise. I suspect that that unease is fuelled by the lack of an international consensus for such action.

I start where the right hon. Member for Chesterfield (Mr. Benn) started. At least one thing unites us all—our total horror at Saddam Hussein's regime, with his appalling record of human rights abuses and his blatant refusal to agree to the United Nations resolutions on the

inspection of his weapons of mass destruction. He is capable of and has carried out atrocities against his people. He is capable of carrying out further atrocities against them. He has the capacity to inflict considerable damage on his people, on his neighbours and on those further afield. That is common ground. We are debating how best to ensure that Saddam Hussein complies with the United Nations resolutions and whether and in what circumstances military action might be acceptable.

It is worth reminding ourselves once again that there is no unanimity among the nations represented at the United Nations on whether military action is at present justified. As we have heard, three permanent members of the Security Council do not support the use of military action. As has been stressed, the United Kingdom currently holds the presidency of the European Union. The majority of EU member states do not actively support the UK's position. Perhaps most important, there is opposition to the use of military force among Iraq's Arab neighbours. My party would be extremely concerned if military force were used given the lack of support among so much of the international community.

It will be much more difficult for the UK-US alliance to use its considerable diplomatic force and weight to achieve a lasting settlement in the area if military force is used. If, for any reason, military force does not achieve its target, diplomatic avenues will have been cut off. There is little likelihood that, after the use of military force, Saddam Hussein—if he remains in power—would allow inspectors to examine his weapons of mass destruction. The moral authority which countries in the west should have would be gravely damaged.

None of us can know whether military intervention would be a success. How can we be sure that it would wipe out Saddam Hussein's capacity to use chemical and biological weapons? How will we know if intervention has been a success unless inspectors are allowed to inspect?

We are told that the justification for the use of military force is that Iraq has failed to comply with UN resolutions and Saddam Hussein possesses weapons of mass destruction. Yet, Israel, which has also breached UN resolutions and similarly possesses weapons of mass destruction, is not criticised. Double standards in approach are clearly not lost on Arab countries in the middle east. There is a stalled peace process in the middle east. Arab countries are quite right when they say to us in the west that we are not treating Iraq and Israel with equanimity. Illegal settlements are continuing without hindrance from Washington.

Mr. Mike Gapes (Ilford, South): Will the hon. Gentleman give way?

Mr. Jones: I am sorry but, because of time, I will not be able to give way.

I alluded to the UK's presidency of the European Union, to which the hon. Member for Mid-Sussex (Mr. Soames) referred in detail. I am very concerned too. One of the main criticisms of the common foreign and security pillar of the Maastricht treaty related to its intergovernmental nature and the problems that that would cause. It was virtually impossible, for example, to secure a consistent and coherent European foreign and security policy. That was starkly demonstrated during the war in Bosnia, when individual member states began recognising constituent parts of former Yugoslavia rather prematurely. The lack of a clear EU line in those circumstances was one of the reasons why the Serbs felt able to flout international opinion for so long. I fear that the EU again missed a golden opportunity to address that issue in the Amsterdam treaty. There is still no formal mechanism for adopting a common European position on Iraq.

That leads to the rather ludicrous position of the EU president being prepared to act in a way which is not sanctioned by the majority of member states. That is a matter of current concern, and will cause increasing concern unless it is addressed. I would like the EU to be given a much more prominent role in foreign affairs and security matters. Our experiences teach us that European treaties should be revisited.

Like all hon. Members, I would like the diplomatic initiatives pursued by the United Nations Secretary-General, Kofi Annan, to be fully supported by the Government. My party differs from the Government not on the question of the willingness to pursue diplomatic initiatives but on the question of military action. The international community should stand back at the moment, allow the initiatives to proceed, see what results arise from them and go back to the UN for sanctions if necessary. We should not take any unilateral action.

I sincerely believe that all hon. Members in this debate hold their views genuinely. In an article in *The Observer*, the Prime Minister said:

> "We live in a democracy, unlike Iraq. People are free to criticise the Government over our willingness, if necessary, to use military force against Saddam. So they should be. I accept such criticism is made in good faith."

I hope that the Government accept that my party's criticism is in good faith and that we should pursue by all means possible all diplomatic initiatives.

8.26 pm

Mr. Harry Barnes (North-East Derbyshire): I am glad that the debate has moved away from the opinions of two Front-Bench teams and that Back Benchers are expressing alternative views.

I was one of those who opposed the action taken in the Gulf war, and I would defend that position today. However, I recognise that, in the Gulf war, there were clearly stated military objectives to free Kuwait and rid it of Saddam Hussein's troops. Many hidden agendas were none the less involved, and the hideous action on the road to Basra went beyond the objectives.

What military objective is in front of us at the moment? Basically it seems to be aimed at the Iraqis' allowing American weapons inspectors into Iraq to continue their work and tackle the problems of the weaponry. Some hon. Members have suggested that we should go beyond that, but that is essentially the position of the American and British Governments. What sort of objective is it? It seems one of bombing Saddam Hussein because he will not act in relation to inspection, waiting to see what has occurred and then bombing again because he refuses to act.

Saddam Hussein has a bunker mentality. He has slaughtered and murdered his own population, gassed and bombed and executed. He is therefore not likely to be brought into line by bombing, especially when bringing him into line means his having to accept a weapons

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inspectorate—and nothing beyond that. Saddam Hussein just continues the game, and our only option is to continue to bomb and bomb. That may put him in a desperate situation, in which he begins to think of anthrax-capped missiles in an attempt to tackle the problem.

I believe that we should look for alternative strategies to ensure that the situation in Iraq changes. I do not go along with those who simply want another military adventure, in which Iraq is invaded and taken over. We should first sort out what we are supporting and what we are trying to achieve—we do not want a substitute Saddam Hussein to be established through our military action.

My hon. Friend the Member for Workington (Mr. Campbell-Savours) made a number of proposals, which were of great interest, but what happens if those measures do not work—what option then arises? Will he fall back on the position that the Government may be driven to adopt if they do not make the Iraqi dictator back off—to bomb and bomb? My position differs, in that I would not seek to engage in such action.

Economic sanctions have been entirely counter-productive. Since Saddam Hussein came to power, Iraq has suffered the Iran-Iraq war, the Gulf war and sanctions. In that period, Iraq, which reached the peak of its economic development in 1979, has absolutely collapsed. The gross domestic product per head is between an eighth and a tenth of what it was.

We are not talking about societies in the 1930s that had developed to a similar level. Iraq had witnessed advances in technology and in the use of energy, but all that was destroyed. The Iraqi people are now in the most terrible circumstances. That is why we should stress the need for action to relieve economic—as distinct from military—sanctions.

I want to consider further the condition of the people. In 1955-56, I was in Basra in Iraq doing my national service. Between that period and the time when Saddam Hussein came to power—a period in which Iraq experienced many different developments—gross domestic product per head grew some six and a half times. That was very much tied up with oil—the Iraqis put all their eggs into one basket—which gave fantastic returns, especially when the Organisation of Petroleum Exporting Countries increased oil prices in 1974.

Prosperity in Iraq was considerable, particularly in relation to other middle east countries. In 1970, Iraqi GDP per head was 17 per cent. of the figure for the United Kingdom, whereas by 1980—the start of Saddam Hussein's period in power—it had grown to 42 per cent. of the United Kingdom figure. Extensive development had occurred, with all that that entails. There had been periods of agrarian change and new social provisions, such as additional housing.

That was before Saddam Hussein moved the country to military provision, which proved to be a disaster. By 1994, Iraq's GDP per head was only about 16 per cent. of the UK figure. Let us remember the conditions that arose as a result: the shortage of goods; the desertion of the country by professionals; the massive unemployment; the collapse of the economy; hyper-inflation; currency speculation; and the printing—even the photocopying—of money.

To say in the House that the people in Baghdad look as though they are well fed, and that the problem is not ours but Iraq's, is disgraceful. We should be concerned about the condition of the Iraqi people and how they can build up their provisions. If there was a growing economy, the people could begin to build a democratic infrastructure. We should associate ourselves with the people who have those interests, and ensure that their circumstances are such that they can tackle the problem.

If the Iraqi people are bombed and bombed, what will happen? They will seek protection from the only source that seems to offer it, even though they are liable to be slaughtered by that protector. They will not be able to look for other possibilities and come together through different networks to build for the future.

We must not become involved in a programme that consists only of open-ended bombing. We should not rely on sanctions that build on the years of deprivation caused by Saddam Hussein's actions, or on the climate in which Saddam Hussein has been operating. We are in a desperate situation, but there is a road down which we should not go. When we have adopted that view, we should consider some of the ideas that have been suggested tonight about the alternatives in assisting—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I must ask the hon. Gentleman to resume his seat.

8.36 pm

Mr. Jonathan Sayeed (Mid-Bedfordshire): I hope that the hon. Member for North-East Derbyshire (Mr. Barnes) will excuse me if I do not respond to all the points he made, although I shall try to cover some of them.

Despite the length of supply lines, the lack of airborne early warning and the mistakes that were made by the Foreign and Commonwealth Office, few doubted the justice of our decision to retake the Falklands. Similarly, there was little doubt in the international community that it was right to expel Iraq from Kuwait.

This time, however, much is different: no sovereign territory has been invaded; our immediate economic interests are not in peril; international support is, at the very best, muted; and, under Britain's uninspired presidency, the European Union is divided. Moreover, the political and military aims are unclear—President Clinton, the Prime Minister, the Foreign Secretary or the Defence Secretary each seem to have a different view.

Consequently, the doubts over the wisdom of going to war are much greater now than they were at the time of the Falklands or in 1990–91. There is considerable alarm at the possible scale of Iraqi casualties, and great fear at the prospect of Iraqi-inspired terrorism in the United Kingdom. Many suspect that President Clinton wants a little foreign adventure.

The result of this considerable unease is that many are saying, "We must stop and we must wait." However, such people do not explain why we must stop and for how long we must wait. Does anyone believe that Saddam Hussein would allow an unemasculated UNSCOM back into Iraq? The very reason that he expelled it was because it was being effective despite the difficulties under which it was working.

For those who tell us that we must wait, I would ask: for how long—a week, a month, a year? Should we wait until our forces lose their operational efficiency and are

therefore endangered themselves? Should we wait until the allies lose their collective nerve? Should we wait so long that Saddam Hussein perfects his ability to wage a worldwide war? That is what he has been determined to do for decades.

In 1981, the Israelis bombed the nuclear facility at Osirak in Iraq just before it went critical. There was worldwide condemnation, particularly from the French and Germans—the French, who supplied the plant and the Germans, who supplied much of the technology via Brazil. What they conveniently forgot to tell people was, first, that the plant was not designed to produce electricity, secondly, that Iraq had much cheaper ways to produce electricity with its indigenous oil supplies, and thirdly, that the chemical composition of the uranium supplied was designed for producing weapons-grade plutonium.

There is no doubt that Saddam Hussein is determined to use weapons of mass destruction if he needs to do so. I have long held the belief that Saddam Hussein poses a clear threat to world peace. In 1985, I said of Iraq and others:

"I am convinced that if nuclear war ever broke out it would be initiated not by the super powers but by a nation without any sense of responsibility, where power is concentrated in the hands of the evil, the insane, or the bigoted dictator."—[*Official Report*, 6 June 1985; Vol. 80, c. 537.]

The Gulf war lifted the immediate threat of atomic or nuclear weapons being used by Saddam Hussein in the near future. The decision to end the ground war after only 100 hours left Saddam Hussein in possession of the weapons of mass terror and in command of his power base. I said at the time that the terms and the timing of the ceasefire left us with unfinished business that would return to haunt us and it has. We must not make the same mistake again. In every action that Saddam Hussein has perpetrated in the past 20 to 25 years, he has shown that he is determined to dominate by terror. If the threat is insufficient, the means will be used.

So, in answer to the question,"Why go to war?", I have to say that we may well have to. Unless the Secretary-General is successful—I pray that he is, but I am sorry to say that I doubt that he will be—our task will be difficult to do, but easy to say. It will be to destroy the works of Saddam Hussein and to destroy his power base, so that he can be brought down and brought to trial. There is no safety in silence, and, if we are passive, there will be no peace.

8.43 pm

Mr. Ernie Ross (Dundee, West): Once again, my right hon. Friend the Foreign Secretary was clear and specific about what we expected of Saddam Hussein and the Iraqi regime, and consistent in his approach not only to this problem but to international law.

Like the hon. and learned Member for North-East Fife (Mr. Campbell), when preparing for this debate, I looked back at the debate held during the last major crisis with Iraq in 1990. At that time, the international community was absolutely clear about its objectives and the basis on which it had to act to restore Kuwaiti sovereignty. At that time, I pointed out that the key to the success of western policy had to be the non-selective implementation of Security Council resolutions and the principles of international law by the international community. Today, that message needs to be restated with more urgency than ever before.

In 1998, we are facing a very different situation. The situation is as clear, but action against Iraq is being considered against a backdrop of extreme anger and frustration in the middle east over United States policy vis-a-vis the middle east peace process. I want to make it clear from the outset that I support the threat of military action to enforce the rule of law with regard to Saddam Hussein's defiance of the UN. However, we should not be asked to support such action unless it is taken alongside a renewed and serious commitment to enforce United Nations Security Council resolutions as they apply to the Israeli occupation of occupied Arab lands in the west bank, Gaza, Lebanon and Syria.

In 1991, after the first Gulf war, the then US Administration, under the guidance of Secretary of State James Baker, initiated a peace strategy based on international law and backed up with real measures designed to disabuse Israel of the notion that it could continue to act outside international law. In the seven years since that time, the United States and the international community have gradually moved away from that insistence on the applicability of UN Security Council resolutions to Israel; as a result, the peace process has all but disintegrated.

The results are the situation that we face today. No sane person in the middle east disagrees with the need to deal with Saddam Hussein's chemical and biological weapons capability, or underestimates the brutality of his regime. However, we cannot afford to ignore the strength of feeling that has been generated by years of refusal to insist with the same rigour on the implementation of UN Security Council resolutions vis-a-vis the Israeli occupation. Saddam Hussein watched, and learned that, by hanging on and obfuscation, he might just escape. We have to make it clear to him that he is not going to escape, and nor will anyone else.

Arab newspaper editorials, both here in London and throughout the Arab world, point to the danger of ignoring the strength of feeling on the issue in the middle east. We cannot afford to ignore it in this debate. Arab opinion sees western powers determined to crush the military capability of one power in the middle east, while protecting the military dominance of another—Israel—which is still occupying sovereign Arab territory.

People ask me why so many Palestinians seem to support the Iraqi regime in times of crisis. The answer is that rallies in support of Iraq are an expression of the extreme frustration at policies backed by the United States and designed to protect Israel from the exacting standards of international law—laws that we are demanding Saddam Hussein should abide by—and therefore to frustrate the legitimate goals of Palestinian self-determination and the return of occupied Arab lands.

Mrs. Louise Ellman (Liverpool, Riverside): Does my hon. Friend agree that to attempt continually to scapegoat Israel simply diverts attention from the gross actions of Saddam Hussein, and ignores both attempts that are being made to find a peaceful solution to the middle east conflict and the violations of the Oslo accord by the Palestinians as well as by Israel?

Mr. Ross: We are not talking merely about Israel or Saddam Hussein, but about international law. We were first allowed to act against Saddam Hussein because of

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international law and Security Council resolutions, and we have to insist on that law. We cannot be selective. It is because we have been selective that we have been called into question time and again. When my hon. Friend has been here longer, she will realise how Israel has been allowed to flout international law time and again.

I welcome the comments of the Foreign Secretary and the Prime Minister linking the situation in Iraq with the need to make progress in the peace process. That is what Arab Governments have repeatedly told us they want. Progress will result only from determined effort by the international community to enforce Security Council resolutions on all parties in the middle east, but most specifically on Israel.

For Arab public opinion, confidence will be restored only if, alongside its determination to enforce international law in Iraq, the west takes meaningful, tangible steps to enforce it in respect of Israeli occupation. In this renewed crisis of United States and European foreign policy in the middle east, the two issues are inextricably linked—that explains why so few Arab leaders can give unqualified support for an attack on a regime that threatens them so directly.

Political instability is not an idle threat in the middle east. A few days ago, a man was caught as he tried to attack the British embassy in Amman with a petrol bomb. On a recent visit to Jordan, as part of a delegation organised by the Labour Middle East Council, the Jordanian Government told us in no uncertain terms about the anger that has been fermented there in respect of the economic downturn caused by its inability to trade with Iraq. Arab Governments look to the United States and the European Union to deploy even-handedness in the middle east so that such feelings can be assuaged, and so that Arab and Israeli public opinion can be offered some hope of real peace and stability in the region.

Progress in the wake of any action taken against Iraq must reflect the determination of Britain and Europe to ensure a return to the peace process and its basis in international law. It will no longer be acceptable merely to condemn the illegality of settlement building on the west bank, as we have done on several occasions. The European Union can and must take action based on its obligations under international humanitarian law to insist that settlement building ceases.

I have tried to suggest that more than Iraq is at stake tonight. We are dealing with international law. The forum in which to deal with that is the United Nations. If we are going to rebuild the United Nations as the forum in which to act without having to resort to the use of force, we must ensure that we all abide by international law.

In 1993, in a debate on the Gulf and the RAF, I said:

"If we cannot demonstrate that we are going to be even-handed, in the longer term the comparison between Britain's standing and resolve in different cases in the same region will damage perceptions of British intentions and credibility. It will also damage the credibility of the Security Council and the belief that it will carry out its functions, as set down in the United Nations charter. International law will be brought into disrepute. Such damage risks setting the scene for future consequences and additional costs and burdens, which the politicians of the future—including ourselves—will have to deal with."—[*Official Report*, 21 January 1993; Vol. 217, c. 555.]

Once again, we are having to deal with our failure to ensure that people abide by international law. What is different? Why do I disagree with some of my hon. Friends and urge them to consider voting with the Government tonight? We can legitimately charge the previous Government with failing to live up to their responsibilities under international law—

Mr. Deputy Speaker: Order. I am afraid that the hon. Gentleman must conclude his speech.

8.53 pm

Mr. Crispin Blunt (Reigate): I am aware of the long-standing expertise and interest of the hon. Member for Dundee, West (Mr. Ross) and share much of his analysis about the corrosive effects of the Arab-Israeli dispute on the formulation of western policy in the region.

No one can envy the Government the challenges that they face in trying to manage the Iraq issue. They have all the problems of a democracy operating within the bounds of international law faced by a gangster who is sustained in power by terror and has no compunction about shedding the blood of his people, let alone that of others. That this man is still in power is an obscenity to us, but a catastrophe for the Iraqi people. There is also the threat posed to us all by this man without compunction, who has led the United Nations a merry dance of deceit over his possession of the most awful weapons available to man. The Government were right to catalogue the extent of the arsenal that he has tried to conceal. His record of murder and genocide is so appalling that we are led easily to the conclusion that something must be done. He surely cannot be allowed to get away it. We must be careful. That would be a policy judgment based on emotion, not rationality, if it could not be delivered.

The only way that we can be sure of imposing our will on this tyrant is to remove him from power. At the same time, the Takriti Baath party apparatus, steeped in the blood of ordinary Iraqis, must be dismantled and the Iraqi people given a chance to recreate the pillars of civic society so corrupted under the dictatorship. The truth is that we do not have the stomach for that exercise, which can be achieved only with ground troops—hundreds of thousands of them, supported by an international coalition. Such a coalition might be easier to put together if the political fate of Saddam was certain. The expedition would involve enormous cost, and this time there is no Kuwaiti treasury in exile with £100 billion to underwrite it.

I suspect that if Iraq was our neighbour, our perception of the threat would be different, but for us, the uncertainty of the intelligence picture of his present or near future weapons capability, at least to those of us outside government, makes the threat seem one that we could be prepared to tolerate. It is, however, worth remembering that Tel Aviv is closer to Iraq than is London, and perceptions there will be very different from ours. That is a complicating factor made worse by the acquiescence of the United States in an Israeli policy towards its Palestinian population in violation of its commitments under the middle east peace process and the United Nations.

We cannot escape the conclusion that there does not exist in our country or in the United States the will to commit troops to achieve the most desirable objective of ejecting Saddam from power. Certainly, no one else possesses the will and the capability. That is

understandably frustrating. In our frustration, we must recognise that our objectives must be limited, as our weapons of sanctions and diplomacy backed up by air power are limited. None of them is sufficient to end the regime or ensure its compliance with existing United Nations Security Council resolutions. Therefore, our rhetoric must also be limited. In this difficult situation, the Government must use their influence to guide the United States away from any policy that is born of frustration that will end in perceived defeat.

The Government have real influence. It is likely that the military assessment of the Pentagon will be shared by the Ministry of Defence. The strength of our much more collegiate system of government is that that assessment is likely to be shared across Whitehall. That is not so in the United States, where the Pentagon is but one actor in the drama. Congress, the State Department, the national security adviser and the President are all likely to have different perspectives. The influence of the British Prime Minister in shaping alliance policy to political objectives that accord with the realities of the limitations of our military power is considerable. He does not need and indeed he must not tie himself to a policy that our military and their military believe is flawed and unachievable.

We must make sure that if military force is used, such uncertainty is removed from its use as much as possible, and that political control is sustained. That means that the objectives of military action must be achievable and clearly understood. I do not envy the Government their difficulties with that.

We cannot achieve implementation of current UN Security Council resolutions through military objectives because we cannot force Saddam to comply with the forces that we are prepared to deploy. Therefore, of necessity, the military objectives must be different from those of diplomacy. The closest linkage that can be achieved is the destruction of the sites to which the inspectors have been denied access.

Other targets will be of more questionable legality. Saddam is one, but no one would be terribly concerned if we killed him. The Republican Guard and the rest of the security force infrastructure that holds him in power is another. It would be extraordinary, however, if they were not now widely dispersed. If I were commanding a squadron of tanks in that situation, I would have already dispersed them from barracks, preferably to garages and anywhere else affording overhead cover among the civilian population. Notwithstanding the convenience of locally available human shields, such locations would be by far the best places to hide.

We could attack what is left of the civil infrastructure of Iraq, and what has been replaced, after the first Gulf war, but that certainly goes beyond the scope of current UN authority and would be of highly questionable military and political merit.

I do not expect the Secretary of State for Defence to comment on targeting when he replies to the debate. He has my support in trying to address those difficult issues, not least at one remove from the real centre of power. He and the Prime Minister, however, possess real influence if they feel themselves being dragged towards a course of action with which they are unhappy. They must use all that influence to stay on top of events, which means that the military option must be limited and controllable, if it has to be used at all.

Labour Members who are at odds with their Government have made much of the military difficulties. They have addressed the potential drawbacks of backing up diplomatic rhetoric and sanctions with force. They have argued that military attack could reinforce Saddam's internal position and in the Arab world. They have discussed the possibility of a split in the coalition against him. They have also discussed the consequences of successfully bombing an anthrax store. They have argued that, at the end of the process on which we are currently embarked, he is still likely to be in power.

Those right hon. and hon. Members have failed to answer the question: what if we do nothing? Are we to be impotent in the face of tyranny? Are we to gamble on the hope that Saddam receives an assassin's bullet before he acquires a deliverable biological capability? With all the wretched compromises that accompany any coalition of democracies seeking to take military action, we will allow him to flout the will of the world at the peril of the population of his neighbours and beyond.

If UN resolutions are ever to mean anything, then, when faced with a regime such as Saddam's, which is in violation of resolutions on weapons of mass destruction, those resolutions must be backed by force. As the vehicle by which that force will be delivered, our armed forces deserve clear tasking and leadership. Equally, the Government and our armed forces, in seeking to address those difficult issues, deserve our support tonight.

9.2 pm

Dr. Stephen Ladyman (South Thanet): I strongly deplore some of the comments made in the House tonight, which seem to imply that it is inappropriate for some of my right hon. and hon. Friends freely to express their opinions. It has been suggested that somehow they give succour to the enemy if they say that perhaps we need to think more seriously about some of the issues. I deplore such an attitude, and the day that we accept it, wherever the suggestion comes from in the House, is the day our democracy is no better than that in Baghdad.

I do not dissent from my right hon. and hon. Friends on many of the details, but I have come to a different conclusion from them—ultimately, when there is no other option available to us, we may indeed have to use military force. I have reached that different conclusion for a number of reasons that I shall try to elucidate.

Let us consider how Saddam Hussein came to possess bacterial weapons. He set up a bio-warfare establishment at Muthanna in 1985, and we know for a fact that studies were made of anthrax, botulinum toxin, aflotoxin, mycotoxin and ricin. He adopted the Daura foot-and-mouth facility in 1990 and we know that studies were made there of camelpox, haemorrhagic conjunctivitis and human rotavirus. No matter how much the UNSCOM inspections may have found, it is not possible that what was learnt in those establishments has been unlearnt. The ability to make those weapons is available to Saddam Hussein. What we do not know is how many he has made and what he has done with them.

I am no military expert: I have never had to serve in the armed forces, nor have I any great military expertise; but once upon a time, before my career took a different line, I was a biologist and I can tell the House that most of the bacteria and toxins that I have listed need to be delivered fresh. Anthrax, by contrast, can be stored for

[Dr. Stephen Ladyman]

decades. The likelihood is that Saddam had large amounts of anthrax stored away even before the first Gulf war. He has certainly been able to build up his stocks, despite the UNSCOM inspections. In recent weeks, hon. Members have been saying how effective the UNSCOM inspections have been, but they have not been completely effective and Saddam still has a massive store of anthrax.

Anthrax, if it is to be toxic, must be delivered in particle form, and about 10,000 spores have to be inhaled. It is not easy to nebulise and distribute it and, if it was likely to be used on a battlefield, one's enemy would probably be prepared for it and would have immunised its soldiers. We know that anthrax is not a battlefield weapon, nor is it a tactical weapon; and we know that the UNSCOM inspections have probably destroyed most of Saddam's missile capability for delivering it, so what conclusion can we reach? We have to conclude that he possesses anthrax not as a tactical weapon, but as a terrorist weapon.

I was once fortunate to be on the same platform as Lord Soper, who used a phrase that I have always remembered:

"The possession of a weapon conditions the possessor to accept the possibility of its use."

We already know that Saddam Hussein is prepared to use nerve gas and chemical weapons and has stooped to the most incredible depths of depravity. The possession of terrorist weapons must condition him ultimately to accept the possibility that his response to military action will be a terrorist response.

Anthrax is no discriminator between people of different races or different religions. It is relatively easy to distribute in a terrorist scenario. In a briefing, a US defence expert admitted that anthrax was more likely to be used as a terrorist weapon and that it could be distributed by using a glass jar and a hand grenade. That would be all that was necessary to launch a terrorist attack using anthrax. I conclude that Saddam Hussein has to be made to give up those weapons. If all else fails and if all diplomatic avenues fail, we must be prepared to take that final step to make him give up those weapons. If we do not, sooner or later, he will use them as terrorist weapons.

I shall go further and say that one of the most worrying aspects of this debate is that we have not touched upon the possible consequences of our attacks. The hon. Member for Reigate (Mr. Blunt) spoke about the need for ground troops, and I accept what he said. Once military action starts, I cannot envisage this matter being resolved without ground troops becoming involved. Once ground troops are involved, there will be a temptation for Saddam Hussein to use nerve gas against them. I have seen a published Central Intelligence Agency memorandum that shows that, by the end of the Iran-Iraq war, he had become very skilled in deploying nerve gas. The Americans have always reserved the right to respond with nuclear weapons to a nerve gas or bacterial attack on them. We should all be deeply worried about that.

The other way in which I differ from some of my right hon. and hon. Friends in the Chamber tonight is that I have decided that it is appropriate to support the Government's motion because, although it gives them the power ultimately to use a military threat, it also gives them the choice not to, and it requires them to explore every possible avenue towards a diplomatic solution to the problem. I believe that we shall avoid massive loss of life only if we avoid the need for military action, but, sooner or later, if the diplomatic solution does not work, I am prepared to take the consequences of having voted tonight for military action.

9.10 pm

Mr. Keith Simpson (Mid-Norfolk): Tonight's debate has ended where it began, with all hon. Members on both sides of the House discussing the crucial issue. I suspect that, if they can listen to it, that discussion will be listened to with interest by our military personnel serving in the Gulf. The crucial issue is the prospect that they may have to go into action, as a consequence of a decision by our Government and by the Government of the United States of America, acting under United Nations authority. That is an awesome prospect.

Unlike my hon. Friend the Member for Blaby (Mr. Robathan), who donned uniform in 1990, I was merely a Whitehall warrior, working alongside my right hon. Friend the Member for Bridgwater (Mr. King), and I understand and appreciate the pressures on Ministers. I appreciate that, in the words of General James Wolfe, later killed at Quebec, war is "an option of difficulties". There is no easy option.

For Conservative Members, there is a dichotomy, in that we have decided that we shall broadly support the Government's position but, like the Government when they were in opposition eight years ago, we wish to retain the freedom to comment and to question them very heavily on the actions that they take.

Briefly, I want to home in on the military action. Many hon. Members, including the hon. Member for South Thanet (Dr. Ladyman), have mentioned a fact that worries many hon. Members on both sides of the House—even those of us who broadly support the Government's position. That is the fact that, so far, there seems to be a lack of clarity by the Government about what might happen if we need to use military force. I understand that Ministers may very well reply that they cannot give us such information—that we should not expect them to, on the ground that that is sensitive military information. That is what the Ministers I worked with said in 1990.

However, I have to say to Ministers that I believe that the world has moved on in eight years. Two weeks ago, the Prime Minister, rightly, called for a policy of educating the public about the crisis, and I believe that that meant more than educating the public by telling them what the threat was from Iraq. We must also think in terms of educating the public about the possible consequences of military action. It is no longer a narrow state secret. For heaven's sake, the newspapers and CNN are often better informed, and earlier informed, than the Chamber of the House of Commons, and if we are to have an educated debate on this question, we must understand the military action.

My right hon. Friends have tabled a short amendment to the Government motion, in which they have tried to make it clear that Conservative Members—and I think many Labour Members—want a very clear link, establishing the political objectives of the military action. This is not an

academic debating point for the military professionals who have advised the Government, and the military commanders and their subordinates in the Gulf. It is quoted in, ironically, the Royal Air Force's air power doctrine. I remind the House of that, to show the strictures under which the armed forces operate.

The doctrine says:

"Selection and Maintenance of the Aim"

is vital, and:

"In the conduct of war, and therefore in all military activity, it is essential to select and define the aims with absolute clarity before operations start".

I am not 100 per cent. sure that we have achieved that yet. That is not a nit-picking academic point; we had the problem in 1990 when we were trying to make certain that the political aim was clear and we had unity of purpose. I do not think that we have that yet.

Deriving from that principle are two further points, which the services themselves lay down. The first is that

"Governments must be quite clear about their military objectives".

Secondly—the commanders on the spot will be bearing this in mind—

"Commanders at all levels must know exactly what they are required to achieve".

As yet, we do not know what the commanders have been directed to achieve.

Genuine doubts are raised about the application of air power, and whether we can achieve what we want without putting in ground forces. When my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) asked a legitimate question about the nature of the command relationship between ourselves and the Americans, the response from the Secretary of State for Defence was not sufficient. We are the junior partner, but we have some say over the strategy. We need to make it clear publicly now what that relationship is.

War is an option of difficulties. It is not easy for the Government. Many Labour Members have criticised them, and I fully supported the hon. Member for Glasgow, Kelvin (Mr. Galloway) when he said that we had the right to debate and put forward all points of view in the House.

None the less, in this particular case, in terms of the option of difficulties, it is up to all hon. Members to support the Government' policy, which is to require Saddam Hussein to abide by United Nations resolutions and to let the inspectors—not American inspectors, but UN inspectors—back in to pin him down. If we do not do that, Saddam will see it as a defeat for the United Nations.

As both Ministers and my right hon. Friends have said, let us be in no doubt that Saddam plays a game of bluff, and that some of things that he understands are resolution, unity, cohesion and the fact that at the end of the day, we might be prepared to put our armed forces in harm's way. I know that that is easy for me to say, but we do not do it lightly. That is why people join the armed forces; they understand the requirement, and they fulfil it bravely in a way that we must admire. However, the least that the armed forces expect from us is to have a clear objective to achieve, and for the Government to provide them with the resources to achieve it.

I hope that when he sums up, the Secretary of State for Defence will address some of those issues, especially in terms of the need to educate the public about the political objectives and the military means. In that way, we shall bring greater pressure to bear on Saddam Hussein and achieve our objectives.

9.17 pm

Sir George Young (North-West Hampshire): I begin by saying how delighted we are to see the Minister for the Armed Forces back in his place ready to be deployed. We wish him a speedy and complete recovery from his recent illness.

In common with a number of hon. Members, I have listened to nearly every word that has been spoken in the debate over the past six hours. It has been a sober and balanced debate in which a clear consensus has emerged for the Government motion—sharpened, it is to be hoped, by the Opposition amendment. However, equally clear has been the recognition of the risks involved and of the fact that although one option is preferable, none of the options is attractive.

It has been a debate devoid of jingoism. Indeed, there has been some resentment on the part of those who have defended the Government—some of the more peaceful Members of this House—that they have been accused by some of their colleagues of being bloodthirsty and full of war lust. Those of us who know the hon. Members who have defended the Government's position know that those accusations are untrue.

What has emerged is broad agreement that appeasement would be wrong. It would be wrong today, and even more wrong for tomorrow. Another feature of the debate has been the sincerity of views. Hon. Members have defended their views in their own words and for their own reasons. It has been a debate far removed from hon. Members paraphrasing briefing from the Whips Office. I think that it is right to conclude from the debate, although, of course, we must await the vote, that the Government have broad support for the strategy that they have tabled.

One of the themes of the debate has been the similarities and the differences between the 1991 crisis and the present one. That was one of the themes of the hon. and learned Member for North-East Fife (Mr. Campbell). He rightly said that the same broad principles were at stake.

In both cases, a new Prime Minister has been confronted by the need to build with US allies a coherent political and military response to unlawful action by Saddam Hussein which has threatened to destabilise the middle east. In both cases, the Government's robust response was supported by the Opposition. In both cases, the UK has been militarily prepared for its role.

The Secretary of State was good enough to write in *The Parliamentarian* that our armed forces

"are the best in Europe, if not the world".

Only with an effective and well-trained, well-equipped fighting force can the UK's contribution and our debate this evening be meaningful.

There have also been key differences between this crisis and that in 1991, which were touched on by my right hon. Friend the Member for Huntingdon (Mr. Major), my hon. Friend the Member for Blaby (Mr. Robathan) and many others. The alliance is smaller and the French are not on side. This time, there has been no invasion. That leads to a crucial point which has been mentioned throughout the debate, and it concerns

[Sir George Young]

objectives. In 1991, the political and the military objectives were clearly linked. The political objective of liberating Kuwait linked naturally to the military objective of ejecting the invading army. The two objectives coincided.

This time, the political and the military objectives do not have the same neat relationship. The political objective is the readmission of the UNSCOM inspectors, but the link between that and such military action as may be contemplated is less direct and more tenuous. That lies behind the calls for clarity that we have heard throughout the debate—for clarity of political objective from the politicians, and for our troops, if the time comes, clarity of military objective.

Those who have followed the crisis from the beginning will have been concerned by the absence of answers from Iraq to some basic questions. If, as he claims, Saddam Hussein is not in the business of producing weapons of mass destruction, why the resistance to the work of UNSCOM, to which he originally agreed? What does he seek to hide from the inspectors? What does the leader of an impoverished people think he is doing with 14 presidential palaces? If, as we now know, he has developed and used weapons of mass destruction, what are his motives in storing those poisonous cocktails in such large quantities? Is it not better to confront him today, rather than wait until tomorrow?

My right hon. Friend the Member for Bridgwater (Mr. King) quoted from an article in *The Sunday Times* which many hon. Members will have read. It was an article written by a British UN arms inspector outlining the obstruction and hazards that he faced, with bugged hotel rooms, waiting four days outside one building for access and, in his own words, coming

"within a hair's breadth of being shot by over-zealous, trigger-happy 17-year-olds."

I agree with the concluding sentence of that article:

"Our mandate is to have immediate, unrestricted access to any site in Iraq, and our mission will not be accomplished until this is permitted."

Yes, there are risks in military action. We have heard about them from hon. Members today. In one respect, however, I think that the right hon. Member for Chesterfield (Mr. Benn) was wrong. He argued that a criticism that could be made of the Government's strategy was that it would strengthen Saddam Hussein. I do not happen to agree, but the argument was turned neatly against the right hon. Gentleman by one of his hon. Friends, who said that it applied even more strongly to an alternative strategy that removed the underpinning of the threat of force from the sanctions now working on Saddam Hussein. For many of us, however, the highlight of the debate was listening to the right hon. Member for Manchester, Gorton (Mr. Kaufman) lashing with his tongue not Opposition Members, but some of his right hon. and hon. Friends.

If there are risks involved in military action—and there are—I believe that more risks are involved in no action. But there is another risk that has not really been touched on today: the risk of a diplomatic fudge that would leave Saddam in control, possibly claiming victory—that would leave him able to continue to develop his literally poisonous regime, and that would damage the credibility of the collective action on which the freedoms that we all value now depend. That is why the diplomatic endgame on which we are now embarked is crucial, and why it is vital that, if Kofi Annan goes to Baghdad, he goes with a clear remit. What we cannot have is UNSCOM left in Iraq, but operating under conditions that would make its work ineffective. I was delighted to hear the Foreign Secretary rule out that option in his opening speech.

The debate has achieved something else. It has not just been about the similarities and the contrasts since 1991; it has shown how the whole crisis has moved on since the cold war. At that time, the concern was the deployment of nuclear weapons by a strong and stable country. Today, we are concerned about the deployment of chemical, bacteriological weapons by a poor country with an unstable leadership. That, surely, is the nature of the military threats in the 21st century: they are very different from those in the second half of the 20th century, and they are threats to which the United Kingdom's defence must adapt in the years ahead.

Another issue has not been mentioned, but is worth a paragraph. That is the importance of our reserves, which are now much more usable as a result of the Reserve Forces Act 1996. Members of the Royal Naval and Royal Air Force Reserves are in the middle east now, but, if the scenario were to take a turn for the worse, our regular forces would need to be supported by volunteers from the Territorial Army, the Royal Auxiliary Air Force and the Royal Naval Reserve.

We have heard first-class speeches from hon. Members on both sides of the House. Let me touch on some of the speeches of my right hon. and hon. Friends. We heard from my right hon. Friend the Member for Huntingdon, who was Prime Minister at the time of the earlier crisis, and from my right hon. Friend the Member for Bridgwater, who was Secretary of State for Defence at the time. We also heard from a number of my hon. Friends who have served in the Foreign Office or the Ministry of Defence. We heard from my hon. Friend the Member for Blaby, who fought in the 1991 Gulf war; and, at the end of the debate, we heard from my hon. Friend the Member for Mid-Norfolk (Mr. Simpson), who, I think, outlined the role of the Opposition—to give broad support, but also, as is their right, to question and criticise if necessary as the situation unfolds.

A subject that has hardly been touched on is the question of resources. The only speaker to mention that was the Chairman of the Defence Select Committee, the hon. Member for Walsall, South (Mr. George), who fired a warning shot across the Treasury bows. Can the Secretary of State confirm that the costs of our response to the Gulf crisis will be met from the reserves and will not represent a further squeeze on his Department or on other spending programmes? At the beginning of the financial year, the Chancellor pre-allocated quite a lot of this year's reserves. Some of us pointed out that that was possibly a rash thing to do. I hope that there is enough in the reserves to meet the costs of this unforeseen crisis.

I also ask the Secretary of State about the interrelationship of the strategic defence review and the hostilities that may lie ahead. I hope that he will agree that if there is a war in which our troops are engaged,

all the energies of his Department will be focused on a successful outcome and that any war with the Treasury will have to wait.

Mr. James Gray (North Wiltshire): In view of what my right hon. Friend said a moment ago about the Territorial Army, does he agree that the preservation of the TA at its current strength will be necessary if there is to be a war in the Gulf?

Sir George Young: Indeed. As I mentioned, a number of reserves are already out in the middle east. They will have to backfill some of the posts that will be vacated if the more pessimistic scenario develops.

On the strategic defence review, we cannot risk the high morale of our troops being undermined by more leaks about where the cuts might fall. We had the story in *The Observer* a fortnight ago, and there was further speculation last weekend, about the command structure of the paras. We cannot have the energies of Ministers and senior officials diverted from the urgent task in hand.

When he replies, will the Secretary of State also clarify exactly where we are with the further Security Council resolution, which the Government felt was desirable and were brokering last week, which declares Iraq to be in material breach?

I understand that the Government plan to accept the Opposition's amendment. If that is the case, it is welcome news and shows unanimity on this crucial subject.

It is often said that the House of Commons no longer matters—it has been said more often since 1 May. Tonight, the House of Commons does matter, for two reasons: first, the vote at 10 o'clock is a democratic barometer of how Members of Parliament in a free country wish to confront the threat posed by Saddam Hussein. The vote will be watched not just by him to see how strong is our resolve, but by others, who want to know that the principle of collective security, made credible by the potential use of force, is one in which they can have confidence. Every vote at 10 o'clock will influence the position on the scale.

There is another reason why the vote is important. I have constituents in the Gulf, as has nearly every hon. Member. I want the constituents of North-West Hampshire who are prepared to risk their lives to know that their Member of Parliament backs the cause for which they are prepared to fight. Not only does their Member of Parliament as an individual support that cause, but their Member of Parliament, as a representative of the broad communities from which our armed forces come, also supports them.

I urge all hon. Members to support both the amendment and the Government's motion. Of course we must pursue to the full the diplomatic solutions. We must also express common purpose with those who are prepared to fight, but, crucially, we must reassert that the House of Commons believes that the threat and the use of force if all else fails is a legitimate and essential response to the threat to collective security posed by Saddam Hussein.

9.33 pm

The Secretary of State for Defence (Mr. George Robertson): The subject of today's debate is important and serious, and the House of Commons has risen to the occasion. As the right hon. Member for North-West Hampshire (Sir G. Young) said, a broad consensus behind the words and spirit of the motion has clearly emerged. I am glad that the Government will be able to accept the Opposition amendment, which will unite that consensus across the parties.

There have been a few dissident voices, some of which I disagree with strongly, but we are a free Parliament of free voices, and no one is penalised or punished as a result of the views that they express.

There have been a number of outstanding speeches, such as that of the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), who will join us in a moment. He apologised to me, because he has been delayed. The right hon. Member for Bridgwater (Mr. King), who once held the onerous position that I now hold, also made an important speech. My hon. Friend the Member for Walsall, South (Mr. George), the Chairman of the Select Committee on Defence, and my hon. Friend the Member for Swansea, East (Mr. Anderson), the Chairman of the Select Committee on Foreign Affairs, made serious contributions to the debate. My hon. Friend the Member for Dundee, West (Mr. Ross), who has considerable knowledge of the Arab world and whose authority on this subject is unquestioned, made a good and serious contribution. My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), for whom I served as a deputy and from whom I learned the gentle art of confronting those with whom I disagree, made a speech that all of us will remember for a long time. Hon. Members on both sides of the House made serious contributions to a serious debate.

The need for this debate and the crisis that the world faces this week are the direct result of the actions of one man who has brought misery to his own people and recklessly threatened the security of the whole region. Saddam Hussein, President of Iraq, is that man. Over the past decade, he has conducted chemical attacks against one of his neighbours; he has invaded and annexed another; he has bombarded others with ballistic missiles; he has poison-gassed 5,000 of his own country's citizens with chemical weapons; and he has started and lost two wars.

Saddam Hussein is without question a profoundly dangerous neighbour, who threatens the stability and safety of what is still one of the most volatile regions of the world. Our debate has rightly focused on the threat that he poses with weapons of mass destruction: chemical, biological and even nuclear. Some may doubt his intentions and his ambitions, perhaps even believing his propaganda that he has nothing to hide and that he never had anything to hide. Fortunately, there is a very simple test. If he had nothing to hide, he could let weapons inspectors in to prove it. If he had done so, their job might by now be complete.

Instead, Saddam has chosen to forfeit more than $100 billion-worth of oil revenues as he relentlessly defies the post-war United Nations resolutions. His children starve, his hospitals lack drugs and his economy is in shreds, but his regime still floats on a lake of lavish luxury for the elite, his armed forces soak up the resources that could feed the hungry, and his people's misery is manipulated as a human propaganda tool. What sort of mentality defines a regime that has spent $1 billion on palaces and presidential complexes since the end of the Gulf war in 1991, while almost a million Iraqi children

[Mr. George Robertson]

under five years of age are chronically malnourished? It is probably the same twisted mentality that has caused him to be at war or subject to international sanctions for 16 of the 18 years since he seized power.

The House should be in no doubt that the present crisis has been deliberately engineered by Saddam Hussein, and that it was a calculated move. It came as no surprise. It was all of a piece with his past attempts to flout the will of the international community: the attempted assassination of President Bush in 1993; the massing of Republican Guards to threaten Kuwait in 1994; the invasion of Kurdish Irbil in 1996; and the threat to exterminate the marsh Arabs in the immediate aftermath of the Gulf war. Such violations have become almost routine.

Mr. Galloway: As my right hon. Friend mentioned the utterly bogus Bush assassination attempt, I should mention that a dear friend of mine, the finest woman painter in the Arab world, Leila al Attar, was killed by a cruise missile fired by President Clinton in retaliation for that so-called assassination attempt. Would my right hon. Friend say that her death served any purpose and that hers and other deaths in that cruise missile attack in any way affected Saddam Hussein's venality and made him change his course of action? What makes my right hon. Friend think that 1,000 cruise missiles will make any more difference?

Mr. Robertson: I shall tell my hon. Friend that, when the coalition forces massed in 1991—my hon. Friend opposed that military action—Saddam Hussein was driven out of Kuwait, a land that he had invaded and crushed and whose people he had tortured and imprisoned. Had I heard in my hon. Friend's speech tonight—powerful as it was in a cause with which I do not agree—a word about the 600 Kuwaitis who were captured at the end of the war and have never been seen since, I might have thought it slightly more balanced.

The House is in no doubt that the crisis was engineered, as many hon. Members have said. However, the UNSCOM inspections are at the very heart of the international community's need to rid itself of the specific threat of Iraqi weapons of mass destruction, and the events of the past few months hold a specific significance. What is at stake here is more than just access to a host of sites blocked off to UN weapons inspectors. What is at risk, and on the line now, is the very authority and the credibility of the United Nations and its ability ever again to tackle the proliferation menace, which may be the biggest threat to mankind over the next century. The hon. and learned Member for North-East Fife (Mr. Campbell), whose distinguished and powerful speech I omitted to mention at the beginning of my remarks, also made that point.

Saddam has chemical and biological weapons—some so awful and horrific that they beggar ordinary comprehension. We know, because the UN inspectors found some but not all of them.

Mr. Frank Cook (Stockton, North): Concern has been expressed during the debate about the possible dispersal of chemical and bacteriological elements. I am not of the view that there will be a conflict. I believe that the issue will be settled by diplomatic means and that Saddam will make capital out of that anyway. However, as a means of containing the possible dispersal of chemical and biological agents, has any consideration been given to the use of low-yield tactical thermo-nuclear devices?

Mr. Robertson: No. I shall deal with my hon. Friend's question about the possible dispersal of chemical and biological weapons later in my speech.

The UN inspectors, who were lied to, obstructed, deceived, and harassed but who persisted in their efforts, uncovered huge stocks of weapons and destroyed what they found. I have a list which comprises only part of what was found: 38,000 filled and unfilled warheads, 48 long-range Scud missiles, 690 tonnes of chemical agent and an even deadlier cocktail of toxins, poison gases and germ mixes—all designed to terrify and subjugate Saddam's neighbours and the wider region. There is bound to be more.

In the last few weeks, we found out that, in the past, Saddam had yet another chemical weapon that we had not known about—agent 15, one more filthy uncivilised weapon of war in his armoury.

Mr. David Kidney (Stafford): My right hon. Friend mentioned agent 15—which might just have been the cause of Gulf war syndrome. No veteran who has been disabled by Gulf war syndrome and no hon. Member who has met veterans who have been disabled by it can but feel anger that Iraq might have possessed and used agent 15. Will my right hon. Friend tell the House how Saddam Hussein got hold of agent 15 in the first place?

Mr. Robertson: My hon. Friend asks a very good question. Last week, in response to a question from my hon. Friend the Member for Linlithgow (Mr. Dalyell), I told the House that I did not know who sold agent 15 to the Iraqi regime. I do have information on how the Iraqi regime may have obtained agent 15, although—for reasons that I am sure that all hon. Members will understand—I am not prepared to divulge those details. However, I can assure the House that Saddam did not acquire agent 15 from Britain.

Saddam himself admits to using 3,000 tonnes of chemical gas in his war with Iran. In Halabja—10 years ago this year—he used poison gas against his own people. That year, I personally spoke to some of those whom he brutalised with what they called the "bombs with no voices". I will remember for ever those people's tales, their faces and their families.

We have the evidence, and we have the facts. We have seen what Saddam had, and we know what he used. We know that he still hides some of the mass-murdering weapons or the means of putting them together. We know beyond doubt, question or contradiction that he wants to keep them, and to develop them and the means of delivering them. We do not have to guess about his ambitions to use them. That is why the terms of the Gulf war ceasefire were so specific. His armoury of chemical and biological weapons had to be discovered and destroyed.

United Nations Security Council resolution 687, which has been mentioned many times in this debate, was crystal clear. It stated:

> "Iraq shall unconditionally accept the destruction, removal or rendering harmless, under international supervision, of all chemical and biological weapons . . . and all ballistic missiles with a range greater than 150 kilometres".

Inspections were to be unfettered and immediate. Seven years on, after a concerted campaign of obstruction, Saddam's regime still refuses to honour its undertakings.

If the efforts of diplomacy fail and Saddam will not listen to the widespread view that he must let the inspectors return with full access—which is the view taken not only by every Arab state but by so many others—we shall have to act. The object of military action—which has been mentioned by so many hon. Members—if it must be used, will be clear: to diminish significantly Saddam's military capabilities, including his ability to deploy, conceal and recreate his weapons of mass destruction to threaten his neighbours.

The political objective of any military action is also clear. It is not to remove Saddam—as some hon. Members have suggested—or to humiliate or punish him or his regime, but only to secure full compliance with United Nations Security Council resolutions, including restoration of a fully effective United Nations Special Commission.

Mr. Robathan: I have been agreeing with the right hon. Gentleman until the last minute. He has provided a litany of what Saddam Hussein has done wrong. Although I agree with the right hon. Gentleman entirely, he must realise that what we are about to do—although I support its limited military objectives—is to punish the people of Iraq. Next year, Saddam Hussein will be back. Will the right hon. Gentleman and his Cabinet colleagues consider further personalising the conflict—taking action against Saddam Hussein as an individual, and trying to drive a wedge between him and the people of Iraq?

Mr. Robertson: The hon. Gentleman served in the Gulf war, and we pay tribute to the service he gave to this country, but his suggestion is not practical, sensible or in line with international law—unlike what we are doing.

Mr. Salmond: Is there nothing in the agenda proposed by the hon. Members for Blaby (Mr. Robathan), for Cynon Valley (Ann Clwyd), for Workington (Mr. Campbell-Savours) and myself for a political strategy accompanying military action which commends itself to the Secretary of State?

Mr. Robertson: My hon. Friends the Members for Workington (Mr. Campbell-Savours) and for Cynon Valley (Ann Clwyd) have campaigned about Saddam for many more years than a lot of people in the House, as has the hon. Gentleman himself. They have asked for the release of frozen Iraqi assets to the Iraqi opposition, with whom my hon. Friends in the Foreign Office have been in regular discussions. I am advised that, under UN Security Council resolution 661, we could not release frozen assets to individuals. The hon. Gentleman and others asked us to impose no-drive zones in certain parts of Iraq, but the military advice I have is that that would be dangerous and difficult and would ultimately involve the same kind of problems we are talking about.

My hon. Friend the Member for Cynon Valley mentioned the possibility of indicting Saddam Hussein for war crimes. The Government are strong supporters of the concept of an international court where we could make sure that international law was upheld and where those who were in breach of it could be brought to justice. Those were some of the agendas proposed during the debate, and by members of the Iraqi opposition. My response is that they have been carefully considered.

Mr. Alan Simpson (Nottingham, South): My right hon. Friend listed the ways in which Saddam Hussein has obstructed the UNSCOM team. Does he accept that, as things stand, we do not know in detail what stocks of chemical and biological weapons Saddam may have or where they may be located? In planning the military strategy of any bombing, what calculation has been made of the worst case in terms of civilian casualties that we are willing to contemplate?

Mr. Robertson: The whole objective of any action we take will be to minimise civilian casualties and to maximise the damage to Saddam's military capability. I am sure that that answer comes as no surprise to my hon. Friend, but it is the basis of all our planning.

I want to make it clear to those hon. Members who, quite properly, asked under what authority action would be taken, that any action involving UK forces would be based purely on international law, and on the authority that comes from the ceasefire agreement and other UN Security Council resolutions.

On 14 January this year—only four weeks ago—in a statement, the President of the Security Council determined that Iraq's failure to give access to UNSCOM was unacceptable and

"a clear violation of the relevant resolution."

Let us make no mistake—this is all about a challenge to the authority of the UN. If Saddam's challenge to the Security Council succeeds, what happens the next time? What happens when the next belligerent—the next proliferator—threatens a neighbour or a region? Will the UN have any authority to act?

Letting Saddam off, doing nothing, backing off, settling for some convenient fudge in the face of Saddam's defiance—those are options too dangerous to contemplate. The confrontation started by Saddam can be ended by Saddam. If he lets the inspectors in to test his word, order will be restored.

My right hon. Friend the Foreign Secretary has outlined the Herculean efforts being made to get a diplomatic outcome—based on unconditional, unrestricted access to all sites—and those efforts will go on. Time is running out. Saddam Hussein has to know that, because every day that passes without inspections of the so-called palaces and sensitive sites increases the risk that his deadly arsenal will be back in production.

We are not talking about palaces like Lambeth palace or Buckingham palace. They are not sensitive sites like Chelsea barracks in London. They are vast building complexes. Earlier today, the Ministry of Defence released a photograph with maps to illustrate the size of one such site. Superimposed on a map of central London, it stretches from Wandsworth bridge to Tower bridge and from Hyde park to the Oval cricket ground. That site contains hundreds of buildings and two palaces. Those are the sensitive sites that we are talking about.

For the benefit of my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway), I have done the same for Glasgow. The site would stretch from Hyndland,

[Mr. Robertson]

close to his constituency, to Celtic football club's ground and from Drumbreck up to the rhubarb fields of Robroyston. That is the scale of the sites to which Saddam denies access to the UNSCOM inspectors, who are backed by the authority of the United Nations.

Mr. Dalyell: My right hon. Friend promised to answer the questions that I asked, along with the right hon. Member for Kensington and Chelsea (Mr. Clark) and several others, about how to contain biological and chemical weapons from the civilian population and perhaps even other friendly states.

Mr. Robertson: That question presumes that Saddam has the weapons that my hon. Friend and others suggest that he does not have. I shall not be drawn on our targeting plans, which will affect Saddam if diplomacy fails. However, we shall properly take account of the information that we have, the sensitivity of the issue and the need to minimise civilian casualties.

Mr. Robert N. Wareing (Liverpool, West Derby): Will my right hon. Friend give way?

Mr. Robertson: No. I apologise to my hon. Friend, but I am short of time.

Military action is not our best option or our preferred option. However, without the option of force, we know from Saddam's track record that he will not move. Some people ask whether a military strike from the assembled forces in the Gulf can change Saddam's mind. I assure the House that it can and that we firmly believe that it will. If military action is necessary, it will significantly set back Saddam's weapons of mass destruction programme even if UNSCOM is not immediately reinstated. That would be better than a gutted UNSCOM.

I appreciate that genuine concerns have been expressed about the possible targeting of various locations. We could not go into action without bearing in mind the risks to our troops, to civilians and to those who might be affected if particular weapons were hit.

Our troops are in the Gulf because we believe that it is right for them to be there. It is important to demonstrate to Saddam the determination of the international community. In the early days of the crisis, there was an assertion that the United States and the United Kingdom stood alone in response to Saddam's mischief-making. Events have shown that those critics were wrong. There was widespread international condemnation of Saddam's challenge from the outset. Support grows every day. That support is now taking material form, as Australia, Canada, Poland, Denmark and many other allies come forward to provide forces, facilities or political support to the coalition. New Zealand, Spain, Portugal, Kuwait, Bahrain and Oman also fall into that category. The confrontation is between not the United States and Iraq, but the Iraqi regime and the authority of the United Nations.

As Secretary of State for Defence, I carry the burden of deploying into the theatre of possible war many young men and women of Britain's armed forces. They are among the finest troops in the world—as professionally excellent in fighting as they are, and have been proved to be, in peacekeeping. I carry the burden with great seriousness, and I salute their bravery, their sense of service and their dedication to their country and to international order. I do not want to send them into battle. I take no pleasure in asking them to risk their lives; I detest the prospect. Their very existence is to ensure that international order is secure. They go, if they have to go, with our support, our blessing and our prayers.

Amendment agreed to.

Main Question, as amended, put:—

The House divided: Ayes 493, Noes 25.

Division No. 173] **[10 pm**

AYES

Ainger, Nick
Ainsworth, Peter *(E Surrey)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Amess, David
Ancram, Rt Hon Michael
Anderson, Donald *(Swansea E)*
Arbuthnot, James
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Ballard, Mrs Jackie
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beggs, Roy
Beith, Rt Hon A J
Benton, Joe
Bercow, John
Beresford, Sir Paul
Bermingham, Gerald
Betts, Clive
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Blunt, Crispin
Boateng, Paul
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brooke, Rt Hon Peter
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burnett, John
Burns, Simon
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Cash, William
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chisholm, Malcolm
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Dr Michael *(Rayleigh)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton–Brown, Geoffrey
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Collins, Tim
Colman, Tony
Colvin, Michael
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cran, James
Cranston, Ross
Cummings, John
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Rt Hon David *(Haltemprice)*
Dawson, Hilton
Day, Stephen
Dean, Mrs Janet
Denham, John

Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey
Donohoe, Brian H
Doran, Frank
Dorrell, Rt Hon Stephen
Drown, Ms Julia
Duncan, Alan
Duncan Smith, Iain
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Emery, Rt Hon Sir Peter
Ennis, Jeff
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flight, Howard
Flint, Caroline
Flynn, Paul
Follett, Barbara
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Fyfe, Maria
Galbraith, Sam
Gale, Roger
Gapes, Mike
Gardiner, Barry
Garnier, Edward
George, Bruce *(Walsall S)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gilroy, Mrs Linda
Godman, Norman A
Goggins, Paul
Golding, Mrs Llin
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gummer, Rt Hon John
Gunnell, John
Hague, Rt Hon William
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Rt Hon Sir Archie
Hamilton, Fabian *(Leeds NE)*
Hammond, Philip
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Heath, Rt Hon Sir Edward
Heathcoat–Amory, Rt Hon David
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howarth, Gerald *(Aldershot)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hunter, Andrew
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jack, Rt Hon Michael
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Key, Robert
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Rt Hon Tom *(Bridgwater)*
Kingham, Ms Tess
Kirkbride, Miss Julie
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Lawrence, Ms Jackie
Leigh, Edward
Leslie, Christopher
Letwin, Oliver
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Dr Julian *(New Forest E)*
Liddell, Mrs Helen
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Manchester C)*
Lock, David
Loughton, Tim
Love, Andrew
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
MacGregor, Rt Hon John
McGuire, Mrs Anne
MacKay, Andrew
Mackinlay, Andrew
Maclean, Rt Hon David
McLeish, Henry
Maclennan, Rt Hon Robert
McLoughlin, Patrick
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Mallaber, Judy
Mandelson, Peter
Maples, John
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Martlew, Eric
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Maxton, John
May, Mrs Theresa
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Moss, Malcolm
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Nicholls, Patrick
Norman, Archie
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Osborne, Ms Sandra
Ottaway, Richard
Page, Richard
Paice, James
Palmer, Dr Nick
Paterson, Owen
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickles, Eric
Pickthall, Colin
Pike, Peter L
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prior, David
Purchase, Ken
Radice, Giles
Rammell, Bill
Randall, John
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robathan, Andrew
Robertson, Rt Hon George *(Hamilton S)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Roe, Mrs Marion *(Broxbourne)*
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Ruffley, David
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
St Aubyn, Nick
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sayeed, Jonathan
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Keith *(Mid–Norfolk)*
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soames, Nicholas
Soley, Clive
Spellar, John
Spelman, Mrs Caroline

Spicer, Sir Michael
Spring, Richard
Squire, Ms Rachel
Stanley, Rt Hon Sir John
Steen, Anthony
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Townend, John
Tredinnick, David
Trend, Michael
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Wallace, James
Walley, Ms Joan
Walter, Robert
Ward, Ms Claire
Wardle, Charles
Waterson, Nigel
Watts, David
Webb, Steve
Wells, Bowen
White, Brian
Whitehead, Dr Alan
Whitney, Sir Raymond
Whittingdale, John
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Dr Tony *(Cannock)*
Wyatt, Derek
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Janet Anderson and
Mr. Jim Dowd.

NOES

Abbott, Ms Diane
Barnes, Harry
Bennett, Andrew F
Canavan, Dennis
Clapham, Michael
Cohen, Harry
Corbyn, Jeremy
Dafis, Cynog
Galloway, George
Gerrard, Neil
Grant, Bernie
Jones, Ieuan Wyn *(Ynys Môn)*
Livingstone, Ken
Llwyd, Elfyn
McDonnell, John
Mahon, Mrs Alice
Michie, Bill *(Sheff'd Heeley)*
Sarwar, Mohammad
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Wareing, Robert N
Wigley, Rt Hon Dafydd
Wise, Audrey
Wray, James

Tellers for the Noes:
Mr. Tam Dalyell and
Mr. Tony Benn.

Question accordingly agreed to.

Resolved,

That this House condemns the continuing refusal of Iraq to comply with its obligations under the relevant post-ceasefire UN Security Council Resolutions, by allowing UNSCOM to carry out without restrictions the required inspections of its chemical, biological and nuclear weapons programmes; believes that these programmes represent a continuing threat to international peace and stability; fully supports the efforts of the Government to reach a diplomatic solution to the present confrontation with Iraq within the framework of these Security Council Resolutions; fully supports the resolve of the Government to use all necessary means to achieve an outcome consistent with these Resolutions; and emphasises the importance of setting the clearest possible objectives linked to any action that might be taken.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Northern Ireland

That the draft Financial Provisions (Northern Ireland) Order 1997, which was laid before this House on 16th December, be approved.

Construction

That the draft Construction Contracts (England and Wales) Exclusion Order 1998, which was laid before this House on 18th December, be approved.

That the draft Scheme for Construction Contracts (England and Wales) Regulations 1998, which were laid before this House on 12th January, be approved.

Construction (Scotland)

That the draft Scheme for Construction Contracts (Scotland) Regulations 1998, which were laid before this House on 19th January, be approved.

That the draft Construction Contracts (Scotland) Exclusion Order 1998, which was laid before this House on 19th January, be approved.

Civil Aviation

That the draft Carriage by Air Acts (Application of Provisions) (Fourth Amendment) Order 1998, which was laid before this House on 26th January, be approved.—*[Mr. Clelland.]*

Question agreed to.

Gwent Tertiary College

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

10.16 pm

Mr. Llew Smith (Blaenau Gwent): My involvement with one of the colleges that makes up Gwent tertiary college goes back some 35 or more years to when I was an evening class student. Anyone who knows the history not only of that college but of colleges throughout Gwent will be filled with sadness, dismay and anger about what has happened to them over the past few years.

Before the appointment of Sue Parker, who until recently was the principal, the colleges were remarkably successful, both financially and academically. I want to mention the college that I attended some 35 years ago, Cross Keys, which is in the constituency of my hon. Friend the Member for Islwyn (Mr. Touhig). In the two years prior to the appointment of Sue Parker as principal of Gwent tertiary college, there was a surplus of £2 million. Some people may say that that is not the proper measuring rod of a good college, and I would agree with them, although an increasing number of people believe that it is. But academically, too, Cross Keys college, which is part of Gwent tertiary college, was a success in the years leading up to the appointment of Sue Parker: it had a 95 per cent. success rate at A-level and was justifiably proud of that achievement.

I may be old-fashioned, but I should have thought that the proper response to such success would be to reward it by building positively upon it. Unfortunately, with the appointment of Sue Parker, and indeed with the support of the governing body of Gwent tertiary college, the response to that academic and financial success was to alter the structure of the college to such an extent that it almost resulted in its destruction. For example, the principals of each of the colleges that make up Gwent tertiary college were removed from those colleges and transferred to a super-management centre miles away from the action. In addition, ineffective and costly management structures were built up.

As a result of those structural changes, the college quickly faced financial chaos. Debts rocketed and, at one stage, it faced a possible debt of £6 million. Redundancies followed, including redundancies among those who had helped to build the college into something of which we were all justifiably proud. In recent weeks and months we have heard allegations about the misuse of European money which could result in Gwent tertiary college having to pay back £1 million to the European Union and possibly losing another £2 million in grant applications that have already gone in.

The governing body's response to that chaos was to appoint Cyril Lewis, who was asked to draw up a report on the running of the college. It also appointed Ernst and Young to draw up a similar report. It is interesting to note that both reports were kept secret. The public, Members of Parliament, the students and the staff, who had devoted their lives to the college, had no right to examine those reports to discover why certain conclusions had been reached.

Not only was that unacceptable, but it reflected the inefficiency of the governing body, which allowed that to happen. Those reports were paid for from public funds—from people who make up one of the poorest communities of Gwent. Given that public funds paid for those reports, the public should be able to say to those who wrote them, "Either we are allowed to decide what to do with your report, or you do not get paid; it is as simple as that." The college, however, allowed those who had drawn up the reports to decide what should be done with them. I cannot understand that.

One or two people have done well out of the chaos that the college faced, and Cyril Lewis is one of them. He has received £650 a day, which is somewhat above the average daily earnings of people who work in Islwyn or Blaenau Gwent. Over the past 10 months, he has earned between £70,000 and £80,000. What has he achieved for that? I suspect that, if one questioned the staff of the college, they would say that he has achieved nothing. He has not come forward with any new ideas—in fact the main result of his report has been redundancies and restructuring. In addition to those two reports, another four reports are being undertaken to examine the running of the college and, once again, as I understand it, those reports will remain secret. That is not acceptable and it cannot be defended.

When Sue Parker resigned—which is putting it politely, as we all know that, in reality, she was dismissed—that provided an ideal opportunity for the college to start again. I believe that my hon. Friend the Minister has the power to sack the governing body, and he should do so. The problem did not lie only with Sue Parker: she was working in conjunction with, and with the support of, the governing body of Gwent tertiary college. I ask my hon. Friend whether he would be willing to use his power to bring about those sackings.

Mr. Lembit Öpik (Montgomeryshire): Will the hon. Gentleman give way?

Mr. Smith: No, I have only a few minutes.

Will my hon. Friend the Minister also examine whether any of the people who were responsible for the financial chaos now facing the college are still in positions of power and, if so, why? Are any of those who were responsible for the alleged misuse of European funds still in power and still employed and, if so, why? Will he also intervene following last week's announcement, of which all hon. Members were informed, of more redundancies and posts to be left unfilled in the college? Is it not wrong that those who devoted their lives to the college and who helped to make it the sort of college of which each and every one of us in Gwent was justifiably proud should now experience a worsening of their conditions and, in many cases, the loss of their jobs?

Mr. Öpik: Will the hon. Gentleman give way?

Mr. Smith: No, I am sorry, but we have only a few minutes.

Is my hon. Friend the Minister satisfied with the appointment of the new principal? As I understand it, the new principal was recently taken to an industrial tribunal by the trade unions for attacking the conditions of part-time lecturers, and he lost the case. I would suggest that he is not the sort of person who can begin to rectify the wrongs of the past few years or who can begin to build better relationships.

[Mr. Smith]

Is my hon. Friend willing to allow further education in communities such as Gwent to be run by an unelected and unaccountable quango, consisting largely of business people who failed dismally in their task as governors? If we are going to leave education to such people, the college certainly faces disaster. If matters are left to the quango, the message that goes out from the Government is that they are abdicating responsibility for further education in Gwent. I am convinced that that is not a message that the Government want to send. I remember my right hon. Friend the Secretary of State, who has just entered the Chamber, saying a couple of years ago that we should make a bonfire of all the quangos in Wales. I agreed with him then and I agree with him now. The governing body of Gwent tertiary college is one quango that should be thrown on that bonfire.

My hon. Friend the Minister should also draft and introduce legislation to rid Gwent tertiary college of that quango. The running of the college should be returned to the hands of elected and accountable local authorities. If we fail to do that, the future for Gwent tertiary college is indeed dismal. Ministers have both formal and informal powers and the people who make up the college—students, staff and parents—are demanding that they use both forms of power to begin to rectify the wrongs of the past few years and to help to ensure that, once again, Gwent tertiary college is the jewel in the crown of further education in Gwent.

10.28 pm

Mr. Don Touhig (Islwyn): I am grateful to my hon. Friend the Member for Blaenau Gwent (Mr. Smith) for giving some of his time to allow me to take part in the debate.

All Gwent Members of Parliament are concerned about the scale of the problems at Gwent tertiary college. Just two weeks ago, it was announced that the number of non-teaching staff would be reduced by 88; that is in addition to the teaching staff who have already left. Inevitably, that has led to cuts in teaching hours, which must affect the ability of the college to deliver the quality of education of which my hon. Friend the Member for Blaenau Gwent spoke.

However, the underlying problem facing the college has existed for two years or more, and the problem stems from the failure of the governing body to do the job for which it was appointed. Indeed, its record of mismanagement beggars belief.

On 13 February 1996—two years ago—the governors approved a new management structure, telling the then principal that implementation should be monitored by various committees of the governors. It has now become apparent that little, if any, monitoring took place. As a result, five campus principals were unilaterally removed and replaced by five site managers, actually increasing the number of managers. A new cross-college team of functional directors was appointed, and no account was taken of how that would be funded. A substantial number of new middle management posts was created, going well beyond the original proposals.

In the end, the number of managers at the college increased from about 50 to 118. That had two effects. First, it raised managers' salary levels well beyond the budget's ability to meet those demands; secondly, it led to the removal of so many teaching staff that a raft of new part-time lecturers had to be appointed to fill the gap.

Seemingly without realising it, the governing body increased the staff costs at the college by £4.5 million, at a time when student numbers there were static. Those who were promoted were placed on a range of salary increments that only stored up further financial problems.

Within a year—on 25 February 1997—the governors finally woke up to what had happened, and dismantled the whole structure. At that time, together with fellow Gwent Members of Parliament, I met senior members of the governing body in the House, and asked how management had increased in such numbers without anyone noticing. I was told: "It was not part of the culture to notice the rise in management numbers." We were further told that one of the college's failings was its lack of management skills in negotiating with the trade unions. "Trade unions were too successful in negotiating with us," we were told. Some of the governing body were of the view that they had been "ripped off".

The whole sorry tale began to unfold when the principal was suspended and then resigned, but she agreed to resign only if the governors signed a gagging clause promising not to release any details of why she was leaving the employment of the college. At that time, Gwent Members of Parliament asked the National Audit Office to carry out an investigation, and, as a consequence, as my hon. Friend the Member for Blaenau Gwent said, the governors commissioned two reports.

However, when Members of Parliament asked to see those reports, we were told that we could see them only by sitting in the room with the governing body, reading the reports and handing them back—rather as the present Foreign Secretary had to do with the Scott report. As my hon. Friend the Member for Blaenau Gwent also said, neither of those reports has ever been published, although the governors have taken decisions based on information in them, and we are now told that the reports cannot be published because they contain so many potentially libellous statements that the governing body risks endless litigation.

As I have said, four separate reports are being prepared on the running of the college, by the National Audit Office, the Department for Education and Employment, the Further Education Funding Council for Wales and the accountants Ernst and Young. I am given to understand that, as my hon. Friend the Member for Blaenau Gwent has said, probably only one—the National Audit Office report—will ever be made public.

Mr. Öpik: Will the hon. Gentleman give way?

Mr. Touhig: I am sorry; normally I would give way, but I have very little time.

How much longer will this farce continue? How much longer will the college be run by a group of people who meet behind closed doors, spend millions of pounds of taxpayers' money, and are seemingly unaccountable for anything that they do? I believe that an option is available to my right hon. Friend the Secretary of State for Wales, and that is to use the powers conferred on him by the Further and Higher Education Act 1992. Those powers give him the opportunity to direct the funding council to report on the management of the college.

If, as a result of that report, the Secretary of State feels that the college has been mismanaged, and on the recommendation of the funding council, he can sack the governing body. Its members deserve to be sacked and replaced by a new team, and if we are to restore confidence in the college, that must be done.

The mismanagement that is at the root of the college's problems resulted from the fundamentally flawed 1992 Act, whereby Gwent tertiary college, like all colleges in Wales, was taken out of the control of local education authorities and handed over to the new governing bodies, which acted as corporate bodies. I have no doubt that, if the college were still being run in partnership with the LEAs, we would not have the awful problems we now face.

I have always held the view that students, staff and representatives of the local authorities, among others, should sit on the governing bodies of colleges. That structure best serves those who use the colleges and those who run them. Without a proper balance, effective accountability is not possible.

That idea is not new. My hon. Friend the Member for Newport, West (Mr. Flynn) served on the Committee on the Further and Higher Education Bill, as it then was, in 1992, and he urged that course of action then. It is the lack of accountability that led to the mismanagement of Gwent tertiary college.

That mismanagement has been damaging throughout Gwent, but especially in my constituency, because all post-16 education in Islwyn is carried out at the Cross Keys campus of the tertiary college. Cross Keys has an enviable reputation, but it is now at risk as a result of the mismanagement. If we want to build on the success that the college has had the past, we cannot allow the present governing body to continue.

I hope that the Minister will agree that decisive action needs to be taken, so that my constituents and others throughout Gwent believe that we are doing something positive to restore confidence in the running of the college.

I also hope that, in the long term, the Secretary of State will decide that we should change the whole management structure of FE colleges throughout Wales. That could be done in one of two ways. The colleges could again be run in partnership with the LEAs, or the Welsh assembly, when it is set up, could take responsibility for running them.

The best way forward is to make the running of further education in Wales open and accountable. If it were, the fiasco that we have seen at Gwent tertiary college would never have happened. I hope that the Minister will tonight take the first steps towards showing that we intend to do that.

10.36 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain): I congratulate my hon. Friend the Member for Blaenau Gwent (Mr. Smith) on raising this subject, and my hon. Friend the Member for Islwyn (Mr. Touhig) on joining him. The debate gives me the opportunity to say a few words about our further education colleges in Wales, before I come to the specific matters that my hon. Friends have raised in connection with Gwent tertiary college.

The 26 further education colleges in Wales do an excellent job, often in difficult circumstances. They are the mainstay of our drive to increase and widen participation in education and training throughout Wales, including the up-skilling of our labour force. In our forthcoming Green Paper on lifelong learning, further education will be highlighted as a key agency in delivering our commitment to transform Wales into a learning country, as the foundation of building a world-class economy.

Gwent tertiary college, as my hon. Friend the Member for Blaenau Gwent said, was launched on 1 April 1993, amid high hopes. With such exciting developments as the LG investment, its role is crucial in helping to provide the high-quality skills base that Gwent needs. It is therefore tragic that the college stumbled into a catastrophic crisis, which produced such a serious deficit last year. Poor management meant that tough action was needed.

I agree with my hon. Friend the Member for Islwyn about the gravity of the problem. In two short years between 1994–95 and 1996–97, staff costs rose by a staggering 30 per cent. Staff numbers went up by 120—most of those were managers—while student enrolments stayed constant. That sort of gross imbalance and inefficiency was unsustainable.

A recovery plan was drawn up by the governing body, based on advice from the Further Education Funding Council for Wales, Mr. Cyril Lewis and the college's internal auditors Ernst and Young, and is now being implemented. The college is now forecasting a small—£0.5 million—operating surplus, as against a projected loss of £6.7 million for the year ending 31 July 1998. Provided that the recovery plan is followed, the future position of the college is much more secure, financially at least.

I appreciate the difficulties that staff and management have experienced over the past few months. I met the college's representative from the National Association of Teachers in Further and Higher Education at a meeting last year arranged by my hon. Friends. However, there is no alternative within the current regime but for Gwent tertiary college to live within its means.

I understand the frustration of hon. Members about the reports and the fact that they cannot scrutinise them closely. I asked through the funding council for the reports to be made available to my hon. Friends, and some of them took the opportunity to look at them. That course should be pursued.

As for Mr. Cyril Lewis, he was employed by the governors of the college in June 1997 to examine its management affairs, diagnose the root problems and make recommendations on a recovery plan for the college. That is a difficult task, given the size and complexity of the college, and the huge deficit that was projected.

The financial forecasts for the year ending July 1998, as I said, projected a deficit of £6.7 million. On the basis of the management and financial reports, the governing body is taking action that will result in the college incurring an estimated surplus of £500,000 at the end of the current academic year. Of course, that is not certain, but without the action that has been taken to recover the college's financial position, it would have been facing bankruptcy by now.

It was and is for the governors of Gwent tertiary college to consider the value of Mr. Lewis's remuneration, which I understand is just over £77,000 from the public purse.

[Mr. Peter Hain]

I understand the strong feelings about the size of that fee among staff who have been made redundant or had their income cut as part of the recovery plan. Those feelings have rightly been echoed in the Chamber tonight. The governors and the funding council take the view that they have turned around the college's finances by £7.2 million by paying out the £77,000 fee—just 1 per cent. of that total saving—to resolve a complex and intensive emergency.

I hope that no one will wish to defend the top-heavy management structure of 118 posts that was so clearly inefficient, and which has been replaced with one of just 35 posts.

The situation has been extremely difficult, and I sympathise with the staff, the governors—many of whom have acted with honour—and the local community, including local Members of Parliament and the local authorities.

May I respond specifically to the issues raised, first, by my hon. Friend the Member for Blaenau Gwent on the European social fund? I am aware of the discussions taking place between the ESF auditors and the college over its use of ESF grants. The audit has not been completed yet, and it would therefore be inappropriate to speculate on whether any ESF grants will need to be repaid. I understand the seriousness of the situation, and my hon. Friend's concern about it.

Let me deal with my hon. Friend's call for me to sack the governors, and explain the circumstances in which that power might be implemented. I do not have the power to sack the governors. However, the Secretary of State has powers under section 56 of the 1992 Act to direct the Further Education Funding Council for Wales by order, but he would not be able to exercise such powers unless he was satisfied, following legal advice, that the funding council was acting unreasonably.

The Secretary of State also has power under section 57 of the same Act to intervene in the event of mismanagement or breach of duty by an FE institution on the recommendation of the funding council—I stress, on the recommendation of the funding council, not otherwise. The same test of reasonableness would apply to the actions of the institution and the council. Both powers are safeguards, to be used as a last resort after the most careful consideration and expert legal advice. To date, neither power has been exercised in Wales.

My hon. Friends called for immediate ministerial action—"decisive action", I think, was the phrase used. I understand their frustration, but the way in which the legislation is drafted does not allow that. The situation has been difficult, and I well understand the points that have legitimately been raised this evening.

I trust that the college governors and the new principal, Mr. David Mason, who takes up his post in April, will make it their priority to rebuild the confidence of the college's staff, the local community and Gwent Members of Parliament.

Mr. Llew Smith: Does my hon. Friend appreciate that, even before Mr. Mason takes up his post, he has lost the confidence of many of the staff because of his background experiences, including the court case in which he is involved in the college that—I believe—now employs him?

Mr. Hain: I hear what my hon. Friend has said, but the fact is that Mr. Mason is taking up his post in April.

We must all recognise that Gwent tertiary college is too important an institution, in too strategically important a part of Wales, to be either under-performing or failing more badly. I assure my hon. Friends that I shall monitor the situation very carefully, and invite them to keep in close touch with the funding council, the college and, indeed, me.

Mr. Öpik: Is this not a stark reminder of the dangers that have resulted in such a sorry tale, owing to the quango culture that has been allowed to develop in Wales?

Mr. Hain: There is much truth in what the hon. Gentleman says. My hon. Friend the Member for Blaenau Gwent has made the same point. I hope never to see this situation repeated.

My hon. Friend spoke of the unelected, unaccountable quango, and the state that the Tory Government left. I simply remind him that the National Assembly for Wales will have power to deal with that quango state, to reform it and to address the relationship between the funding council and democratic accountability—and, indeed, the status of further education colleges. My right hon. Friend the Secretary of State for Wales has specifically given the assembly that power, and it will be free to exercise it. My hon. Friend the Member for Islwyn was right to remind us of that.

Our manifesto gave a commitment to reforming the governance of FE colleges to increase local accountability. It is vital that we secure increased local accountability—in general terms, to bind FE colleges much more closely to the community they represent and serve, and also to ensure that we do not see a repeat of the tragic episode from which Gwent is seeking to recover.

I am now considering how to implement the manifesto commitment. The Welsh Office will make an announcement in due course.

Question put and agreed to.

Adjourned accordingly at fourteen minutes to Eleven o'clock.

House of Commons

Wednesday 18 February 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Montserrat

[*Relevant documents: First Report from the International Development Committee, Session 1997–98, on Montserrat (HC 267), and the Government's Response contained in the Committee's First Special Report (HC 532); Memorandum from the Foreign and Commonwealth Office: Current Situation of Montserratians in the United Kingdom (to be printed as HC 555).*]

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

9.34 am

Mr. Bowen Wells (Hertford and Stortford): In debating this subject this morning, we should always remember the people of Montserrat, who have suffered grievously from the eruption of the volcano, which started in June 1995. It has meant that many of them—the vast majority—have not only lost their homes, most of which were their own property, but have lost their livelihoods, their schools and their community. They have had to move from one area to another of Montserrat. Many of them have had to go overseas to find a new life. In short, the eruption of the volcano has destroyed their lives and changed them irrevocably.

What this debate must concentrate on, and what we must all think about throughout our praise and criticisms of the policies that have been followed, is our concern for the people of Montserrat. I honestly believe that all those involved on the government side—the Governor, the Government of Montserrat, the Department for International Development and its predecessor, the Overseas Development Administration, and the Foreign Office—have all attempted in their different ways to help the people of Montserrat.

There have been some mistakes and failures, and I am afraid that this debate will, of course, concentrate on them, but before we begin on that criticism, we should also remember the dedicated and sensitive work done by many people on the island of Montserrat, in the Department for International Development and in the Foreign Office, who have done a great deal to alleviate the suffering of the people of Montserrat. I know from their testimony to our Committee, the Select Committee on International Development, that they would have liked to do more. Many hours of dedicated work have been involved, and we should pay tribute to that.

Undoubtedly, the basic problem arises from difficulties that we have invented for ourselves. The island of Montserrat is a beautiful island 12 miles by seven miles in the most beautiful blue warm sea of the Caribbean. It has had connections with Britain for more than 450 years. It is an island in which 11,000 people dwelt under the British flag. It is unusual for a Caribbean island in that it is not an obvious place for tourist development. It does not have the white sand beaches of many of the beautiful islands in the West Indies. It has a different economy; it has been a successful economy in many ways.

In the past five or six years, Montserrat has suffered several serious setbacks. The first was a human one. The elected Government of Montserrat indulged in offshore banking in a way that was, to put it mildly, unsatisfactory. That was followed by a devastating hurricane that destroyed the whole of the main city of Plymouth, which was painstakingly rebuilt at considerable expense to the Department for International Development over the following three or four years. By the time Montserrat recovered in June 1995, it was no longer dependent on budgetary aid from the United Kingdom. It had restored its economy under the leadership of an able development economist, Prime Minister Rueben Meade. Once more, Montserrat was able to look forward to an exciting and rosy future—whereupon the volcano began to erupt for the first time in 300 years. From that moment on, the livelihoods and lives of the people of Montserrat have been destroyed.

The government of the island is divided between the United Kingdom, in the person of the Governor on the island, who reports to the Foreign Office, and the elected Government of Montserrat. However, the Governor does not report directly to the Foreign Office, because the Foreign Office set up the dependent territories regional secretariat in Barbados. The Governor reports to the Foreign Office in London via the DTRS in Barbados and to the elected Government of Montserrat—no wonder that several Governors have described their condition as schizophrenic. It is not an easy post to fill: on the one hand, the Governor has to be the representative of the elected Government of Montserrat to the Government of Britain; and on the other, he has to be the representative of the United Kingdom Government to the elected Government of Montserrat and the people of Montserrat.

Into that mixture, we have introduced further complications by the way in which we deliver assistance to Montserrat through the Department for International Development, whose development division is also located in Barbados. It has three pockets out of which to finance Montserrat: first, emergency aid, which came into operation because of the volcanic devastation; secondly, budgetary aid to support the budget of the Government of Montserrat, over which rigid control is exercised; and thirdly, development finance. The Barbados development division also mans the DTRS—the Foreign Office outpost in Barbados—in respect of the delivery of development aid. Emergency aid is delivered direct from London, as it was when these events started. Budgetary aid is administered from the Department's office in Barbados.

I describe that complicated organisation because it leads me to the points that must be addressed. No one in that system has both the responsibility for the government of Montserrat and the money with which to do anything on the island. The result is an elongated, complicated and contradictory system of management on the island. The recommendation of the report of the International Development Committee, which has not been resolved by the Government's response, is that that should stop. We should provide the island with a management system that is efficient and comprehensible, and serves the people of Montserrat. The Committee believes that that can only be

[Mr. Bowen Wells]

achieved if one Department has both the responsibility and the budget to meet that responsibility. Our report states that we believe that that Department should be the Foreign Office, although it could be another Department—for example, the Department for International Development, if the Government so chose. However, if the Foreign Office claims and acknowledges responsibility, it must be given a separate budget to run affairs in Montserrat, because only then can we simplify the lines of authority and manage events efficiently.

The budget for Montserrat should not come within the budget of the Department for International Development; it should be a separate budget. Indeed, the emergency expenditure, which has already cost the British Government more than £50 million—a huge sum to come out of the international development budget—should have been met, not from the contingency reserve of the Department for International Development, as the Government have suggested, but from the contingency reserve of the Treasury, because no one can forecast a volcano's eruption or make provision for it. The emergency was therefore truly unforeseen, and should have been met by an emergency injection of money.

Why does the Committee say that? The House should understand exactly what the contingency reserve of the Department for International Development is used for if it is not used to meet expenditure arising from the volcano's eruption on Montserrat. It is generally set aside at the beginning of the year to accommodate and provide flexibility in the administration of the Department's budget. By the end of the year, it has always been entirely utilised—that is, it has been spent on good international development objectives, providing assistance to some of the poorest countries in the world.

If we use that money to meet the problems resulting from the volcanic eruption in Montserrat, it is obviously not available for use in respect of the other aspects of aid. That is why we say that an emergency of that sort should not lead to a reduction in the Department's investment in its other aid objectives—expenditure on an emergency should come from the contingency reserve of the Treasury. The Government's response deliberately fudges those issues, and the House should understand what was implied and what the Committee recommended.

We have to sort out, first, the aid management scheme and, secondly, who is responsible for what in Montserrat. We have to give the Governor and the elected Government clear powers, and those powers should not overlap as they currently do. Let me give one example from the evidence in the report. Governor Savage recommended to the Foreign Office that we should build 1,000 houses in the north of Montserrat, away from the volcano, so that we could accommodate those who would have to move because of the volcanic activity. He told the Committee that, if the volcano had not erupted in a way that destroyed homes, he would have looked very silly having spent money on 1,000 homes in a safe part of the island which were not needed.

That recommendation was made in 1995 and 100 houses have so far been built. Their construction was authorised by the Secretary of State after 19 lives were lost in Montserrat on 25 June last year. The houses have been erected relatively quickly, but, in the meantime, because of the lack of alternative housing in the north, many of Montserrat's people have been living in deplorable conditions in makeshift shelters for more than two years, and they frequently have to move from one shelter to another. None of us would want to live in such conditions, nor would we want any of those people to have to continue to do so, but they are still living there.

Why did that happen? Why were 1,000 houses not built? The reason is that the Government of Montserrat did not want them to be built. They thought that, if we built 1,000 houses, it would signal to the people of Montserrat that they must evacuate the island because it had no future and that the people would therefore leave Montserrat; so the muddle continued. That is why I say that we have to sort out the constitution and government responsibilities properly, so that there is no overlap or confusion and so that we give the people of Montserrat a proper system of government of which we and they can be proud.

The combination of the British effort on the island of Montserrat and British support for its people is vital for its future. Montserrat will have a rosy future once the volcanic activity has died down. The people of Montserrat have great ingenuity and a strong system of values. In spite of all the difficulties affecting schools, Montserrat's excellent education system still achieves much higher results than any other comparable West Indian island.

The people of Montserrat offer us a challenge—to sort out the management, efficiency and control of our aid programme. I do not think that the Government have begun to give us the answers.

9.49 am

Mr. Bernie Grant (Tottenham): I agree with every word that the Chairman of the Select Committee on International Development, the hon. Member for Hertford and Stortford (Mr. Wells), has said. His chairmanship of the Committee has been excellent—especially in relation to the issue of Montserrat—because of his great knowledge of the Caribbean and his many contacts there. It has been a pleasure to work with him; it is a pity that he is in the wrong party. I think that everyone will agree with those sentiments.

I have been involved with this issue for two to three years. In fact, my father recently told me that my great-grandmother came from Montserrat—I have a direct connection with the island, even though I was not aware of it.

Last August, the Montserrat Government asked me to visit the island to help them, as there was great conflict between the Governments of Britain and of Montserrat. I was astonished by the chaos that I found when I arrived. Departments were vying with each other, various fiefdoms had been set up, and the Foreign Office was arguing with the Department for International Development, the health Ministry, the observatory and the scientists—it was sheer confusion.

It became clear to me that politicians in Montserrat and the British Government needed to do some straight talking. I was pleased that, soon after my visit, my hon. Friend the Under-Secretary of State for International Development went to the island to continue the dialogue and assure the Montserratians that the British Government took their plight seriously. I believe that the attention paid by my right hon. Friend the Secretary

of State, my hon. Friend the Under-Secretary and my noble Friend Baroness Symons has been extensive; they have worked as hard as they can to help.

During my visit to Montserrat, I noticed three clear areas of difficulty. The first was the situation in Montserrat itself after the volcano had erupted. Despite the fact that some of the best scientists in the world were there, their reports were conflicting. There was general confusion about what to do, and people were under pressure.

The second area of difficulty was Antigua, where the British high commissioner and others had failed to make adequate preparations to receive the Montserratians who had fled there after the volcano erupted in June and August. The Antigua Government told me about the difficulties that they faced when some 3,000 people descended on the island—they had no facilities to cope. I arranged a number of meetings, and my hon. Friend the Under-Secretary was able to give reassurances, so that those matters were sorted out.

The third question involves the Montserratians who came to Britain; I believe that the previous Government must accept some responsibility for the difficulties that those people faced. Britain is known throughout the world for its organisation, but why was there so little organisation in Montserrat, Antigua and Britain to relieve the plight of the Montserratians?

Much water has passed under the bridge, and we do not want to rake over the past. Suffice it to say that, when I returned to Montserrat in September with the Select Committee, I saw a marked improvement. Some of the officials had been replaced by fresh, younger-looking people, who seemed to have much greater empathy with the people's plight and to be more anxious to ensure that the situation improved. Generally, I was pleased with the changes that had occurred in the month or so between my first and second visits.

Nevertheless, serious problems still had to be overcome, and the Select Committee's report pointed to a number of areas in which we felt that there was room for improvement. I found the Government's response to our report disappointing; with the exception of one of our recommendations, they have not responded positively. The Select Committee will discuss its other recommendations with the Government, as we want proper explanations.

I shall concentrate briefly on the plight of the Montserratians who came to Britain. They have been badly hurt by their treatment, as they have always believed that they are British citizens. They may have been called British overseas citizens, British dependent territory citizens or whatever, but they always felt that they were British and that Britain would protect them—Britain was the mother country. As Montserratians have said to me, they fought in the war and did all they could to assist Britain.

We must recognise what it is like to come from a small country, especially in the Caribbean and south America. The Caribbean islands are caught in the middle of a huge drug trade between north and south America. Safety and security are paramount, and Montserrat has always looked to the British Government for protection. As one person said to me, half a dozen bandidos with submachine-guns could take over the country overnight were it not for Britain. Montserratians depend on Britain, but they feel that they were let down when they were in dire straits, not by the British people, but by both the previous and current British Governments—many Montserratians particularly blame the previous Government.

Montserratians have not had a very good reception; no special arrangements were made. As they have found, a refugee or an asylum seeker has a better chance of being met and properly dealt with than a British overseas citizen. They have not even been told how long they can stay—that matter has still not been resolved. The Home Office said that they could stay for two years or for as long as the crisis lasted, but no one has stated categorically what the position is.

Montserratians have been told that they will be treated as British citizens, which, on the face of it, sounds very good. If one is treated as a British citizen, one is entitled to social security and so on, which sounds fine. However, these people come from a small Caribbean country where they are accustomed to a certain standard of living, warm weather and owning their own homes—some even have swimming pools. They have suddenly been thrust—if they are lucky—into cold, damp, mildew-ridden council flats in Tottenham, Hackney or Deptford. Some have been put into bed-and-breakfast accommodation—in one case, a woman aged about 35, her 17-year-old son and 16-year-old daughter were put into one room. In those circumstances, it is extremely difficult to see Britain as the mother country.

Those Montserratians have been treated abominably. A measure of how they have been treated on arrival in the United Kingdom is the fact that the group that has been given the task of looking after the Montserratians—belatedly, from January 1998—has been the refugee action group, an offshoot of the Refugee Council. The British Government are treating the Montserratians not as citizens, but as refugees and asylum seekers. Apart from everything else, the status that they have been given has caused the Montserratians great grief, which they have felt very deeply indeed.

Ms Diane Abbott (Hackney, North and Stoke Newington): Does my hon. Friend agree that one of the many indicators of how badly Montserratians have been treated, and how little care has been given to their resettlement, is the fact that although—as we both know—the largest group of Montserratian evacuees is in Hackney, my borough, Haringey, his borough, and surrounding areas, the Government admit, in a memorandum sent to the International Development Committee, that they have not even bothered to keep central records of Montserratian evacuees in the London area?

Mr. Grant: My hon. Friend is absolutely right, and I am glad that she raised that point. She would be as amazed as I and the Committee were to discover that, not only did the British Government not know how many refugees were coming to the United Kingdom, but they did not even know how many Montserratians there were—and there are only about 3,000 of them. A member of the Committee said, "You have a lot of redundant teachers because there are no schools. Could not you send them round to count the people?" Twenty people could count the population of Montserrat in a day, but the British Government were not clued up enough to do so.

[Mr. Grant]

To a large extent, Montserratians who have come here, in the most seriously reduced circumstances, have been left to fend for themselves. They have been expected to use the existing services available to the homeless and the penniless domestically, which are, by and large, entirely inappropriate to their circumstances. Some of them have been traumatised, having lost everything, and they have found themselves in unfamiliar surroundings. They should not have had to grapple with the social security system, or with the intricacies of the Housing (Homeless Persons) Act 1977, as operated by local authorities. A proper system, specifically for them, with adequate financial aid, should have been established by the previous Government as soon as it became clear that Montserratians would come to the United Kingdom in considerable numbers.

Many Montserratians have been left without sufficient funds to buy essential items of furniture and clothing. One family came to me who had asked for a social security grant and been told that they could get a loan to buy furniture. We may find it hard to understand how those people felt about borrowing money. They are independent people who have never had to borrow anything in their life, and when they are asked to borrow money from the state, they feel insulted.

Several families who visited me had little but the tropical clothing they stood up in, yet they were entitled to no help to equip themselves with warm clothing for the British climate. When one person came to my surgery, I had to give her my overcoat to go home in because she was shivering from the cold.

There has been no one to assist the displaced Montserratians. At Department of Social Security offices, they are met with hard-faced individuals who say, "We have been told that we need not make special allowances for you, so you must cope as best you can."

Often, Montserratians have been housed in the most disgraceful temporary accommodation imaginable. There has been some anxiety about unfairness in the method of subsidising local authorities that have had the responsibility of housing the displaced Montserratians. The local authorities that have drawn most Montserratians to their areas—such as those of my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) and myself—because they already have a sizeable population of Montserratians in their area, have struggled to cope.

We have had little or no subsidy from the Department of the Environment, Transport and the Regions scheme. The scheme has been used, in effect, to bribe unwilling local authorities to take Montserratians, and they have tended to be those most able to help in the first place. My local authority—already under severe pressure because we have the highest concentration of refugees of any constituency in the country—has been willing to do what it can to assist, with hardly any subsidy, and I know that the same has been true of Hackney and other London boroughs.

I understand that the Home Office is running a scheme that beggars belief. When Montserratians arrive at Heathrow or Gatwick airport, they are allocated to certain local authorities. If, because of family connections or other reasons, they do not wish to go to those authorities, the authorities that they go to are not given any housing subsidy by the Government, whereas, if people go where they are sent, the authority that houses them is given a subsidy. I find that amazing. One would expect a sympathetic Government to welcome the fact that people have connections in this country and to be pleased that they go to those connections instead of going into strange parts.

I received representations on that subject from a Member of the Legislative Council in Montserrat, who was very worried about the vulnerable people who had been sent to accommodation in the north of England. He told me that ill, frail, elderly people, and some mentally ill people, who were supposed to have gone into that accommodation in Durham for two weeks, had been there for several months. Although they are very pleased that the authorities in Durham took them on board, there is no Montserratian community in Durham. Those elderly people have been taken out of their warm sunshine and plonked into an old people's home or other accommodation in Durham, where they feel isolated. The surroundings are unfamiliar. The people do not eat the same food and they cannot understand what they are saying. One can understand how difficult that is for an elderly person who has been traumatised by the volcanic eruption.

I know that in my area, in the constituency of my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), a hospice is available, with very nice gardens in the middle. There are many people from Montserrat in the area. We have asked the Home Office why it cannot put those people in my constituency, in the next constituency, or in Hackney, provided that there is accommodation. I am sure that there will be.

Why is it not possible for the Government to do something about housing? There are a number of specialist Caribbean housing associations, such as Carib Housing and Ujima. There are several other black housing associations, which would have been pleased to house the Montserratians. They know what the Montserratians like; they know what to expect; they would have put them in nice, friendly houses. The Montserratians would have been welcomed and they would have been in touch with their people. Instead, we get stone walling from the Government generally, or the Montserratians are told, "You go where we send you and that is the end of it." There is no discussion—no communication.

Montserratians in this country feel that they have a grievance. They feel that, when they came to this country, they should have been given a resettlement grant, like those who went to Antigua and other parts of the Caribbean. They feel that they needed something. The Government should have said to them, "Here you are; here is a package"—perhaps a bundle of warm clothes plus X pounds—"so that you can settle yourselves down." That has not happened, and there is grave concern about it.

I also raise the question of the return of people to Montserrat. What will happen if people wish to return to the island? Will their fares be paid? What about those who paid their own fares and arrived in this country just before the assisted fares scheme began? Are they entitled to a rebate?

I appreciate that Ministers have devoted a great deal of time to this question and that the matter has been difficult to deal with because of the number of Departments involved. I

appreciate also that the Government inherited considerable chaos from the previous Administration. However, there is much to be learnt from the difficulties that have been experienced in co-ordinating these matters. I hope that the Government will continue to reflect on the gap between the promises made and the help delivered. It has been an important learning curve for all concerned.

When I first visited Montserrat, I blamed many people for the Montserratians' plight, which I said was aggravated by out-and-out racism. I still believe that an element of that is involved. However, I have now met several officials, particularly those from the Department for International Development, in Montserrat and elsewhere, and I believe that they genuinely wish to assist. I must be honest about that. The volcano caused a disaster of such magnitude that the bureaucracy simply could not cope. Underlying my criticism, I am sure that the people of Montserrat would want me to say that they appreciate the help that has been given. I hope that the Government will continue their good work on Montserrat in the future.

10.11 am

Dr. Jenny Tonge (Richmond Park): I wish to address several aspects of the disaster that concern me most. Before I do that, I thank the Chairman of the International Development Committee, the hon. Member for Hertford and Stortford (Mr. Wells), who has done an excellent job, and the Committee Clerk, who also worked extremely hard. Their efforts are much appreciated.

Like the hon. Member for Tottenham (Mr. Grant), during my visit to Montserrat, I discovered that I had a connection with the island. My surname, which is very rare in this country, is apparently a common family name on Montserrat. I have checked my background and my husband tells me that his great-great-uncle did an awful lot of travelling—and it rather seems as if he did an awful lot of other things as well. I shall check in other countries as I travel around the world.

I agree with the commitment made in the first paragraph of the Government's response, which refers to making

"it possible for those Montserratians who want to do so, to remain on the island as long as the scientists advise that it is relatively safe for them to be there."

However, I was extremely concerned to hear recently that the Government of Montserrat are encouraging people to return to the island while the volcano remains active. I consider that to be irresponsible behaviour. Many of the actions of the Government of Montserrat suggest that they are sometimes more concerned with their position than with the safety of the people whom they represent. Those are harsh words, but I think that they may be true.

I am glad to learn from the response that the Montserrat Government's leaflet to residents has been distributed, and that much effort has been made to inform people of the situation on the island. However, I was very disappointed in the leaflet, which purports to describe the situation in layman's terms. If the health education department from my previous job had seen that leaflet, it would have said that it was incomprehensible to many people. The leaflet is not designed for easy reading. It is complete nonsense to use words such as "prognosis" in a leaflet to be distributed all over Montserrat. I suggest that the leaflet be urgently revised and made readable.

I found one sentence in Sir Robert May's report particularly enlightening. On page 2, he says:

"We should be wary of placing too much faith in the predictions of future activity as a foundation for making decisions."

Elsewhere in the report, Sir Robert says:

"do not place too much emphasis on results . . . never before done a risk assessment on an erupting volcano".

Sir Robert May says time and again, "Please do not take what I say as gospel. Take it with a pinch of salt, as I cannot make accurate estimations."

The rest of my remarks are set against that background of uncertainty. The Government's response mentions the hospital and medical programme on Montserrat. During our visit, I was absolutely appalled by the rudimentary nature of the care at the island's hospital. One doctor and several demoralised nurses working in an old school building constituted the hospital. The wards were dirty, the paint was peeling, the beds were broken and a few old screens and curtains were erected around a seriously ill patient who had just returned from Guadeloupe, where he had undergone treatment for severe burns received during the explosion last August.

That was two years after the volcano's first eruption. The Committee's report asked where the equipment from the hospital in Plymouth had gone. No one on Montserrat seemed to know, and the Government's response says that it is "in storage". We still do not know where that storage is or where the equipment has gone. If that equipment comprises beds, screens or basic provisions for hospital wards, why is it not being used at St. John's hospital on Montserrat?

The news of the upgrading is welcome. However, the Health Minister on Montserrat said only last week that very little had been done and that health conditions on the island remained appalling. Without returning to Montserrat, it is difficult to know whether the promises have been delivered.

I refer now to the health risk posed by the silica dust in the volcano ash. When we were in Antigua, there was a thick layer of dust all over that island and in the north of Montserrat. We have been told that prevailing weather conditions make the north of the island a lot safer than the rest of Montserrat. Nevertheless, there are still children and small babies on Montserrat who are inhaling volcanic dust that contains very fine particles called cristobalite, which could cause silicosis in the future—we are not sure whether it will, but it could. Sir Robert May suggests that Montserratians may attribute any future illnesses to their exposure to ash. They may be quite justified in doing so. Who will pay them compensation? That issue is not addressed in the Government's response.

We also recommended that Montserratians in this country should undergo health monitoring and lung examinations in future years. However, the Foreign Office letter reveals that the Government do not know where those people have gone. No one has kept a record of their movements. How can we check on people's health if we do not know where they are?

During our visit, the Committee was concerned about the island's evacuation plans. There seemed to be any number of such plans, all of which conflicted with each other, and the island's residents had no clear idea of what they should do in an emergency. Even though the Government claim that evacuation plans are being developed, I am concerned about whether people are aware of them and have practised evacuation procedures.

[Dr. Jenny Tonge]

How will the Government of Montserrat manage sick, elderly and mentally ill patients in an emergency? How will helicopters fly if there are ash clouds over the island? How will boats land at the temporary jetty? The eruption on Boxing day last year caused a huge tidal wave around the island that rendered the jetty useless. How will people be evacuated from the island in an emergency? I refer again to Sir Robert May's report, which states:

"People must also take into account that in the improbable event of a major eruption affecting the North there would be no time for evacuation."

Such an event may be improbable, but it could happen.

There is no mention in the Government's response of the Wadge and Isaacs report of 1987. That recommended against establishing communities in the Plymouth area of the island. A great deal of money—our money, from the Overseas Development Administration, as it was then—was spent after the hurricane in rebuilding an area of the island that scientists had assessed as probably not safe because of the volcano.

I know that this is all hindsight, but where are the explanations from Government Departments? Why was action not taken on that report? What were the vested interests, if any, in the Plymouth area to allow development to take place? Why, after the hurricane, did the previous Government not take the report into account before spending all that money on rebuilding?

Why has the Foreign and Commonwealth Office not investigated the disappearance of the report? We are told that it was blown away from the Governor's residence in Montserrat by the hurricane, but no hurricane affected the Foreign and Commonwealth Office. Where did the report go? Is not the FCO concerned that a report commissioned by it and costing public money disappeared without trace until the report from Christian Aid brought it to light?

I have covered only a few points from the Select Committee report and the Government's response, but there are many others. The Department for International Development has made great strides since last May. If the suggestions of the Chairman of our Select Committee are adopted, it is to be hoped that new lines of management and accountability will speed up our country's response in the future.

I ask myself time and again whether a natural disaster in Kent or Surrey would have been dealt with in the same way. I think not. I am still ashamed that our people in Montserrat have been treated so badly.

10.21 am

Ms Tess Kingham (Gloucester): I am pleased to have a chance to contribute to the debate. It has been a privilege to serve on the Select Committee for International Development, and I, too, pay tribute to our Chairman and the Clerk, and to all the work that has been done by Ministers, the Department for International Development and the people in Monserrat to deal with the crisis.

Many of the points that I wanted to touch on have been raised by other members of the Committee, so I shall not hark back over those. I stress strongly the issue of communications. The convoluted problems experienced in dealing with the crisis come back to the labyrinth of lines of responsibility and lines of communication, as the Select Committee discovered.

I recall one sitting in which we were trying to get a grip on who did what in which Department. We heard that a matter was dealt with by the British Development Division in the Caribbean, the West Indies and Atlantic department, the Governor of Montserrat, the Overseas Development Administration as it was, the Foreign and Commonwealth Office, the Governor of Monserrat again and the Department for International Development. At one point, I asked for a diagram, in the vain hope that that might make matters clearer, but the diagram was laughable—it was a spider's network of squares, and we gave up.

I cannot emphasise enough that the situation needs to be sorted out. I am pleased to say that the new Government, in the first nine months, having been pushed into the situation, are taking seriously the task of sorting out the responsibility and communication problems.

Mr. Tony Baldry (Banbury): The Committee made two clear recommendations, Nos. 13 and 20, about lines of communication. Are not members of the Committee concerned that, in their response, the Government have totally ignored those recommendations? Nowhere in the Government's response is there any reference to them. It is as if those conclusions had never been reached by the Committee. Why does the hon. Lady think that the Government have ignored them?

Ms Kingham: There is still a long way to go, and several things that need to be done. It is worth recognising that the situation did not arise just in the past nine months. We have not reached this terrible state of confusion overnight. There is an historic problem. The previous Government did not exactly bend over backwards to try to sort out the Kafkaesque situations that the Select Committee encountered. At one point, I wondered whether I had stumbled into a bad episode of "Yes, Minister", being a new Member of Parliament.

I welcome the fact that, as a new Government, we have started to get to grips with issues such as the dependent territories now becoming overseas territories, and ensuring that the same people will have responsibility for decision-making and for allocating resources.

So far, we have spent about £50 million in UK aid money in trying to deal with the crisis and development in Montserrat. Unless we deal with the communications issues and the lines of responsibility, that money will not be well spent to bring aid and long-term development to the people of Montserrat, who so desperately need it.

We have heard reference to the Wadge and Isaacs report, which was funded by the United Nations disaster relief organisation. It examined the long-term chances of disasters occurring on the island—hurricanes as well as volcanoes. A copy was sent to the Government of Montserrat and to the Governor of Montserrat. The FCO did not get a copy. The ODA, as it was, did have a copy, but we do not know who it was sent to and what happened to it.

The report stated clearly that the volcano was a threat to people in Montserrat and that development in Plymouth was not recommended. The FCO at the time did not know that, so the previous Government spent £16.8 million in 1989 on redevelopments around the Plymouth area which were destroyed almost as soon as they were put up. That includes the water supply and the Glendon hospital development.

The Select Committee report says that that was administrative incompetence. It was a clear case of the left hand not knowing what the right hand was doing. The new Government must take that on board and guarantee that we shall never be left in that position again.

We have heard about good communication with the residents of Montserrat. I confess to having been a tabloid journalist and knowing that the average reading age of a person in the UK is between eight and 10 years. The advice to residents of Montserrat—the leaflet telling them what to do and what the long-term prognosis was for the island—made disturbing reading. I shall quote one paragraph on the assessment of risk which people in Montserrat are supposed to understand. It states:

"The risk assessment based on the assessment of the status of the volcano and its hazards suggests that in terms of fatalities the individual risk to people living north of Lawyers River. . . is 'minimal', 'low' for those in North Olveston and Woodlands . . .'moderate' for anyone in the Salem area. . . and 'high' in the remainder of the exclusion zone".

Pardon? What are people supposed to do with that information?

The section on health risks states:

"There is also a risk to health from exposure to volcanic ash, of which the ash from pyroclastic flows is the most dangerous. Ash from the volcano is known to contain cristobalite, a toxic form of silica which can cause silicosis following prolonged exposure."

We must tackle this as a communications problem. If that is the advice that people are given, the new Department for International Development must ensure that its communications staff put the information into plain English which I and my family could understand, and which the people of Montserrat could understand, too.

Communication is a crucial element of the final draft of the sustainable development plan for the long-term future of Montserrat. If people in Montserrat are to have faith that the north of the island can offer their families a future, and that the island towards the south and centre can eventually be resettled, they must have a stake in the sustainable development plan and be involved in drawing it up.

The plan must examine issues such as the insurance problems, because at present, there is no insurance cover on the island, so if people want to build new houses or redevelop their businesses, they cannot get insurance. It must consider food production, small and medium-size enterprise development and housing. It is crucial that the plan is communicated effectively to the residents of Montserrat and the people who are currently overseas, but who may wish to return, so that they can become part of that process.

The Government have given us a response. There are still aspects on which much more work needs to be done. The Government accept that lessons must be learnt from the handling of the Montserrat crisis. They have agreed to produce a frank and open report of the administration and handling of the crisis and its lessons. That is to be welcomed.

The point has been clearly made by my hon. Friend the Member for Tottenham (Mr. Grant) and by the hon. Member for Richmond Park (Dr. Tonge) that the people of Montserrat consider themselves to be United Kingdom citizens. The population of Montserrat is about the size of a small market town in Gloucestershire, for example. It is horrifying to think that if, God forbid, there were a disaster in Gloucestershire at one of the market towns, people would have to jump through the hoops and processes that confronted the people of Montserrat before receiving the aid and assistance which they deserved and to which they have a right. We are talking about people who have UK protection.

I am sure that the appropriate lessons have been learnt by the Government. I am pretty sure that in nine months, we have made enormous strides. The situation has not, however, developed overnight and those who were members of the previous Administration should answer some strong questions about whether they closed their eyes to a terrible convoluted mess of responsibility and communications and thereby allowed the situation to get to the stage that confronted the Labour Government.

10.30 am

Mr. Andrew Rowe (Faversham and Mid-Kent): I shall be brief, because I know that the Minister and my right hon. Friend the Member for Eddisbury (Sir A. Goodlad) wish to make serious contributions.

I do not share the optimism of the hon. Member for Gloucester (Ms Kingham) that the lessons will be learnt. I am sure that it is intended that they should be learned, but it is clear from the sorry saga of which we are aware that the British Government's administrative machine, of whichever party, wants to do the best that it can without disturbing its own settled procedures. That is by no means good enough. When the Secretary of State for International Development came before us, she said that there are

"so many players in this thing it is very difficult to have authority over people who make the decisions or know the answers".

When the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, Baroness Symons, came before the Committee, she said:

"I am sure you would find that those departments would be very angry indeed if the Foreign and Commonwealth Office came along and tried to issue anything that looked a bit like an order."

What nonsense.

This is not just a matter for Montserrat. What would happen if, God forbid, some disaster befell the Falkland Islands, Tristan da Cunha, St. Helena or any of the other dependent territories? Would we have a situation in which the various Government Departments could not be pushed about because a junior Minister in the Foreign and Commonwealth Office, or the International Development Office, did not have the clout to tell them what to do? That is nonsense. It is high time that the Government set up a structure to respond to such emergencies and to carry clout across Whitehall.

It has been said already that it is nonsensical for the Government to say in their bland reply to the Committee that they accept all its recommendations except the 46 that they are not really accepting. What is the merit in saying that structures are being worked out to try to find out where the Montserratians who may be at risk from ash are now located, when, in an earlier part of the Government's reply, they say that it is not impossible to track down the Montserratians who are in this country because they have been absorbed in the social security system like any other citizen?

The Government cannot have it both ways. Either we can find these Montserratians or we cannot. It is nonsense to suggest that they cannot be found. A tiny number of

[Mr. Andrew Rowe]

people left an island by one exit only. At no stage did anyone count them or analyse who was leaving. That is nonsense. We have no idea whether the people who came from Montserrat are older or younger than the average age of the population. We have no idea whether the people left in Montserrat are older or younger, although I believe that some effort has been made to count who is still there. I have no knowledge they have been analysed in terms of age or infirmity.

I do not know, Mr. Deputy Speaker, whether you have ever kept a hamster in your family. One of the characteristics of hamsters is that they pedal like blazes in a wheel. As that wheel is not connected to anything, however hard the hamster works, nothing else happens. From the point of view of the hamster, such activity is purely a matter of personal health. I have the impression that well-meaning officials and Ministers throughout the Government machine have also been pedalling like blazes. Unfortunately, the machine to which they are attached cannot deliver. It is time that something was done about that.

If nothing else comes out of this sorry story, a unit must be set up that can deliver across Whitehall when emergencies arise that affect dependent territories, as they used to be called, for which we have a responsibility. If nothing else apart from such a unit emerges from the report, it will still have been worth while.

10.34 am

Ms Diane Abbott (Hackney, North and Stoke Newington): I am pleased to have the opportunity to contribute to the debate. Like my hon. Friend the Member for Tottenham (Mr. Grant), I have been involved in the Montserrat issue for many years.

Monserrat is a tiny jewel of an island which is a long way away from the United Kingdom. The House should be aware that the entire Caribbean is looking to see how the Government are dealing with the issue. The way in which the Government deal with the Montserrat crisis is a test of their commitment to the region. Every dependent territory, wherever it may be, is looking to see how the Government deal with the issue. For the dependent territories, Montserrat is a test of the UK's commitment to them. In addition, Britain's entire Afro-Caribbean community is looking to see how the Government deal with Montserrat,

We know that, when another dependent territory—the Falklands—was in its time of trial, the UK did not count the cost. We would like to think that in helping the people of Montserrat in a tragedy that those of us who have not been to the island can only imagine—imagine three quarters of our country being covered in volcanic dust—this country will not count the cost.

I wish to make three main points. First, tremendous difficulties have been caused by the complications of decision making and the divisions of responsibility between London, Barbados and the Governor. There is also the division of responsibilities in the Foreign Office and the Department for International Development. We have seen in the case of Montserrat what happens when responsibilities are divided between two Cabinet Ministers. We have seen that that division of responsibilities does not work.

In any situation of this sort, the Foreign Office—the lead Department—would have to call on the expertise of officials in DFID. We have seen what happens, however, when there is split responsibility. Through no fault of their own, the people of Montserrat have been caught up in an administrative tangle. Worse, they have been caught up in turf wars. I hope that we shall learn from this and that a system and organisation will be put in place to deal with such problems so that split responsibilities and turf wars are not seen again.

Secondly, there is the situation on the island. In June 1997, 19 people died because of the volcanic explosion. I tabled a private notice question and pressed my hon. Friend the Minister on the state of the hospital on the island and housing generally. I am sad that, eight months later, so little progress has been made.

I referred to the state of the hospital, its outside toilets and the disillusionment and demoralisation of the nurses and doctors, and my hon. Friend the Minister had soothing words. He may have come to the House today with more soothing words, but for the people in the hospital, including nurses and doctors—in fact, it is a makeshift building, not a hospital—soothing words are not enough.

We know that the Government inherited a terrible situation from the Conservative Government. However, the people of Montserrat have waited long enough for action on specific issues, such as housing and the hospital, which have been raised time and again.

Thirdly, I am disturbed about the situation of Monserrat evacuees in this country. The Government have not even bothered to carry out a comprehensive survey of the number of evacuees who are here, especially in north-east London in areas such as Hackney and Haringey, where there is the largest group. The Foreign and Commonwealth Office produced a memorandum on the position of Montserratians in the United Kingdom, which refers to benefits and states that districts are able to provide access to a contingency reserve so as to provide loans and grants. The memorandum tells us that the districts have been reminded of this.

I went to the benefits office in Hackney in my constituency not so many weeks ago. Those responsible had no knowledge of the reserve that is referred to in the memorandum. I want an assurance that benefits offices in areas where we know that there are many Montserratians will be approached and asked to apply for the contingency reserve. In Hackney, Haringey and other areas, Montserratians with no clothes, heating or blankets are turning up at social security offices and are being offered loans. How are they supposed to repay these loans? They are not able to claim on insurance.

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes) *indicated dissent.*

Ms Abbott: The Minister shakes his head. I invite him to come to the Hackney benefit office with some of my Montserratian evacuees, and shake his head at them and see what they say.

I represent and live with the people who are suffering, and what the Minister says at the Dispatch Box about how the benefits system is working does not match the experience of Montserratian evacuees when they go to benefit offices and ask for help. The problem is that we

have Government documents and soothing words from Ministers, but on the ground, the experience of Montserratian evacuees is very different.

There are many issues that one can raise in relation to Montserratian evacuees: housing, the lack of help for housing associations to provide for Montserratians' specific needs and education. One of the problems that Montserratian parents find, which might surprise some hon. Members, is that their children are rather further ahead than some of the children in our inner-city schools.

At the end of last year, I held a public meeting in Hackney, where more than 200 Montserratian evacuees live. They feel most strongly and are most wounded about the nationality issue, because they believe themselves to be loyal British subjects. I am heartened and pleased that the Foreign Secretary is considering making all citizens of dependent territories British citizens, as they were not so long ago. That would help the Montserratians, and it would be a significant gesture to every citizen of a dependent territory. I am sorry that there has been some turf war or struggle about the Foreign Secretary's statement, but one thing—apart from the financial and organisational issues—that the Government could do to show good faith to the people of Montserrat and the people of dependent territories is restore them to full British citizenship.

We have heard of the hard work that has been done by the officials from DFID, and the energy and activity of Ministers, but if there are any true heroes and heroines in this story, they are the people of Montserrat, who have undergone a tragedy and disaster, which we can only imagine, with unparalleled dignity and restraint. Just as the people of Montserrat and the dependent territories have always been loyal to this country, so we should be loyal to them now.

10.41 am

Sir Alastair Goodlad (Eddisbury): I congratulate my hon. Friend the Member for Hertford and Stortford (Mr. Wells) and the Select Committee on International Development on their first choice of subject for investigation and analysis. Their decision to visit Montserrat and to hold an extended series of interviews reflects the concern that is felt in this country and on both sides of the House.

The report and the Government's response to it remind us of the enormity of the tragedy that has taken place, and refuel our deep sympathy for the islanders. It is worth repeating the first and undisputed conclusion of the Select Committee. It was appalled at what it saw on Montserrat, at the conditions that people were having to endure, and at the mismanagement and confusion that have been evident throughout the crisis.

As hon. Members have pointed out, many emerge from the affair with credit: the commanding officer and crew of the Royal Navy guard ship; the Governors of the island, Frank Savage and Anthony Abbott; the island's dedicated but beleaguered civil servants; and, of course, the volcano watchers, who monitored the rumblings of the hills.

Most outstanding, however, is the stoicism of the people of Montserrat. They have had their homes destroyed and their employment lost. Many have been forced abroad, including to our own shores. Nevertheless, there remains an overwhelming desire to rebuild their lives. As my meetings with Chief Minister Brandt have confirmed, enterprise and self-help are strongly held values on the island. The Montserratians naturally turned to the British Government for assistance that was necessary, not assistance that was unreasonable. They have expressed gratitude for the help that they received, but have felt rebuffed and ignored by the Government on too many occasions.

As hon. Members on both sides of the House have demonstrated, the Government's response to the report is less than adequate. Part of the criticism came because the people on Montserrat were talked down to when they were not being ignored by the Government. The Montserratians felt that they were viewed as a burden on other aid programmes. The traditional assumption that British dependent territories have first call on aid for all reasonable purposes seemed to be in jeopardy. Certain remarks were made that clearly resounded around the Caribbean and made matters worse. The Government were seen as aloof and patronising.

I understand that at a press conference on Montserrat on 12 September, the Under–Secretary of State promised to return to the island in three months to assess progress on implementation of the promises made during his visit. It is now more than five months since that press conference, and the islanders are awaiting to hear when he will fulfil that promise.

The memorandum raises questions that require answering. Many were touched on today. The Select Committee recommended that the Government inform all neighbouring islands of the evacuation plans for Montserrat. Measures to improve regional co-ordination were promised, but none has been spelled out. They are needed and would be welcome today.

The Government accepted that a full, frank and impartial report on the lessons of Montserrat should be commissioned. Whom will the Minister's Department nominate, and what will the report's exact remit be? Will the person be a judge? Will the report be impartial? Can the Minister confirm a timetable? Can he explain what its relationship will be with the current discussions on the future of what hitherto were called dependent territories?

The Minister will be aware of the disappointment on the island at the Government's decision not to provide support for its building society savers. Will he tell the House what affect that has had on small savers, and what proposals he has to help them?

Housing has been covered by other hon. Members. Perhaps the Minister will lead us a little further down the path of what can now be expected. Can he also confirm that the city of Durham, which has no links with the Caribbean, took in Montserratians with special needs, and discovered that no British Government Department would take responsibility for their care? Although the House would wish to recognise Durham's generosity, what has the Minister said to other Departments to ensure that Montserratians with special needs are properly cared for? Who in the Government is monitoring their interests?

A number of hon. Members referred to the division between the Foreign and Commonwealth Office and the Department for International Development, and the exacerbation of the crisis by bureaucratic buck passing. The problem stems from the division between the old Foreign and Commonwealth Office and the new Department for International Development. One has responsibility without the money; the other has money,

[Sir Alastair Goodlad]

but not the responsibility. We now learn that the problem is expected to be resolved by the creation of a third department, apparently responsible to both the others. I fear that that option may increase the existing discord exponentially.

The Select Committee has produced a useful report. The Government's response has left many questions unanswered. The Minister has an opportunity today to confirm that the interests of the people of Montserrat are paramount, as both sides of the House would wish, and that they should not be penalised by tinkering with departmental structures. As the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) said, many eyes outside the House are watching the Government and our proceedings today.

10.47 am

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): I also congratulate the hon. Member for Hertford and Stortford (Mr. Wells), who has been a colleague and friend of mine since we entered the House together in 1979, on bringing this subject to the Floor of the House so quickly, and on his eloquent introduction. As he said, this dreadful natural disaster has devastated the lives of the people of Montserrat, as I saw on my visit.

I am prepared to go again, as quickly as possible. My right hon. Friend the Foreign Secretary went last week to see for himself what was happening. I hope that when I do go again, the right hon. Member for Eddisbury (Sir A. Goodlad), who is the Opposition spokesman, will join me. I do not think that he has yet been to see the devastation for himself. The people of Montserrat are in an awful plight. I am sure that my hon. Friends will realise that there is no monopoly of concern for the people of Montserrat on the Back Benches; I share that concern. I was pleased that the Select Committee's report provided a balanced view. I was grateful to my hon. Friend the Member for Tottenham (Mr. Grant) for recognising the hard work—the heroic effort in some cases—of officials on behalf of this Parliament and the Government.

The Development Committee made 35 recommendations in its report: eight have already been implemented; 11 are being implemented; six will be implemented; and four are being actively considered. That is a positive response to the Development Committee. Of the 10 critical conclusions, we have endorsed three and defended our position on seven.

For example, it was suggested that there had been no meetings with Caribbean leaders to inform them and discuss the matter. I met Caribbean leaders, chaired by Prime Minister Denzil Douglas, in Antigua on 2 September and we have already had three meetings with Caribbean high commissioners. The Committee proposed a further meeting between the Government and Caribbean regional Governments.

Last week, when I attended the Caribbean Regional Forum in the Bahamas, I reported on the position in Montserrat—on what we had done and what the people there wanted us to do. I can tell my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) that the Caribbean leaders welcomed what we had done and paid great tribute to the British Government for what we were now doing.

One theme that has come through strongly in this debate, which was mentioned by the hon. Member for Hertford and Stortford and others, is the complicated decision-making procedure. As my hon. Friends said, we inherited that procedure. I was absolutely appalled by the complicated nature of decision making, but the new Government have changed and streamlined it, and have taken Barbados completely out of the loop. The aid management office now reports directly to the Montserrat unit here in the UK, which has speeded up and streamlined decision making.

Mr. Rowe: I accept that point totally, and it is very welcome, but as far as the Department of Social Security, the Home Office and the Department of Education and Employment are concerned, Whitehall does not work as a team.

Mr. Foulkes: I shall come to that in a moment. I am talking about the delivery of emergency assistance, development aid and support to the island. We are now discussing the matter with the Foreign Office, and account will be taken of the Select Committee's views. However, we must also take account of the fact that the skills for emergency assistance and development are in the Department for International Development, which helps other countries as well as overseas territories. We must also recognise that accountability to Parliament for our money rests in our Department, and we cannot gainsay that.

I liked the hamster analogy, although I certainly do not want to be regarded as a hamster. I want clout, but I also want accountability to the elected House of Commons so that we can have these debates and I can be accountable to Members of Parliament, as I am trying to be today. I think that the hon. Member for Faversham and Mid-Kent (Mr. Rowe) had that in mind.

However, I am also concerned that certain quarters—not the Select Committee—have not adequately recognised what has been done. The Government have provided emergency and development support on-island, amounting to a commitment since the beginning of the crisis of more than £51 million, of which £44 million has already been spent. That makes Montserrat one of the largest recipients of British aid. I do not say that grudgingly, but just to show that it is now on a par with Bangladesh, where 100 million people live in abject poverty. We are also concerned about them.

Mrs. Maria Fyfe (Glasgow, Maryhill): We all recognise that my hon. Friend is making an important point, but it shows that the budget of the Department for International Development is far too low. We all hope that it will increase. I know that my hon. Friend will get his head in his hands to play with if he sits there today and says that more money should come from the Treasury contingency fund, but all those sitting around him in the Chamber today think that that is the answer to this problem. Given that it is such a tiny island, Montserrat is getting a huge proportion of the small budget available.

Mr. Foulkes: I would welcome that support. Without giving too much away, may I say that the next few weeks might be an appropriate time to make representations.

We have put in essential infrastructure for the north, including air and sea transport links, a jetty, power, fuel and water supplies, road rehabilitation, and school

and health facilities. Moreover, in response to the request, we have doubled the sum spent on upgrading the hospital and have now spent some £1 million. We have, therefore, taken account of what my hon. Friend the Member for Hackney, North and Stoke Newington said. Had we not taken all those measures, the island would be uninhabitable. All that has been achieved against a background of unpredictable and continuing volcanic activity.

I want to deal with the Montserratians who have left the island since the beginning of the volcanic emergency in July 1995. Many of them have chosen to relocate in the Caribbean region. We are providing relocation grants and support for travel costs for that group. I stress that the group chose to live in the region, and we have been working all along on the basis of informed choice. Most Montserratians live on Antigua and they will benefit from the £1 million allocated to assist them to establish small-scale businesses in Antigua. We have approved an initial £410,000 for support this year, and are willing to consider adding to that.

The Government also share the Committee's concern that some Montserratians in the region may experience hardship once their relocation grant ends. For the first wave of regional relocation grant beneficiaries, that will be at the end of March, which is coming up soon. We are therefore examining urgently options for targeted assistance to those who would otherwise experience great hardship.

Some 3,500 Montserratians have chosen to relocate in the United Kingdom, through either voluntary evacuation or the assisted passage scheme. The Home Office has granted all evacuees leave to enter the UK for two years in the first place and is currently considering evacuees' future immigration status. I hope that my hon. Friend the Member for Tottenham will be pleased about that.

Resettling Montserratians in Britain has been a complex process, involving co-ordination between agencies responsible for housing, social services, benefits, health care, employment and education. There have been teething troubles because it has taken time for some of the agencies to get into gear, and Montserratians have needed help to learn of their entitlements. We have taken a number of steps to deal with that. We are supporting Travelcare, the voluntary organisation that looks after Montserratians when they arrive at Heathrow and Gatwick. This year, the Home Office is also funding the Montserrat project to the tune of £800,000. The project provides community support to Montserratians to enable them to get their full range of entitlements.

In relation to social fund support, most Montserratians in need are receiving not loans but community care grants, and local offices have asked for more money. For example, the Under–Secretary of State for Social Security, my hon. Friend the Member for Southampton, Itchen (Mr. Denham), has authorised £32,165 of additional money for Birmingham and is considering requests from Bristol, South and for Euston. I am sure that he would consider a request from Hackney as well. My hon. Friend the Member for Hackney, North and Stoke Newington can tell that to her colleagues there.

The population on Montserrat has fallen—everyone wants to know the exact figure—to 2,850, so we do know how many people now live on Montserrat. We are meeting their needs by providing housing, schools, health services, infrastructure and transport links. I am pleased to announce that the remand centre has also now been agreed.

In the time left to me this morning, I want to look at the future and discuss the long-term development assistance programme. We have discussed an initial draft of the sustainable development plan, which I agreed on 1 September with the Government of Montserrat. However, the most important element is the health and safety of the people of Montserrat, as the hon. Member for Richmond Park (Dr. Tonge) rightly said. That is paramount, which is why we have taken seriously the recommendations of the chief scientific adviser. Because of the risk assessment from the combined effect of ash and the continuing threat of the volcano, which has put further pressure on already overstretched facilities in the north, particularly housing, people are being advised to move out of the danger zone.

On 28 January, the Secretary of State for International Development announced our intention to construct a third tranche of 50 houses, and to accelerate the servicing of an additional 120 plots. I am glad to inform the House that my right hon. Friend has now approved £4.8 million for that purpose, and for a further 100 prefabricated houses to enable all those in shelters in the danger zone to relocate to the north. That meets in full our July 1997 commitment to provide 250 houses, and increases the total approved for development in Montserrat to £55 million. I hope that that will end once and for all the activities of those who put it around that we are trying to depopulate the island. We are committed to the people and the island of Montserrat, and as long as I am the Minister and this Government are in office, we shall continue to maintain that commitment.

Teacher Recruitment

[Relevant documents: First Report from the Education and Employment Committee, Session 1997-98, on Teacher Recruitment: What can be Done? (HC 262-I), and the Government's Response contained in the Committee's Third Special Report (HC519).]

11 am

Ms Margaret Hodge (Barking): This vital debate will have a big impact on standards in our schools. School improvement is at the heart of the Government's agenda. Since May, there have been numerous important and imaginative initiatives to raise standards in our schools. Each Government initiative ultimately depends on those who work at the chalkface in the classrooms. Bluntly, all the hard work will come to naught unless there are sufficient high-quality teachers in our schools.

We all know and applaud the many gifted, committed and talented men and women who teach our children, but there are not enough of them. It is not enough to pass new laws in the House of Commons, to issue new circulars from Sanctuary Buildings, or to produce headlines on inspections. We need excellent teachers if we are to achieve excellence for all.

Last autumn, the Select Committee on Education and Employment produced its first report, "Teacher Recruitment: What can be done?" We found disturbing evidence of a growing shortage of quality entrants. The legacy left by the Conservative party is a teaching profession that cannot attract either enough people or the best graduates. The profession lacks self-esteem, and struggles to meet the needs of the children and the demands of the policy makers.

The complacency shown by the previous Government about the problem of teacher supply is outrageous. They created a crisis in teacher recruitment. Our message to this Government must be to set aside that complacency, and to take some urgent, radical steps that will start to turn things around, so that we have a realistic hope of reaching the ambitious targets for school standards.

Let us look at the evidence. Last week's figures published by the Universities and Colleges Admissions Service on applications for teacher training confirm yet again the Select Committee's findings. We found that 11 per cent. fewer undergraduates are studying teaching this year. UCAS said that there is a further 15 per cent. drop in applications so far for next year. The Select Committee found that one in four of those who complete their training never work in a classroom. In mathematics, the position is dire. Applications for maths teaching courses have fallen by more than a third since 1993–94, and last year one in three places were unfilled. It makes us wonder who is teaching our children maths.

The problem is not confined to mathematics. Science, modern languages, design and technology, religious education and music have all been designated as shortage subjects by the Teacher Training Agency. This year, there has also been concern about the number of English and geography trainees.

It is not just the number of people going into teaching that is causing concern: the quality of entrants is also worrying. The average A-level grades for all undergraduates is three Cs, but for those who go on undergraduate teacher training courses it is two Ds and a C. I was shocked to discover that nine out of 10—90 per cent.—of the undergraduates in one teacher training institution had nothing better than two Ds and an E. It says a lot about British attitudes to the teaching profession that students need straight As at A-level to become a vet and to look after the well-being of animals, but two Ds and a C will do if they want to become a teacher and look after the well-being of children.

Mr. David Drew (Stroud): I welcome the Select Committee's report. Does my hon. Friend agree that emphasis is placed on the postgraduate certificate of education, which is not the only route into teaching? The two-year BEd top-up course enables people to take higher national certificate and higher national diploma courses. Access courses can lead to a four-year BEd course. The £10 million for postgraduate courses is welcome, but does she agree that we need to consider alternative routes, because they often involve people who have a wide experience of the world and make very good teachers?

Ms Hodge: I completely concur with my hon. Friend's view.

The Select Committee report states that what is happening in teacher training today tells us what will be happening in our schools tomorrow. The evidence is already emerging. The crisis may not show up in the vacancy rates that the Department produces, because every head teacher tries to ensure that there are the proverbial bums on seats in every class. A recent study by the Centre for Education and Employment Research found that one in five primary posts and one in five secondary posts were difficult to fill. When quality was taken into account, almost two out of three primary posts and one out of two secondary posts were difficult to fill.

The growing crisis has been exacerbated by early retirement and by disillusioned teachers quitting the classroom. I hope that the Government's recent work to highlight excellent teachers and to find ways to cut bureaucracy will help, but the problem will not disappear. The number of school-age children is expected to rise steadily over the next five years. The Government have made a welcome commitment to cut class sizes, which means more teachers. An increasing number of pupils are identified as having special needs, and will require more individual attention. The demand for teachers is likely to rise rather than fall.

I recognise and applaud the energy and commitment of Ministers in tackling the difficult task of raising standards. However, they have not yet done enough to tackle the teacher recruitment crisis. The Tories may have caused the problem, but Labour must solve it. An advertising campaign will be ineffective unless it is part of a wider strategy. Targets set by the Teacher Training Agency are worthless if it has no teeth and no clear means of achieving them.

The Government must respond more enthusiastically than they have done so far to the more radical proposals in the report. We must think more boldly if we are to buck the trend and change direction. There is stiff competition from other employers for our top graduates, so we must and can do more.

The easy answer from many is more money and higher pay. The Committee believes that that is too simplistic. We examined international comparisons, and found that

Britain is fourth in the Organisation for Economic Co-operation and Development league on teachers' pay. Taking that and the limited public finances into account, we felt that it would be wrong at this stage to recommend higher pay for all teachers.

The much more difficult challenge is to raise the status of the profession. Minimum A-level standards for those starting in teaching would show that the Government were serious about making teaching a top profession. A short-term focus on numbers at the expense of quality is just wrong. The experience of accountancy in the 1980s suggests that minimum A-level standards may attract more applicants as well as safeguarding quality.

Mr. Colin Pickthall (West Lancashire): Does my hon. Friend seriously believe that there is a direct correlation between A-level attainment and the quality of a teacher? Is not her presentation of those figures a little simplistic?

Ms Hodge: We are not claiming that there is always a correlation, but we would submit that there is a strong correlation. We want to attract more higher-skilled, higher-achieving people into teaching. Our contention may not always be valid, but it is often correct. Applications for accountancy courses actually rose when universities asked for higher grades. Too many of us know young people like the daughter of one of my friends, who rejected the idea of teaching because she thought that her good A-level grades would be wasted.

We believe that a fast-track entry scheme could attract talented graduates to teaching. The best graduates want an opportunity to progress quickly in their careers. Accelerated promotion to headship, or advanced-skills teacher status, would attract high fliers who might not otherwise consider a career in teaching. I should like there to be more than one advanced-skills teacher grade, so that progress could be based on ability and performance rather than length of service, and good teachers could be rewarded for staying in the classroom. Money invested in salaries is worth while in that context. Such a system could form part of a wider renegotiation of teachers' contracts.

Why can we not do something to help during the fourth and final year of training? Students could be paid part of their first year's salary during their final year of training. That would not cost the taxpayer a penny, and it would fit in nicely with the Government's welcome introduction of an induction year. Why can we not say that we should contribute to a teacher's student loan repayment for each year that that teacher spent in the classroom? The payment could be linked to performance, or could be targeted at shortage areas.

Why can we not introduce taster teacher courses as a module for students studying national curriculum subjects at degree level? Why can we not have sabbaticals, rewarding excellent teachers by allowing them to refresh skills in industry or at a local college? Why can we not introduce more flexibility, with part-time working and job sharing to allow more women to combine teaching with their caring responsibilities?

I believe that the Select Committee has advanced some radical but practical ideas to head off the growing crisis in teacher supply. I was disappointed by the Government's lukewarm response to our report, and I hope that my hon. Friend the Minister will look at our ideas again. Without sufficient high-quality teachers, any crusade to raise standards is bound to falter. That would be a disaster for the Government, and, more important, for our children.

11.11 am

Mr. Nick St. Aubyn (Guildford): I well understand why the hon. Member for Barking (Ms Hodge) tried to hide her disappointment at the Government's response to our report—which I share—with an attack on the last Government's record. May I place a personal perspective on the experience of those who entered teacher training during the time of that Government? My wife first applied to a teacher training college in 1980, and was depressed and disappointed by the attitude of many who took the course with her. They lacked motivation, and appeared to be taking the course as a last resort. Many did not seem to have any heart for the profession to which she, at least, felt that she had been called.

Owing to an interruption in her course, my wife did not complete it then, but she returned to do so 15 years later, and found that the atmosphere and attitude had transformed since 1980. Here were people who were motivated and committed. Indeed, the very fact that someone could return to the course after 15 years and enter the teaching profession said much for the last Government's efforts to encourage late entrants. Under that Government, attitudes in the profession and in our schools changed completely, and this Government must surely admit that they are benefiting from the change. They are now endorsing and building on many of the policies that they opposed time and again when we introduced them in the 1980s—for instance, in their School Standards and Framework Bill.

Of course all Governments have problems. If Labour Members do not like the problems of government, there is a simple solution to their difficulty. We faced many problems when we were in government, but it must be said that the current problem is of very recent making. We know from the data collected by the Select Committee, which are published in the second volume of its report, that, as recently as 1996–97, a survey of schools throughout the country showed that 86 per cent. felt that their recruitment problems were no worse than they had been in the previous year—or, indeed, not as bad. In 1997–98, 30 per cent. reported that their recruitment problems were worse than they had been in the previous year. I accept that the data also show a fall in the number applying for courses in key subjects such as mathematics over the past three years or so, but it is only in the last 12 months that evidence of a problem has become compelling.

As I have said, no Government are without their problems. The real test of a good Government is not the extent to which they complain, but the action that they take to deal with those problems. The National Association of Head Teachers has told us that the problem of teacher recruitment can be found all along the scale. A recent press release states:

> "Almost 2,500 schools looked for a head in 1997. Nine per cent. of all state schools advertised for a headteacher. These were totals last seen at the end of the 1980s."

There is clearly a correlation between the shortage of good teachers and the strength of the economy. As graduates leave university, if job offers are plentiful and the number of opportunities—particularly in the

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private sector—is growing, the relative advantages or attractions of teaching unfortunately tend to shrink. If the Government now have a problem that they inherited, it results from the strength of our economy, which is causing students who might otherwise have taken education courses to take jobs of a different kind. *[Interruption.]* Labour Members laugh in embarrassment, but the fact is that we have established a strong economy. The public sector borrowing requirement is falling to virtually nothing. The Government, however, are finding no resources with which to tackle what will become a deep-seated problem—the problem of not having enough teachers in the supply chain to satisfy the needs of our schools.

Mr. Derek Foster (Bishop Auckland): Is not the hon. Gentleman glossing over the fact that teachers are stampeding out of the profession because of the incompetent way in which the pensions issue was handled? Is that not the greater part of the problem?

Mr. St. Aubyn: There was undoubtedly a problem with teachers' pension provision, and we tackled it. Now there is a problem with teacher supply, and it is up to the Minister to tell us how she will tackle that.

The pressure on the economy, and the attractions of alternative employment, have been greatest in the most prosperous areas. We know from surveys published in our report that schools experiencing recruitment difficulties account for 21 per cent. of those surveyed in shire counties, and only 12 per cent. of those surveyed in cities and metropolitan areas, excluding inner London. In such circumstances, one would expect the Government to take cognisance of the particular difficulties of schools in shire counties; yet, in the coming year's revenue support grant settlement, more than £100 million is being switched from the shire counties to the metropolitan areas. The Government are not paying attention to where the problems persist, especially in relation to teacher recruitment.

Another part of the evidence heard by the Select Committee related to the wider role that schools can play. Apart from pay, there is the conditions aspect. I do not think that our report gave enough emphasis to the importance of giving schools more scope to provide better conditions for teachers within their local management budgets.

I put a similar question to the Minister a few days ago and I should like her to consider it today. Will she not allow more scope for schools to set their own terms and conditions for teachers so to allow some flexibility and enable them to attract the teachers that they need? That would help in the recruitment of head teachers, especially for schools that are potentially failing and to which it may be difficult to attract precisely the type of head teachers that they require to turn them round. If the Government do not give schools the flexibility to offer a package that will attract the head teachers that they need, they will make the problem far worse.

The hon. Member for Barking spoke about quality. Our Committee recommended, as an incentive for students to embark on teacher training courses, the phasing out of the student loan. The Government are compounding the problem of teacher supply by enormously increasing the cost of student education before students get to teacher training courses. That will create a much bigger future problem of teacher supply.

We propose the phasing out of student loans when new teachers have completed a sufficient number of years of service. Those who are not much above the student loan threshold will effectively pay a higher rate of tax for years or even tens of years after they leave university. That will deter those who might otherwise consider entering teaching because, although the starting salary in the private sector may be similar to that in teaching, it offers better salary prospects.

Our report could have put more emphasis on the changing workplace, on how people no longer embrace the idea of a single career for life. We should do more to encourage late entrants from, for example, banking. That sector contains many people with numeracy skills. *[Interruption.]* There are some people in banking with numeracy skills—perhaps more accurate than some bank computers. Banking has many more numeracy skills than are displayed occasionally by the Department for Education and Employment. Late entrants—people in their 30s or late 30s—should be encouraged.

It is important to make it clear to those entering teaching in their 20s that it need not be seen as a job for life. After they have been teaching for perhaps 10 to 15 years, there may be other openings. The Committee heard evidence about opportunities in banking and in personnel and training departments. Teachers' concerns about limited salary opportunities unless they follow the headship route can be offset by telling them, "If you are still concerned about that 10 or 15 years from now, we shall make it easy for you to enter another career because we value your input to teaching in your first 10 to 15 years." Who knows how many people who may be contemplating a short-term commission in teaching will enjoy it so much that, whatever the outside monetary advantages, they will decide to stay in that outstanding profession for the rest of their careers?

11.23 am

Valerie Davey (Bristol, West): I should like to highlight two issues from the Select Committee report, both relating to job satisfaction. The first is under the heading of "Work load" and in that section the Committee states:

> "Appropriate use of teaching and non-teaching staff can enhance the job satisfaction of both groups."

The Committee called for

> "imaginative ways of reducing the non-teaching work load to be explored."

The Government responded positively, but perhaps not imaginatively, to that idea by referring to a working party on reducing the bureaucratic burden and simplifying administrative demands on teachers. I urge the Government to widen that working party's remit.

On a recent visit to a secondary school in my constituency, I learned that it had topped up the hours of the school nurse, who was available from the health authority, to make it a full-time post. In addition, the school had employed two part-time counsellors who were pupil self-referred only. The impact on the school generally and on the teachers' work load in particular was

enormous. Other schools benefit from full-time technicians or site managers. Therefore, there is a much wider remit to be explored.

The second issue comes under the heading of "Career Development" and, on that, I concur with the hon. Member for Guildford (Mr. St. Aubyn). I am pleased to say that the Government have responded favourably to revisiting the local management of schools formula in relation to mature entrants, and are considering the protection of pensions for teachers who, later in their careers, wish to return to the classroom and shed administrative responsibilities.

The aspect of career development that was not picked up in the Government's commentary is that of recognising that a job for life, even in relation to teaching, is being eroded. There may be ways of attracting people who want to teach for 10 to 15 years and then use their skills and experience elsewhere. I am not surprised that the Government's conclusion reiterates the need to

"encourage those who qualify to stay in teaching."

I began the inquiry with that objective: I have changed my mind. Just as we encourage those from other professions to enter teaching, we must recognise reality and positively use the movement of staff in and out of teaching to the benefit of schools and lifelong learning. There is a quiet revolution for lifelong learning and there must be a parallel one for lifelong teaching.

Last week, I visited a small Roman Catholic primary school in my constituency and found that the recently appointed head teacher had just spent 12 years in higher education. She brought to that school confidence, experience, and a wealth of researched knowledge. A member of her staff, who was formerly an engineer, said that teaching was the most rewarding job that he had ever had. There is a progression from teaching and possibly back again.

There are two positive points. The 1997 intake to the House has brought to it probably the largest-ever number of teachers. I trust that they have come here not to escape teaching but to contribute positively to the teaching profession. I wonder how many will return to teaching, taking with them the wealth of experience that they have gained in the House.

Secondly, I congratulate the Government on last week's positive contribution to staff morale and expectation. Their contribution of £22 million means that there will be more than an extra 1,000 teachers in the profession and they will all enter classes of 30 pupils or fewer. That is a positive boost to staff morale and a welcome contribution. I trust that the Government will look more radically at this report and make further radical contributions.

11.28 am

Mr. Don Foster (Bath): I agree with much of what the hon. Member for Bristol, West (Valerie Davey) has said, and I certainly concur with the implicit views in the speeches by the hon. Members for Barking (Ms Hodge) and for Guildford (Mr. St. Aubyn).

The Government's response to the Select Committee report is long on rhetoric and short on reality. There seems to be uncertainty in the Government's mind about whether teacher recruitment and supply is a problem. One minute the Prime Minister appears in cinema commercials promoting teaching, and the next minute there is an uninspiring Government response to ways of tackling the problems.

Perhaps even worse than that, the Government seem to have failed to recognise that, unless they take more positive steps, even their own education plans could exacerbate the situation. We have already heard, for example, of the Government's welcome plans to reduce class sizes at key stage 1, but, on their own admission, they will need an additional 5,000 teachers. My view is that that is too few, but they have funded only 500 extra places for the Teacher Training Agency to allocate.

If we are to decide what and how urgently action should be taken, it is surely necessary that we agree the magnitude of the problem. The first step in solving a crisis is to recognise that there is a crisis; and crisis there certainly is, as the hon. Member for Barking has admitted. As others have pointed out, the figures are clear for all to see.

First, we are losing more and more highly skilled and experienced teachers through early retirement, as more and more feel bowed down by the growing stresses and strains of the job, by the constantly changing demands and, sadly, by the all too frequent denigration of their work. In the past 12 months, nearly 12,000 experienced teachers have quit the profession early.

Secondly, as was starkly demonstrated earlier this morning by the figures published by the National Association of Head Teachers, there is a recruitment crisis affecting head and deputy head posts. For example, governors failed to appoint 25 per cent. of the primary headships that were advertised. They could not create even a short list for 11 per cent. of the headship vacancies and 44 per cent. of advertisements attracted six or fewer applicants.

Thirdly, since our Select Committee's report was published, the number of people coming forward to train to enter the profession has declined further. Applications to almost all types of initial teacher training course are falling when compared with last year. Applications even for primary initial teacher training courses, at both undergraduate and postgraduate levels, are falling behind last year's figure: applications to primary BEd courses are 15.4 per cent. down. Overall, many courses are on a five-year low.

As the hon. Member for Barking rightly pointed out, even worse are the figures for applications to postgraduate secondary courses, not least in the crucial subjects of maths and science. Compared with last year, applications to postgraduate secondary courses for maths are 22 per cent., for biology 15 per cent. down, for physics 28 per cent. down and for chemistry 31 per cent. down. All those figures point inexorably to a crisis.

The House will perhaps be interested to know that, almost 10 years ago, the current Secretary of State for the Home Department was the Labour party's shadow spokesman on education. He issued a press release in which he referred to the

"alarming drop in the number of applicants for science and maths teacher training places for PGCE."

His press release continued:

"Crisis is not too strong a word to describe the teacher shortages."

If he thought that there was a crisis then, I wonder how he would describe the current position, when in every case the recruitment figures are significantly worse.

As the hon. Member for Barking fairly pointed out, it is not right to blame this Government for the crisis. Unlike the hon. Member for Guildford, I believe that the

[Mr. Don Foster]

crisis is a legacy of the previous Government, not this Government's economic policies. The Conservative policies of underfunding education partially masked the true size of the crisis as teacher posts were cut and pupil-teacher ratios worsened. However, the crisis is definitely growing. My criticism of this Government is that they have failed to take the necessary urgent action.

We should consider how the Government have responded. Take, for example, the issue of pay. The Association of Graduate Recruiters' 1997 survey, which was published last month, showed for the year 1996–97 salary increases for the least well-paid graduates of 7.7 per cent. Teachers are, sadly, among the least well-paid graduates, yet, at a time when we need to recruit more, they have had the indignity of a pay rise, already planned to be under 7.7 per cent., phased in, so that the effective increase is under the inflation rate.

It is interesting to reflect on how the Minister for Employment, Welfare to Work and Disability Rights must feel about that decision because, only two years ago, while in opposition, he issued a press release commenting on the previous Government's decision to phase in the teacher's pay award for that year. He said about the Conservative Government's plans:

"The staging of the teachers and other awards is a deception and an admission of economic failure by the government who are saying that . . . they cannot afford to pay at once increases which they accept are justified."

I agreed with his comments then and, had he made them today, I would have agreed with them today.

One way to help to avert the recruitment and retention crisis would be to pay the teachers' award in full. Perhaps the Government simply do not understand how a market economy really works and think that a pay cut will have no effect on teacher recruitment. It would be interesting to hear the views of Alec Reed, who was brought in by the Government in November to help them with their teacher supply questions.

What about starting salaries? Over the past few years, more and more employers have been willing to pay graduate trainees a market-rate salary. Teaching has resisted the trend, requiring trainee teachers, except those on the employment-based route, to be treated like students. Apart from the shortage subjects, there are no further payments beyond the increased loan facility to cover the 36 or 38 weeks of a postgraduate certificate of education course, despite such students often being too busy to take part-time jobs to help to support themselves.

Of course I am pleased that the Government are not going to charge PGCE students tuition fees, but I am extremely disappointed that they have rejected the Select Committee's recommendation that same-fee remission should apply to the final year of an undergraduate course. If we are not careful, as with law and medicine, only students from wealthy backgrounds will be able to afford to train as teachers. At least those studying law and medicine can look forward to higher salaries once in the profession; that is certainly not true for teachers. Teaching should become an elite, not an elitist, profession.

The Select Committee considered starting salaries or debt repayment based on years of service. Sadly, both those ideas are ignored by the Government in their response. In short, on pay issues, the Government have made education a central plank of their policy, but have refused to pay the price.

What other solutions are the Government offering? We have a damp squib of a general teaching council, which will fall far short of what teachers want and deserve, rather than one that will liberate their professionalism. The Government propose to reduce red tape, but, sadly, confusion about the curriculum has increased. They hold out the hope that those who have left teaching will return, despite all the evidence to the contrary. Returners now account for 40 per cent. of those starting new jobs each September, compared with 60 per cent. in the 1980s.

Overall, the Government's response seems more concerned with reminding people about Government policy initiatives on the general teaching council, raising standards, education action zones, advanced skills and so on than facing up to today's teacher recruitment issues. None of their policies will work without sufficient high-quality teachers. The sad fact is that any shortfall in recruitment today will mean a shortage of middle managers in 10 years' time and problems with recruiting senior managers a decade later. That is the challenge we face, but, in their response to the Select Committee report, it is a challenge that the Government have ducked.

The Government should have listened to their good friend Mr. Chris Woodhead, who last autumn told the School Teachers Review Body:

"Ofsted evidence corroborates . . . the difficulties of recruitment in shortage subjects . . . and in some London and other LEAs."

Thus Ofsted, the Teacher Training Agency, the Select Committee and most other commentators have warned the Government that there really is a crisis. However, it seems that Ministers would prefer to gamble with children's education for the sake of misguided, Conservative-inspired economic policies. It is as if the Government, too, ask: "Crisis? What crisis?"

11.38 am

Mr. Bob Blizzard (Waveney): There is no doubt that teachers are the key to education. They always have been and are even more so now, with the Government's crusade to raise standards, which will require teachers of real quality. The policy of reducing class sizes will require a greater quantity of teachers, so teacher recruitment underpins the whole of the Government's policy.

Anyone in sales would say that the best advertisement is a satisfied customer. The best advertisement for the new recruitment of teachers should be satisfied teachers, but at the moment many teachers are not satisfied with their lot. I know, because I was one until 1 May last year.

Are those teachers just whingers? One or two teachers' representatives seem to moan about everything. With so many teachers moving from school to college or university and back to school, some can have a rosy view of the outside world in which they have not worked, and feel that teaching must be the worst job on earth. Such a detachment from the rest of the world should cause concern. Sometimes teachers forget that there is stress in all kinds of jobs.

Having said that, there is something, if not rotten, deeply wrong with the state of teaching. The question is why. I agree with most of the reasons in the Select

Committee report. Pay is a factor, but it is not the only factor. If there were a huge pay increase for teachers tomorrow, there would still be problems in the profession—the same problems that are causing people to take a pay cut to leave teaching, sometimes as early as 50 if they can be released. The problems that are causing teachers to leave are the same problems that are deterring people from entering teaching.

When we talk about work load, we are talking not just about the amount but about the unnecessary work load resulting from years of constant, imposed change. When Kenneth Baker was Secretary of State we looked back to his predecessor, Sir Keith Joseph, and said that he was a butcher. We have the baker, so presumably the next one was the candlestick maker. It turned out to be the right hon. and learned Member for Rushcliffe (Mr. Clarke). Worst of all was John Patten. After his reign, we were left with hundreds of thousands of tick boxes, sheets of paper, which we all knew were nonsense, and tests that did not work, which did not help us to achieve our goal of raising standards and educating children. It is not surprising that, after those years of frenzy and despair, teachers are taking a long time to recover from the battering.

I always remember the letter that I received one day from Sir Ron Dearing saying that it had come to his notice that some teachers were under the impression that they have to spend a lot of time ticking boxes and keeping records, but that that was never the intention. I wish that someone had told the teachers that many years before.

Teachers today have heaps of bureaucratic paperwork and many low grade tasks to perform because they have so little secretarial backup. That, as the Select Committee report points out, is one of teachers' main complaints. Tasks always seem to be added, but few are taken away.

People are also deterred from becoming teachers by the fear of unruly children. Keeping order is a great skill and in the early years trying to keep order is particularly tough. The worst thing that happens is when a teacher has to cover for an absent colleague. Keeping order in such a situation can be tremendously stressful. It would help if first-year teachers were exempt from having to cover for absent colleagues.

People are also deterred by the lack of a real progression in teaching, not just through the structure but in what one has to do. At the beginning, everything is a challenge, but after a few years people like to take on new challenges and perhaps leave behind some of the challenges that have become mundane. But that does not seem to happen in teaching. After 25 years, I still spent one or two break times a week standing outside the toilets, and every day I had to make herringbone patterns in the register because information technology had not be introduced for registering attendance. I used to wonder whether I really needed a university degree and a postgraduate qualification to stand outside the toilets for up to half an hour each week.

Teachers are demoralised by the attacks of so many years. They often have to work in poor quality buildings. I voluntarily ended my career teaching in a portakabin. Looking out on to the other portakabins was like a stalag scenario. We were working in buildings which were freezing cold in winter and boiling hot in summer.

Bearing such matters in mind, one must ask whether teaching is a profession like that of doctors, lawyers, accountants and so on. I think not. The problem starts with the strange way in which teachers are trained. For example, the bulk of a teacher's postgraduate year is spent teaching in schools while existing on a grant or a loan. One is still somehow a student while undergoing professional training. There must be something better than that. It is not surprising that when, coming out of recession, people can find something better to do, they often do not think of teaching. We have to make teaching more attractive.

Charlotte Atkins (Staffordshire, Moorlands): Does my hon. Friend agree that a key problem, certainly in primary education, is the lack of male teachers? We are concerned about the gender imbalance in terms of achievement which, as the Select Committee identified, starts as early as seven or eight. There seems to be a complete lack of positive male role models in the primary sector.

When my husband goes into my daughter's school to help to run the chess club, many pupils call him "Miss". As he is 6 ft 4 in with a beard, that is rather strange, but it shows how few men there are who can be appointed. As the chair of governors at that school, I have found it impossible to appoint male teachers because acceptable candidates do not come forward. Can we be surprised—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Interventions must be brief, not mini-speeches.

Mr. Blizzard: My hon. Friend is right. When I started out as a teacher I was told that if I wanted to get on quickly I should go into the primary sector, where I would be a head teacher within a few years because there were so few other men in that sector. It is all to do with image and perception. My hon. Friend makes the point well.

It is important to recognise that to prepare, mark and deliver a full timetable of lessons is demanding. If we want to raise standards, we should concentrate on that. We need a new deal for teachers. The ideas in the Select Committee report deserve attention. In particular, we need more non-teaching staff in schools to carry out those low-grade tasks which do not require graduates. I was particularly taken with the idea of sabbaticals for industrial experience and voluntary service overseas. They refresh teachers. I was fortunate enough to teach in Canada for a year on an exchange and I returned refreshed, with plenty of ideas.

The Government have plenty of ideas which will help. The introduction of the advanced skills teacher will be helpful. I should like those best teachers to be given the opportunity to join some of the Government's task forces on which we shall rely if we are to drive up standards, whether they are called hit squads or something else. We also need the best teachers in teacher training who, after a few years, can come back into the classroom. It is sad when such teachers lose touch with the classroom. We need an interplay between the two. The idea of training and a qualification for head teachers is excellent. The general teaching council will help to establish teaching as a real profession. The £1.3 billion to repair crumbling classrooms will do a lot to help teachers' morale.

The Government have made it clear that they will provide more resources for education each year. If they are used in a thoughtful way, we shall be able to overcome the problems that we have been debating this morning and, once again, teachers will be able to recommend their profession to others.

[Mr. Blizzard]

11.48 am

Mrs. Theresa May (Maidenhead): I pay tribute to the many excellent and dedicated teachers in our schools. When I visit schools in my constituency, I am struck by the genuine enthusiasm of teachers—despite all the bureaucracy referred to by the hon. Member for Waveney (Mr. Blizzard)—for imparting knowledge and skills to the children in their care. I am struck also by their commitment constantly to look at ways of improving standards. They are getting on with the job, while we merely talk about it.

I echo the comments made by a number of hon. Members about the disappointing response from the Government to the Select Committee report. We asked the Government to look imaginatively, innovatively and flexibly at the issues we raised. Sadly, they have failed to do so. As the hon. Member for Bath (Mr. Foster) said, the Government have been more interested in pointing out various areas of their current policy, rather than responding positively to the Select Committee's specific proposals.

It is a sad comment on the teaching profession that problems with teacher recruitment seem to follow success in the economy. However, it is not just a problem of recruitment, but of retention—as has been said during the debate. I visited a school in my constituency where two teachers had come in from other jobs because they actively wanted to come into teaching. One was finding it difficult to stay in teaching because of family circumstances and the amount of time that she was having to give at evenings and weekends—over and above school hours—for preparation and so forth. Having actively wanted to come into teaching, she felt that there was great pressure on her to leave the profession.

I was talking recently to a director of company which trains people in information technology skills. The company recently launched an advertising campaign to encourage people to train in IT to deal with the problems of the year 2000. Sadly, he said, a significant number of people responding to the advertisements were teachers; teachers in their mid-30s, not those towards the end of their careers.

I want to concentrate on two issues from the Select Committee report. The first is the image and status of teachers. In evidence to the Select Committee, it was pointed out that one never sees a good teacher in a television programme, and that sitcoms about schools portray teachers negatively. That is part of the problem. The hon. Member for Waveney asked whether teaching was a profession, and came to the conclusion—given the way in which teachers are trained—that it was not. However, it should be, and therein lies the heart of the problem. The teachers' trade unions need to look at the way in which they have portrayed teachers in the past, because an image of militancy does not go well with an image of professionalism.

Some say that the general teaching council will answer the problem of professionalism in teaching, but that remains to be seen and it will depend very much on how the council is set up. From what we have seen so far, the GTC cannot be seen as the answer to the problem of increasing the status of teachers. It is a sad comment on the Government's reaction that the response is, as the hon. Member for Bath has said, a cinema advertisement on the value of teachers—although given that the sub-committee of the standards task force looking at the image issue is chaired by Lord Puttnam, perhaps that is not surprising.

The other important issue is career development, career structure and terms and conditions. Like my hon. Friend the Member for Guildford (Mr. St. Aubyn), I think that there is most scope for flexibility and innovation from the Government on this issue. Sadly, their reaction has been most disappointing. I would very much like to see schools freed up to decide the terms and conditions on which they employ teachers. I have believed that ever since I sat on an education committee, and it is a key matter. It would deal with the problem of certain regions which are failing to attract people into teaching jobs.

Such a measure would enable schools to look imaginatively at their own needs and to put together packages which reflect those needs. When I was involved in an education authority in outer London some years ago, we had to find ways of improving recruitment and retention. We looked at various ideas, one of which was reflected in the Select Committee report—the concept of providing housing for teachers to enable young people to enter the profession.

I wanted to provide cars for head teachers as part of their remuneration package. That was not about offering a more attractive package, but about equating head teachers with senior officers of the local education authority, who had cars. Unfortunately, an election got in the way of that proposal and the Labour party, which took power, chose not to pursue the idea.

Imaginative ideas to offer teachers a different package to reflect local requirements are imperative. The Government referred to the possibility that their proposed education action zones could assist by directing encouragement, financial or otherwise, to attract the best teachers. That was not the right response. I want more flexibility. In itself, the Government's response has a problem because—as we have discovered debating the School Standards and Framework Bill—the concept of education action zones offering different terms and conditions to teachers is only limited. The teachers will still be employed by the LEAs, and the extra money or contract will be just that—it will be extra, on top of the standard, and will not completely free up the schools in that zone.

One of the points from the evidence from the trade unions concerned career development and structure, where more innovation and flexible thinking is needed. One of the problems is seeing a clear structure and path when one enters teaching. A number of hon. Members have commented on people going in and out of teaching, and that is valuable, but we must provide a career structure which rewards good teachers and does not simply mean that good teachers have to take on extra responsibility. That is one of the problems. Often, people see that the only way to progress is to take on an extra responsibility, and that they are not rewarded for their excellence in the classroom.

I am concerned that the advanced skills teachers will not solve the problem, because they will be expected to impart their knowledge to other teachers. That is not the answer. We must find a way to provide a better career structure for teachers to ensure that good teaching is

properly rewarded. In that respect, we need to look at the appraisal of teachers to ensure that we identify the skills that we want to reward and encourage in our schools.

We must address not just the problem of recruiting to the teaching profession, but of retaining those who are within the profession to ensure that it becomes, once again, a proper profession and that it has the status it deserves. Teachers perform the important task of preparing children for adult life and ensuring that they have the educational quality and standard necessary for them as individuals and, ultimately, for us as a country.

11.59 am

Helen Jones (Warrington, North): I am not sure whether I ought to declare an interest because, like my hon. Friend the Member for Waveney (Mr. Blizzard), I speak in this debate as a member of what is rather unkindly called the PIT—the pool of inactive teachers.

In that capacity, I congratulate the Select Committee on its report, but must say that it ought to give us all sleepless nights. The quality of education offered to our children determines not just our present but our future. Improving that quality absolutely depends on a supply of well-qualified, skilled and enthusiastic teachers. If we fail to attract the right people into the profession, we shall fail to succeed in many of our intentions as we shape our society for the 21st century.

The outlook, as it stands, is bleak. As hon. Members have said, not enough teachers are entering the profession, and we are failing to keep those who do. Indeed, by some estimates, we are losing 30 per cent. of all trained teachers after five years. The result is clearly a crisis in our schools. Targets for entrants to secondary education training between 1983 and 1996 have been met only in three years: 1983, 1991 and 1992—all years of economic recession and high graduate unemployment. It is no wonder that researchers from Brunel university who gave evidence to the Select Committee said that teaching is a profession that people choose when other more glamorous alternatives dry up. Last year, applications for postgraduate teacher training were down in all subjects except physical education. That gives us serious concerns about the quality of the profession in future.

My hon. Friend the Member for Barking (Ms Hodge) mentioned the obvious teacher shortages in some subjects such as maths and science, but I draw the House's attention to what I call the hidden shortages: a body may well be standing in front of the class, but children are not necessarily being taught by the most appropriate person. To give just one example of that, I was told in a written answer on 29 January 1998 that there are 14,600 people teaching English in secondary schools who have no first or higher degree in that subject. What other advanced industrialised country would leave the teaching of vital communication and language skills to people who have no in-depth knowledge of the subject and are expected to pick it up as they go along?

A crisis in teacher morale has been caused by 18 years of constant denigration and change with which the profession has had to cope. It is not helpful when the Chief Inspector of Schools says that there are 15,000 incompetent teachers, but in evidence to the Select Committee then says that the figure is based on inspections of small schools, not all schools. Such comments do nothing to raise teacher morale or encourage people into the profession. It is a piece of sloppy work which no academic supervisor of a first year postgraduate student would tolerate.

Hon. Members need to take care that, in laudable attempts to raise standards, we do not appear to blame teachers for every social ill. Such thinking percolates through to parents, and eventually to children. It makes classroom management much more difficult and underestimates the real problems that teachers face in many of our schools.

I visit schools in my constituency regularly, and when I hear, as I do in some schools, stories about parents fighting at the school entrance, children who are victims of domestic violence or even of a child who has overdosed on a patent medicine, I am acutely conscious of the problems that many teachers must overcome even before they can teach. To say that does not excuse poor performance. We ought to be celebrating the success of teachers in such circumstances, and ensuring that they have the necessary resources to overcome such problems.

Teaching is a very stressful profession. Professor Cooper of the University of Manchester Institute of Science and Technology says that it is one of the most stressful occupations in the country. In my experience—and I have done several jobs—that is certainly so. We must recognise that and realise that it is precisely because many teachers feel undervalued that they do not advocate entering the profession to others. We are left with undergraduates admiring teachers but having no intention of joining them.

If we are to turn that around, we must ensure that teaching is the first choice of profession for our best students, and not the last. We must do that by looking, in the first instance, at the salary structure. Although starting salaries are comparable with most other professions, the career progression in teaching is just not there. We must negotiate a salary structure which pays for qualifications, experience and competence, and keeps good career teachers in the classroom rather than encouraging them to move to administration.

As other hon. Members have said, the problem is not just about salaries. Many teachers are demoralised by their working conditions. They have had to put up with constant change. Our schools and teachers need most of all a period of stability in which they can adapt to the change. They also need the opportunity to use their professional judgment, while remaining accountable for what they do—nobody doubts that. That is why most of the teachers to whom I have spoken welcome the changes in the primary curriculum, for instance, because they give them much more flexibility in organising their time in school.

We must be more imaginative too. My hon. Friend the Member for Waveney mentioned many of the tasks that teachers have to undertake. There is far too much routine paperwork and form-filling.

Caroline Flint (Don Valley): I welcome my hon. Friend's comments on the fact that, when we received evidence from representatives of the independent sector, they too acknowledged that not only small class sizes help teachers, out-of-classroom support with bureaucracy and technician work helps as well. Is not that something that we should try to provide in our state schools?

Helen Jones: My hon. Friend is absolutely right. It is wasteful and inefficient to use graduate teachers for such

[Helen Jones]

routine tasks. They are not in schools to act as filing clerks. She is also correct to say that the policy of reducing class sizes must be followed if we want to make the profession more attractive. Given all the evidence, not only will the policy lead to more effective teaching strategies: it will lead to greater job satisfaction. Along with that, it is vital that we proceed with the introduction of a general teaching council to raise the status of the profession. We must also proceed with mandatory qualifications for headships, to ensure that our schools and the staff in them are properly managed and well motivated.

We must be a little more imaginative, too, in considering career development. As someone who used to look after probationary teachers, I welcome the introduction of the new induction year. Although that is very important, training must run throughout people's careers, not just so that they acquire new skills but so that they have the opportunity to go on refresher courses in their own subjects. Most teachers enter the profession because they love their subjects, and they need an opportunity to develop that.

All the things that I have mentioned are not cheap; they are not quick fixes. They are long-term solutions to the problem. Unless the Government take up some of those proposals, there will be a false economy in the long run. As the old slogan goes, "If you think education is expensive, try ignorance."

12.8 pm

Mr. David Willetts (Havant): I congratulate the Select Committee on its report. It is a useful document. I congratulate the hon. Member for Barking (Ms Hodge) on the way in which she put it before the House this morning. The report makes it clear that there is a problem of teacher recruitment. There is no point in playing the game of whether the crisis began on 1 May 1997. I do not claim that it suddenly appeared on the day on which the Labour Government came to office. However, the report accepts that

"the situation has deteriorated and that the Government must act to prevent serious shortages worsening."

I hope that we shall hear from the Minister a rather more serious intention to act than is suggested by the rather feeble response to the report that the Government have so far published. They do not seem to grasp the seriousness of the situation, and their response does not take on board some of the more imaginative proposals that the Select Committee made. I hope that we shall hear rather more from the Minister when she replies to the debate.

There are six particular issues to which I should like to refer. The first is the impact of the Government's rushed proposals for student finance on recruitment of students into teaching. The Universities and Colleges Admissions Service statistic showing a 15 per cent. drop in applications from students who want to take up teaching as a career is worrying. Although the Government have announced in one of their many rushed, botched announcements on student finance that there is to be a £10 million package to help students in their fourth year, the Committee was right to put delicately the following matter. It says:

"We look forward to seeing more details of exactly how this undertaking is to be implemented".

We know very little about how that £10 million budget is supposed to deal with the problem. We do not even know whether the scheme will continue in future years. We do not know about the implications for students on BEd courses as opposed to those who take the postgraduate certificate of education route. I hope that we shall hear a little more from the Minister today about student finance.

The second issue is the work load of teachers and their authority in the classroom, which several hon. Members have raised. I agree with the comments in the report about the perceived decline in the professional autonomy of the teacher. As the hon. Member for Warrington, North (Helen Jones) said, there is great pressure on teachers, given the behavioural problems of many of the pupils they have to teach. The enormous stress on a child, perhaps as a result of changes in the home environment, does not suddenly stop when that boy or girl walks through the door into the school. Teachers have to confront the behaviour that results from such stress. Therefore, work load and authority in the classroom are a major problem with which teachers have to wrestle.

What have the Government done since 1 May? Instead of an attempt to enhance the professional autonomy of teachers, we have had even more prescriptive and detailed explanations about what should go on in the classroom. Hours have even been broken down into 10-minute intervals, which does not suggest respect for the autonomy of teachers.

An objective has been set—I understand the thought behind it—to reduce the number of statemented children educated outside mainstream schools. That has caused considerable anxiety in the teaching profession. Teachers are concerned about how they are supposed to manage the problems of teaching such children in mainstream classes. How do the Government intend to reinstate professional autonomy in the classroom?

The third issue is the general teaching council. I was surprised at the stress that was put on the general teaching council in the Government's response to the report. Perhaps that was because the Government had so little to say about any other aspect of the Committee's proposals. What we know from the debates in another place is that the general teaching council proposed by the Government will simply not live up to the expectations that the advocates of such a council have for it. It will not be the sort of body that the people who believed in a general teaching council expected it to be.

Despite the claims that have been made by Ministers about the possibility of the general teaching council developing and enhancing its role, all the evidence is that because the legislation is restricted, it will be impossible within the legal framework in the Teaching and Higher Education Bill, which is currently before another place, for the GTC to take on a more ambitious range of powers. The Select Committee is right in its report when it says:

"The GTC should have a role in ensuring that teachers who fall seriously short of the professional standards expected of them are swiftly removed from teaching."

We have had little indication from the Government so far that they envisage giving that sort of power to the GTC. If we are to raise the professional standards

of teachers, and if the GTC is an opportunity to raise them, it is a great disappointment that as yet the Government have said nothing on the scope of the GTC that suggests that they envisage using it in that way.

The fourth issue is education action zones, which receive a great deal of attention in the Government's response. They are one of the classic examples of the way in which the Government's rhetoric runs way ahead of the reality. The reality is that the so-called half a million pounds that will go into education action zones is £250,000 of public money with, the Government hope, £250,000 of private sponsorship. We have heard little about how the first six zones or even the eventual 25 are to appear. We have heard little about how the teachers are to enjoy the high degree of autonomy referred to in the Government's response to the report.

It came out in the Standing Committee that is considering the School Standards and Framework Bill that teachers in education action zones would continue to be employed by local education authorities. With such a modest amount of public money, with so few zones and with so little extra freedom compared with the freedom that schools under traditional LEA control have, will education action zones tackle the significant problem that the report identifies? I am afraid that I do not believe that they will.

Fifthly, we heard from the hon. Member for Waveney (Mr. Blizzard) about sabbaticals, which are not mentioned in the Government's response to the report. The report touches on them briefly. Some of us will remember before the election the then shadow Secretary of State for Education and Employment going to the National Union of Teachers conference and promising sabbaticals to teachers. That was one of the measures that a new Labour Government would introduce to rebuild teacher morale and enable teachers to develop their skills in the course of their careers. That has rather disappeared from view. When shall we have the sabbaticals promised by the then shadow Secretary of State before the election? I look forward to hearing the Minister's response to that point.

The sixth item on my list is the question that has been raised by the Minister for School Standards about men as role models in schools. That is another typical example of new Labour at work. We had a bold announcement that there was a serious problem, and the Minister accepted that we needed to have more men as role models for pupils, especially in primary schools. We have heard again today about the importance of gender balance in schools. But it is okay just saying it. It is easy to say it. The question is what the Government intend to do about it. Having got the headlines that he wanted by expressing his concern, the Minister has not referred to anything that is to be done in practice.

Now, as we near the end of their first year, the Labour Government can no longer expect to get by with such general statements of good intent and by simply drawing attention to problems that they say cause concern. We need to know what the Government intend to do.

I should like to hear from the Under-Secretary in her response to the debate on this useful report how student finance measures will be adjusted so that they do not have the possibly catastrophic effect on student teaching that looks possible; exactly what the Government intend to do to rebuild professional autonomy in the classroom and to cease interfering in the details of the practical workings of a respected profession; exactly how the GTC will live up to the expectations of its advocates; exactly how education action zones will be used to rebuild the confidence of the profession; when we shall have the sabbaticals that were promised before the election; and how the Government intend to encourage more men into teaching. If the Minister can offer practical and credible responses to those questions, the whole House will welcome them. If she fails to do so, it will be yet another missed opportunity.

12.19 pm

The Parliamentary Under-Secretary of State for Education and Employment (Ms Estelle Morris): I thank the Select Committee for carrying out its inquiry into this important subject. I welcome the opportunity provided by that report and by today's debate.

Neither the Government nor anyone who has spoken today disagree with the statement that we need sufficient teachers of good quality and that we need both to retain them and to retrain them throughout their teaching career. Nor would the Government differ from the view expressed by hon. Members that, if we fail to do that, we shall not be able to raise standards in our schools. Teachers are fundamental to everything that we want to achieve in our education system. As my hon. Friend the Member for Barking (Ms Hodge) rightly said, if we do not get that right, we stand far less chance of getting anything else right. I do not want my speech in any way to detract from the comments with which my hon. Friend opened the debate.

I agree with the statement made by the hon. Member for Maidenhead (Mrs. May) that we need to reprofessionalise the profession, which is a phrase that I have often used myself. My hon. Friend the Member for Waveney (Mr. Blizzard) also mentioned that point. We must give back to teachers, not only their self-belief and self-esteem, but the esteem of the community at large. Many of the proposals that I shall mention could come under the heading of fulfilling that desire to make teaching a proper profession once again and to ensure that teaching take its place alongside other honourable professions in our society.

The figures have to be addressed. I accept that the application figures for initial teacher training places in 1998-99 are not as good as we want them to be; I do not hide from that, nor do the Government pretend otherwise. However, I should point out that the recruitment phase is not complete and will not be complete for several months. Last year, the eventual intake to postgraduate secondary courses was 43 per cent. above the number of applications at this stage in the cycle; and the previous year, the figure increased by only 18 per cent. over the same period. Those statistics not only show that it is difficult to make predictions based on December and January figures, but might suggest a trend toward applications coming later in the recruitment cycle.

We are confident that entrants for primary recruitment this year will exceed targets, but we acknowledge that recruitment for secondary will again fall short of the

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targets that the Government set for the Teacher Training Agency. We know that specific difficulties are being encountered in recruiting students for maths, technology, foreign languages and, to a lesser extent, science subjects. Those statistics are cause for concern and we do not pretend otherwise. However, they did not appear overnight: the under-recruitment of students for secondary initial teacher training has been going on for years, as has the problem with recruitment in certain subjects.

If one takes his opening comments at face value, the hon. Member for Guildford (Mr. St. Aubyn) appears to have committed two crimes in belonging to a party that not only did nothing to solve the problem, but did not even know that a problem existed. We inherited a particularly difficult situation that the previous Government clearly failed to address. However, that is an argument of the past and it does nothing for our children or our schools. Where the previous Government failed to take action, this Government will take action.

A major point made by the Select Committee and one that has pervaded the debate is what witnesses described as the poor public image of teachers and of teaching. There is truth in that and, as a member of the pool of inactive teachers, I know from experience that teachers are not as respected in the community as we want them to be. However, that is changing, and my right hon. Friends the Prime Minister and the Secretary of State for Education and Employment have made it clear that teaching is one of the most valued professions. The work and challenges that fall to teachers are some of the most important in the whole of society. Their work with our young children can help to shape this country in the next millennium.

In the months since the election, the Government have been able to match the words of opposition with the action of government. The subject of our first White Paper was education, our first Bill was an education Bill and an extra £2.3 billion has been pumped into the education service. The new year honours list contained the first knighthoods for education, and a few weeks ago many hon. Members were present when, here in the Palace of Westminster, we recognised the achievements of the schools that have recently come off special measures.

We have begun already to build up a network of out-of-school learning opportunities and support that will engage all groups in society—parents, industry and communities—in the business of education. The message from the Government over the past nine months has been clear: education is important and teachers are important, and we shall take the action necessary to make that clear to everyone who chooses to listen.

Mr. St. Aubyn: Will the Minister make that even clearer, by spelling out how much money her Department will commit in the coming year to the problem of teacher supply?

Ms Morris: I shall outline some of the initiatives and the money that we have put into them later in my speech, so I hope that the hon. Gentleman will be patient.

In response to the comments made by my hon. Friends, let me say that our desire to make it clear that education and teachers are important cannot and must not prevent us from tackling poor performance by teachers. Parents expect no less of us, but that criticism will be matched by praise where praise is deserved and by an increasing recognition of successful teachers. As a witness to the Select Committee rightly said, the Secretary of State must lead the education service. The Government have such a Secretary of State and that is what is beginning to happen.

The Select Committee raised the important matter of financial support for trainees. I am not sure why the hon. Member for Havant (Mr. Willetts) does not think that the details are clear, but I shall go over them briefly. In next year's education budget, £10 million has been provided to support our announcement that trainee teachers on postgraduate certificate of education courses will not have to pay the means-tested contribution toward tuition fees. We chose that course of action because we regard the PGCE as a priority, as that is the route followed by most trainees into secondary teaching, which is where the shortages are most pronounced.

In addition, the TTA is currently administering a new secondary subject shortage scheme and £9 million is being spent to allow initial teacher training providers to give financial support to students wishing to train in secondary shortage subjects. We have recently introduced two new employment-based routes into teaching. We strongly endorse the case for students to be given an opportunity to take taster courses and, with our encouragement, the TTA has run 73 taster courses this year to allow potential recruits for shortage subjects to see what teaching is like and so help recruitment. The response to those courses has been positive, and we expect them to continue.

Since May, the TTA has been active in working to increase recruitment to the profession. It is all very well to laugh at the cinema advertising campaign, but, since that campaign began, it has resulted in 1,000 new inquiries each week to the TTA. There will be an announcement in March of a campaign targeting members of ethnic minorities and a recent "Teaching in London" event attracted 1,500 people who were advised about teaching as a profession.

As the Select Committee said, it is not only the quantity, but the quality, of new entrants that matters. In that respect, more than in any other, the Government have already taken swift action and are making progress. I am pleased by the Committee's welcome for the Government's plans for advanced skills teachers, which will lead to the recognition of the skills of our best teachers. I am also pleased by the Committee's welcome for our plan to introduce a mandatory headship qualification for all those going into headship.

Together, those two schemes begin to provide the structure for a career in teaching for which so many have asked for so long. A sum of £8 million has been made available for next year for those who want to acquire the mandatory headship qualification, and I hope that it will give teachers the confidence to apply for headships, because there is a worrying trend in the number of headship vacancies.

The Committee also recommended an open, robust and transparent model for planning teacher numbers. The Government have made it clear that we accept that. Not only have we said how next year's targets were set, but we shall make the model available later this year, and we shall welcome comments on it.

The Committee raised the issue of pension protection for teachers who have moved from management positions and want to return to the classroom. Again, the Government have already taken action.

I spent 18 years in teaching; it is a worthwhile job. The pressures are tremendous, but so are the rewards. The problem of teacher recruitment will not be solved overnight. I think that the Select Committee will accept that, in nine months, the Government have acted. We have begun to put in place measures that will ensure that there is a career structure in a properly rewarded and recognised profession.

I can tell my hon. Friend the Member for Barking that the other points in the Select Committee's report will continue to inform the continuing debate both within the Department and with our partners in the wider education service.

Flu Vaccinations

12.30 pm

Dan Norris (Wansdyke): I am grateful for the opportunity to debate this subject. I am also grateful to my hon. Friend the Minister for Public Health for not only assisting me, but replying today.

The debate is about whether general practitioners have the right to give flu jabs on the national health service to whomever they want, or whether they are limited by other forces. It is also about whether there is a loophole whereby NHS patients can be sent to other NHS surgeries to receive private treatment.

In the latter part of last year, I was approached by a number of constituents—at my surgeries and by letter—who were greatly concerned about the fact that they had been refused flu jabs, even though they had previously received them, at the Hope House surgery in Radstock, which is in the south of my constituency. I was shown a leaflet that the surgery had produced, which strongly suggested that patients had been refused because of Government policy.

Obviously, I was concerned to hear about this. I took the matter up in the first instance with the Avon health authority, which told me that flu jabs were given at a GP's discretion, and that, although there were guidelines, the GP's decision was what finally counted.

I contacted my hon. Friend the Minister, who confirmed that it was up to GPs to decide whether to give flu jabs. She also pointed out the inaccuracies in the surgery's leaflet, which wrongly suggested that the Government had recommended that flu jabs should be given only to people in high-risk categories, and not to those at lower risk.

I wrote to the surgery with the information that I had been given by the Avon health authority and my hon. Friend the Minister. The surgery told me that it wanted to administer flu jabs to whoever requested them; it did not want to deny flu jabs to people who really wanted them. It felt strongly that flu jabs should be given on a discretionary basis, but only if that was clear to the public—the surgery was worried that it would be blamed and that there would be a public outcry if it did not give flu jabs on demand.

The surgery also told me that, when it had consulted Avon health authority, it had been told, first, that it could give flu jabs only to those people who were listed as being at high risk of developing complications if they caught flu; secondly, that it should in no circumstances give flu jabs to people who were not in a high-risk group; and thirdly, and most alarmingly, that, if it gave flu jabs to people who were not in the high-risk groups, it might face financial penalties—that applied also to other surgeries in the former Avon area.

Does my hon. Friend agree that a close working relationship between health authorities and GPs is important? Will she investigate, as a matter of urgency, the discrepancy between the accounts given by the Avon health authority and the Hope House surgery? Does she agree that, if the Hope House surgery's account is correct, Avon health authority should be called to account for its advice, which was unacceptable?

What publicity does my hon. Friend believe should be given to the issue of flu jabs in the future? To be told that one does not need a flu jab can be good—it can mean

[Dan Norris]

that one is healthy enough not to require immunisation—and should not be a cause of concern. Unfortunately, in Radstock and the surrounding area, such advice resulted in much disquiet and alarm.

Mr. David Drew (Stroud): I thank my hon. Friend for giving way, and I welcome the debate. One problem is that the people who are at risk are often not clear why they are. I should declare an interest: I suffer from asthma and am invited every year to have a flu jab, even though I do not feel myself to be particularly at risk. Does my hon. Friend agree that we need to explain to patients the whys and wherefores of flu jabs, which could help the process of deciding who should receive them?

Dan Norris: I share my hon. Friend's concerns; perhaps the Minister will comment on them. I hope that she will also look carefully at what seems to be a loophole. The Hope House surgery's leaflet specified two other surgeries to which its patients could go and how much an injection would cost at them—£10 and £15 respectively. It also stated that people who went to those surgeries should name the Hope House surgery and explain that they required private treatment.

Can my hon. Friend shed some light on whether that loophole could be exploited? The fear is that, if a number of surgeries came together, they could, to make money or reduce demand, refuse treatment to their own patients and refer them to another surgery at which they could receive the injection privately.

My final point is that Hope House is a fundholding surgery. Does my hon. Friend believe that the Government's introduction of a new system of commissioning will deal with the concerns that I have raised?

Dr. Peter Brand (Isle of Wight): May I, Mr. Deputy Speaker, make a short contribution to this valuable debate?

Mr. Deputy Speaker (Mr. Michael J. Martin): Does the hon. Gentleman have the permission of the hon. Member for Wansdyke (Dan Norris) and the Minister for Public Health to speak?

Dr. Brand: No.

Mr. Deputy Speaker: I call the Minister.

12.37 pm

The Minister for Public Health (Ms Tessa Jowell): I thank my hon. Friend the Member for Wansdyke (Dan Norris) for raising this important and timely topic. Immunisation is one of the most effective public health measures. People in their thousands now survive conditions that, even in living memory, would have killed many.

In the United Kingdom, immunisation recommendations are published in a memorandum entitled "Immunisation Against Infectious Disease", which is more usually known as the green book. The green book contains the recommendations of the independent Joint Committee on Vaccination and Immunisation—an expert and independent committee that has advised successive Governments since 1963. The green book is a highly respected source of scientific and practical advice on all aspects of immunisation.

Included in the green book is detailed advice on immunisation against influenza. I shall now deal with the highly pertinent questions asked by my hon. Friends the Members for Wansdyke and for Stroud (Mr. Drew) on that aspect of immunisation.

United Kingdom flu immunisation policy recommends that vaccines should be offered to protect people who are at most risk of serious illness or death, should they develop influenza. Annual influenza immunisation is therefore strongly recommended for adults and children with chronic respiratory disease, including asthma—in response to my hon. Friend the Member for Stroud—chronic heart disease, chronic renal failure, diabetes mellitus and immunosuppression due to disease or due to treatment. Immunisation is also recommended for those living in nursing homes, residential homes and other long-stay facilities, where rapid spread is likely to follow the introduction of flu.

However, immunisation is not recommended as routine for fit children and adults, including health care and other key workers, whatever their ages. In addition—this point is central to the concerns of my hon. Friend the Member for Wansdyke—the final decision on who should be offered immunisation is a matter for the patient's medical practitioner, and it is extremely important to emphasise that, although the Department provides advice, the decision whether to offer vaccination is a clinical judgment, made by the patient's general practitioner. The decision whether to immunise should take into account the result of flu exacerbating the underlying disease, as well as the risk of causing the individual serious illness.

The recommendations that I have described are based on the view of the Joint Committee on Vaccination and Immunisation, that not everyone in the country needs flu immunisation. As I have said, recommended groups should be offered immunisation because, in the view of the experts, they are at risk. People considered not at risk by a general practitioner should not be immunised.

For fit and healthy children and adults, of whatever age, a dose of flu is an unpleasant experience, but one which, generally speaking, mercifully does not pose a serious risk to health. Therefore, for most of the population, the advice on treating flu is well publicised by the chief medical officer and general practitioners. We are advised—as we have probably been advised several times—to stay at home, keep warm, rest, drink plenty of fluid, eat what is tolerable, and, if necessary, self-treat with paracetamol or aspirin to relieve the symptoms of flu. Obviously, if our condition does not improve, we are advised to contact our doctor.

Fit and healthy people will generally recover fully from flu and experience no serious lasting consequences. In addition, because an occasional bout of flu gives better long-term protection than a vaccination, it could be of benefit to people who are not vaccinated if they come into contact with a similar strain of flu in future, as their body's defences will be ready to react and protect.

On the other hand, influenza immunisation is only 70 to 80 per cent. effective, and provides protection only for the season in question, because of the very

careful scientific matching of predicted flu strain to the vaccination for that year. As such, it is best recommended for those who might become seriously ill as a result of catching flu—those for whom the immediate, potentially serious, consequences of flu outweigh the benefits of acquiring "natural protection".

In recent years, flu vaccinations have increased substantially, and I am pleased to announce that, this winter, a record of 7.4 million doses of flu vaccine have been distributed. That figure is up from 6.2 million doses last winter, and compares with only 2 million doses 10 years ago.

However, it causes concern that only about half the people in the at-risk groups are being given the vaccines they need, and, although this percentage is improving, evidently we need to do more and to do better—and we shall.

I believe that the entirely admirable desire to improve flu immunisation uptake among those who need it, and to cut the amount of vaccine going to those who do not need it, was what led to the problems highlighted by my hon. Friend the Member for Wansdyke in the Avon health authority.

On influenza immunisation, it is the role of the Avon health authority to ensure that the United Kingdom policy is implemented locally as effectively as possible, by maximising uptake in the recommended groups. The health authority can do so only with the full co-operation of GPs and health professionals, who are, in turn, responsible for delivering the flu immunisation programme to patients.

It may help hon. Members if I clarify when influenza immunisation should be available on the national health service, and I hope that, by doing so, I shall answer one of the questions posed by my hon. Friend the Member for Wansdyke.

If an individual is in one of the Department of Health's specified at-risk groups, or their GP decides that there is a clinical need for an individual to be immunised, that immunisation is available to the individual on the NHS. The doctor should not charge the patient in that case, except where a prescription charge is applicable.

In return for giving a flu vaccine, GPs are reimbursed the list price of the vaccine, about 10 per cent. so-called "on-cost", and a personal administration fee for each vaccine. That money is paid on the understanding that the individual given the vaccine needs it in line with the national flu immunisation policy, as set out in relation to the broad at-risk categories that I have described.

Some patients outside the at-risk categories, often termed the "worried well", may be unhappy with being refused immunisation, especially if they have been immunised, albeit wrongly and against the advice, in the past. Those patients are at perfect liberty to obtain immunisations outside the national health service.

In the case that my hon. Friend the Member for Wansdyke highlighted today, the Avon health authority practice that he mentioned had identified two alternative medical organisations from which private influenza immunisations could be obtained. I can, however, assure my hon. Friend that any at-risk patient who needs flu immunisation, whether or not they fit into the broad categories describing the population at risk, will continue to receive it on the national health service.

The advice that I have given today as to when influenza immunisation is available on the NHS is unaffected by fundholding or commissioning. If a GP decides that a patient needs influenza immunisation, in line with the green book guidance, based on the advice of the Joint Committee on Vaccination and Immunisation, immunisation should be provided for that patient on the national health service.

Dr. Brand: May I have the Minister's assurance that prescribing budgets, which are to be cash-limited for the first time, will be uprated to allow for a better take-up in the at-risk categories?

Ms Jowell: I have expressed our clear determination to increase take-up among the at-risk groups. In the light of best evidence available, we shall constantly review the scope of the at-risk groups and ensure maximum take-up. In line with that commitment, we must ensure that the budget allocated to cover the costs of immunisation allows immunisation to be made as widely available as clinical discretion permits within the framework that I have set out.

I return to the leaflet that concerned my hon. Friend. I understand that it was withdrawn in December, and that the regional director of public health for the south and west has written to the director of public health at the Avon health authority to ensure that accurate material is distributed to the public in future. I shall refer to that very helpful letter from the regional director of public health in order to make the position absolutely clear.

In writing to the director of public health at the Avon health authority, the regional director made it clear that the information distributed was inaccurate, that the leaflet had been withdrawn, and that it was extremely important that general practitioners were aware of the information provided in "Newsbrief" in September 1997, which set out the prescribing and medical protocols in relation to flu vaccination.

The regional director of public health makes it clear that the dogmatic statements relating to influenza as a vaccine were not in accordance with the policy of the Department of Health. Therefore, the chief medical officer's advice to general practitioners about the prescribing framework should be taken as the definitive framework clarifying at-risk groups and guiding the clinical judgments of individual general practitioners. The offending information has now been withdrawn. It is extremely important that we remain vigilant and ensure that accurate information is made available to guide the decisions of GPs in the future.

I hope that I have also made it clear that it is quite unacceptable for at-risk patients to be charged for influenza immunisation. The current policy necessarily allows the general practitioner—who has knowledge of his patients—to make the final clinical judgment as to who is at risk from flu. The at-risk groups are highlighted annually to the public through Department of Health flu leaflets, nearly 1 million of which have been distributed over the past two winters. The leaflets are available from GP practices, and directly through the Department's freephone health literature line.

Items on flu immunisation were also included in the Central Office of Information's "Sound Advice" audio magazine and the British sign language magazine,

[Ms Jowell]

"Public Scene". Both magazines are distributed directly to contact organisations for sight, hearing and literacy-impaired people. The chief medical officer also writes annually to all doctors before the influenza season, reiterating the Department's immunisation policy. He stresses in particular the importance of immunisation as many at-risk patients as possible.

In addition, my Department also works closely with an organisation called AIMS, the Association for Influenza Monitoring and Surveillance, which promotes flu immunisation through the media, and offers helpful practical advice about how medical professionals can increase uptake in at-risk groups. The chief medical officer launches flu awareness week annually, accompanied by members of the scientific advisory board of AIMS. Both Help the Aged and the British Diabetic Association worked with AIMS last year to publicise the importance of immunising at-risk groups.

My Department will continue to work to improve immunisation uptake among recommended groups. We will ensure that those who need the flu vaccine receive it on the national health service. I thank my hon. Friend for raising this important subject, and for providing an opportunity for me to set the record straight following the confusion caused by the distribution of misleading information to his constituents. It is also important to reiterate the Government's determination to provide health care to the people of this country on the basis of need rather than ability to pay.

My hon. Friend expressed concern about a loophole that could technically provide an opportunity to exploit the private provision of vaccinations as opposed to their provision through the NHS to people at risk. I hope that I have reassured my hon. Friend that, if a GP recommends influenza immunisation, it will be available through the national health service.

The Government's plans to build a modern and dependable national health service will in no way affect the availability of free vaccinations to patients who need them. GPs may exercise their discretion in making judgments about patients whom they consider to be at risk and who therefore require flu immunisation. The health authority in this case published misleading information, and that matter has now been set right.

My Department constantly reviews both the take-up of immunisation among at-risk groups and the definition of at-risk groups. I shall continue to seek the advice of the independent Joint Committee on Immunisation and Vaccination on that matter. I hope that the grounds for not providing blanket immunisation are well made: there must be evidence that a bout of flu would adversely affect a patient's health or well-being in order to justify vaccination.

This is an important part of the Government's approach to disease prevention. We should also take account of the substantial increase in the number of flu vaccinations that we have achieved this year. We must continue to be vigilant and ensure that flu vaccines reach those patients that are potentially at greatest risk. The chief medical officer and I will study in detail our success in targeting and vaccinating the various at-risk groups that I set out earlier.

We shall also continue to update the information provided to general practitioners about how they can act proactively to ensure that their patients who are at greatest risk from influenza receive the vaccine that will protect them throughout the winter. Again, it is always a matter of maintaining a proper balance between the protective benefits of vaccination and practical advice for avoiding flu as issued by the Chief Medical Officer, and taking care of ourselves when we do get flu.

The matters raised by my hon. Friend will have been of benefit to the many hon. Members who listened to his concerns. I hope that my response has reassured him.

Livestock Industry

12.59 pm

Mr. Christopher Gill (Ludlow): It will not have escaped your attention, Mr. Deputy Speaker, that this week is British beef week in the House of Commons. I preface my remarks by congratulating the Chairman of the Catering Committee on the initiative that he has taken, and I thank the Leader of the House and the House authorities for making it possible to stage British beef week in the House of Commons. I urge all my right hon. and hon. Friends and Opposition Members to go along to the Dining Room and sign the pledge book that they will find there. Doubtless, there are so few of us in the Chamber at this time because hon. Members are in the Dining Room, enjoying good old English roast beef.

I must declare an interest. I am a butcher and a farmer, and I represent one of Britain's prime producing areas of livestock. Shropshire is one of the most agriculturally dependent counties in England, and the Ludlow constituency is undoubtedly the most heavily dependent on livestock. In the west of my constituency, in the Shropshire hills, there is no alternative enterprise for farmers to engage in, other than the rearing and production of beef and lamb.

It is worth putting on record that nationally more than 700,000 people are employed in the meat and farming industries. Given the nature of the business, a substantial proportion of that number are employed in the meat and livestock sector. The total value of sales of meat in the United Kingdom annually is £15 billion—a substantial sum.

This time last week, the headline in *The Daily Telegraph* read: "Farm incomes at eight-year low, says bank". Last month, the *Shropshire Star*, always first with the news, carried the headline "Farm incomes dropped by almost half in year". That referred to the report issued by the Ministry of Agriculture, Fisheries and Food on 30 January.

By common consent the farming industry, particularly the livestock sector, is in dire straits. Tomorrow I shall be inviting the Minister to tell the House how many farmers have committed suicide in each of the past five years, worried literally to death by financial difficulties and despair occasioned by an avalanche of bureaucracy.

Look at the evidence. Over-30-months cattle have been drastically reduced in value because of cuts in the rate of compensation and the reduction in the maximum weight limit to 560 kg live weight. Cull cows are worth 33 per cent. less than two years ago. A constituent writing from Bishop's Castle tells me that, last month, he sold lambs for less than they fetched 20 years ago, in 1978. What other industry could put up with having to sell its product at the prices that appertained 20 years ago?

Finished cattle prices are 22 per cent. less than two years ago owing to higher imports, which rose 20 per cent. last year, and the continued ban on beef exports. I remind the House that, before the ban was imposed, 28 per cent. of all beef produced in the UK, valued at £550 million to £600 million a year, went to overseas markets.

What does the farmer do when he has no profit or, more to the point, when he has no income? He does the only thing that he can do: he stops spending. The Minister must understand that when farmers stop spending, it is not only the rural economy that suffers. The whole economy suffers, as evidenced by another headline, this time from *The Daily Telegraph* last Saturday: "Farming slump hits Britain's tractor makers".

It was reported:

> "More than a thousand workers at the Massey-Ferguson tractor factor in Coventry will be put on a four-day week next month because of a huge slump in machinery sales."

I know well the Minister's views on subsidies to agriculture. He makes no bones about it. He says, if I may paraphrase his words, that he does not see why the people he represents in Birmingham should put their hands in their pockets to pay for subsidies for farmers.

I take this opportunity to say to the hon. Gentleman that some of his constituents will almost certainly be affected by that news. Many others in the west midlands conurbation who work in the components industry that supplies the tractor works will also be affected by the slump in the sale of agricultural machinery. There is a knock-on effect. Ministers would do well to consider the urban consequences of the rural crisis to which I am drawing attention.

In his speech to the Oxford farming conference on 6 January this year, the Minister of Agriculture said:

> "I want to see an industry that is successful, competitive and sustainable."

Let us examine that proposition. Clearly, the industry is not successful at present. By any measurement, after only nine months of this Labour Government, the livestock industry is less successful than at any time since the 1930s.

I have no doubt that, given a fair chance, the British agriculture industry, and particularly the livestock industry, would be competitive, but it will not be successful if it is burdened with the additional costs imposed on it by the Government. How can it be competitive, especially when it is apparent that the same cost burdens are not imposed on our continental competitors? In its written evidence to the Agriculture Committee last month, the Meat and Livestock Commission cited an independent report that identified extra costs in UK abattoirs over those in other EU states at £26.65 per animal.

In the same submission, the MLC went on to instance the considerable increase in extra costs that will apply in 1998, totalling no less than £95.4 million—equivalent to £43 per animal slaughtered. That does not include the cost of setting up the cattle tracing service. It will cost the industry £13 million to set up the cattle tracing service, and according to the same parliamentary answer given by the Department, the annual running costs will be no less than £15 million. Another £3 million is the estimated cost to the industry of providing the second tag in cattle born or imported after 1 January this year.

[Mr. Christopher Gill]

In November 1997, the Minister stated:

"The Meat Hygiene Service's enforcement of the existing SRM controls in licensed slaughterhouses costs the taxpayer about £18 million a year. When the extra controls on sheep and goats are introduced, the cost will rise by about £26 million a year. The Government have concluded that the cost can no longer be borne by the taxpayer. We therefore propose that from the start of the next financial year, the cost should be recouped from the industry, as is currently done in respect of Meat Hygiene Service inspections."—[*Official Report, European Standing Committee A*, 19 November 1997; c. 2.]

Incidentally, the cost to the industry of the MHS, according to the Minister's reply to me on 26 January, will be £28.7 million in the current year. Interestingly, in that same reply he stated that the £44 million referred to in his speech to the Standing Committee in November to meet the cost of specified risk material controls has escalated to £48 million.

I have mentioned several costs that are all over and above the continuing costs of the Meat and Livestock Commission, which amount to £37 million a year. To that sum must be added another £37 million for all the other long-standing statutory charges and levies that are made against the agriculture industry. Coming soon will be the as yet unknown cost of the Food Standards Agency.

Has the Minister no idea of the effect of all these cost burdens on the competitiveness of the industry? He talks about having a sustainable industry. How will it be sustainable if one cost is piled on another? I have not mentioned recurring costs of £77 million and non-recurring costs of £20 million that are referred to in the 18th paragraph of his Department's regulatory appraisal of the ban on the sale of beef on the bone.

To make matters worse, neither the regulatory measures nor the same cost burdens are being imposed on our continental competitors. No other country has banned the sale of beef on the bone. In a parliamentary answer, the Minister told me that the Belgians were considering a ban on the sale of beef on the bone. He added that the Irish had decided to do what many of us feel should have been done in this country, which is to warn the public that there is a small risk in eating beef that has been prepared or cooked with the bone in place. It has been left to the Irish public to decide for themselves, which I think is absolutely right.

The removal of the specified risk material—compulsory in this country for the best part of 10 years—will not be mandatory throughout the European Community until 1 April. I am not aware that the costs, even then, will be borne by the industry, as they are in the United Kingdom.

There has been much talk about agrimonetary compensatory amounts over the past several months. As the Minister knows, the industry has expressed the view that the Government should compensate the British industry to the tune of £980 million. The Government have set their face against that. That sort of money is being paid to other farmers in the European Union but not to British farmers.

We are no longer eligible for export restitutions. They do not apply in the United Kingdom because we are no longer allowed to export our beef. However, restitutions to other countries that are allowed to export their beef are being paid out of money that has come from British taxpayers' pockets.

Mr. John Hayes (South Holland and The Deepings): Perhaps my hon. Friend will comment on the progress that has been made on lifting the export ban. In answer to an oral question on 21 May, the Prime Minister said:

"I believe that we can make progress and I am hopeful that progress is being made."—[*Official Report*, 21 May 1997; Vol. 294, c. 710.]

To what extent has progress been made? What is holding up the progress of which the Prime Minister was so confident in May last year?

Mr. Gill: My hon. Friend makes a valid point, and in this instance I am sure that the Minister will agree with me. When he and his colleagues took office, they were optimistic that merely by conducting a charm offensive in Brussels they would get the other member countries to agree to lift the beef ban. None of the other 14 countries in the EU has the least incentive to lift the ban—let alone an interest in doing so. We can conclude—my right hon. and hon. Friends reached this conclusion a long time ago—that the ban was imposed for purely political reasons and had nothing to do with considerations relating either to animal health or, more to the point, human health. It was a purely political decision.

The Government did not take that view when they were elected in May 1997. They thought that, if they were more reasonable and more accommodating towards the Commission, rapid progress would be made. It was instructive to hear the Minister of Agriculture say on the farming programme on 12 February, barely a week ago, that he believed that the beef ban was political. The only progress that we have made with the Government on the beef ban over the past nine months has been to persuade them of what many people have known all along, that the ban was entirely political. Nevertheless, we have made progress because it is now on the record that the Minister of Agriculture accepts that.

It is ironic that, at a time when the European Community is saying that our beef is still unsafe, it is providing £2 million to conduct an advertising campaign in this country. Some supermarkets have had access to that money to advertise British beef. Clearly, something is wrong. I am interested to know what the Minister has to say about that. If the Community really believes that our beef is unsafe, why is it spending £2 million of Community money to advertise British beef? If, as is suggested by that action, the Community believes that British beef is safe, does that not call into question the decision that the Government made shortly before Christmas that led to a ban on the sale of beef on the bone?

What is the effect of the charges to which I have referred on the competitive edge of British agriculture? None of the additional charges, costs and burdens on the industry does anything to help us to sell more meat or to compete within our own market, let alone world markets or markets within the continent of Europe. As Ministers continue to load more regulations and cost burdens on the industry, one is tempted to ask whether they take that approach out of prejudice or ignorance.

The Government campaigned on the slogan, "Not a handout but a hand up". There are few in the industry who expect the present Minister of Agriculture to

advocate additional handouts. After all, the right hon. Gentleman is an ambitious man. We recognise that he will not prejudice his political career by going off message, by appearing to be the friend of the farmer and going against the strictures of his friends in the Treasury. Who can doubt that, at the next ministerial reshuffle, he hopes to become a Secretary of State and to be relieved of the smoke and mirrors of the common agricultural policy and the common fisheries policy?

As we are talking about smoke and mirrors, the right hon. Gentleman's love of the Smoking Room when the House is debating important agriculture matters has not gone unnoticed. While he remains at the Ministry of Agriculture, will he recognise that adding to the meat and livestock sector's costs is not the way to make a successful, competitive and sustainable industry?

Mr. David Drew (Stroud): In his long speech, the hon. Gentleman has given only a cursory mention of the role of supermarkets and their ability to absorb costs. He will agree that it is a two-ended process. The difference can be made not just at the farm gate but at the place where the consumer buys the product. Perhaps he might like to have a word with the hon. Member for Tunbridge Wells (Mr. Norman), who I gather is still chairman of Asda, about what role Asda is taking with regard to keeping prices down and absorbing costs.

Mr. Gill: I do not quite understand the point that the hon. Member for Stroud (Mr. Drew) was trying to make, as he made the point badly, but I shall respond, because many people—my constituents included—are concerned about the role of supermarkets. Many of my constituents, who are operating on slim or non-existent margins, look at the apparently healthy margins of supermarkets and, quite rightly, question whether the available profit between the production of meat and its sale to the housewife is being distributed equitably.

We must accept that, nowadays, supermarkets sell an enormous amount of meat. A high proportion of the meat sold on the British market is sold in supermarkets, and they are the customer. Many of us are old-fashioned enough to believe that the customer is right. We may not like what the customer—in this case the supermarket—is doing, but we recognise that supermarkets are the outlet for the product of British agriculture.

Mr. Owen Paterson (North Shropshire): I am grateful to my neighbouring Shropshire Member of Parliament for giving way. I congratulate him on bringing this most important issue to the attention of the House.

On the point about supermarkets, will my hon. Friend congratulate the farmers, who demonstrated spontaneously and brought pressure on supermarkets and large consumers, such as McDonald's? Up to 80 per cent. of that company's beef is British, and Sainsbury's is running a British promotion this month. That is totally in line with what the Government want. Farmers do not want subsidies. They want to be able to compete on a level basis.

Does my hon. Friend think that it is disgraceful that the Government are not helping—I shall be grateful if the Ministers will just listen to this point, because beef was imported into this country last year—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We should not have speeches during interventions.

Mr. Gill: I am grateful to my hon. Friend the Member for North Shropshire (Mr. Paterson) for his intervention. He is quite right. The supermarkets are doing what they can to sell British beef. I have a letter from the customer services director of Sainsbury's, in which he says to a correspondent:

"90 per cent. of our Beef is from Britain . . . and 10 per cent. is from Southern Ireland."

In other words, Sainsbury's is sourcing all its beef in the British isles.

I have another letter, addressed to Mr. Sedgley, in my constituency, from the company secretary of Somerfield, saying:

"Over 75 per cent. of meat sold in our stores is British."

It is all very well having a pop at the supermarkets, but we have to bear in mind that they are our customers. They have tremendous power—too much, perhaps—in the marketplace.

It was interesting to hear the Minister for Public Health say at a meeting last night that the Government propose to put their healthy living clinics inside supermarkets. She was quite rightly asked what that will do for the local shops on housing estates that are trying to provide a local service to people who live away from the areas in which supermarkets provide essential services. It is very well the hon. Member for Stroud shedding crocodile tears, but he should look at how he and his party are encouraging supermarkets to create a monopoly.

Mr. Lembit Öpik (Montgomeryshire): Does the hon. Gentleman also agree that the focus on supermarkets—

Mr. Deputy Speaker: Order. I am wondering when the Minister will get an opportunity to reply. The Minister is here to reply to the debate. When people put themselves out, particularly Ministers, they should at least get a hearing.

Mr. Gill: In that case, I shall finish.

I want the Minister to focus on the £79 million of additional cost burdens that he will impose on the meat and livestock industry this year, which almost entirely cancel out the £85 million of additional help to the industry that he announced on 22 December. I want him to look at those costs against the huge financial loss that is already being absorbed by the industry as a result of there being almost no value in meat and bonemeal and tallow, which is costing an estimated £43 million a year, the extra specified risk material disposal charges, which are costing £6 million a year, the loss in value of ox cheeks, £8.7 million a year, and, not least, the £97 million cost this year of the ban on the sale of beef on the bone.

When the Minister replies, he might be tempted to rake over the coals of the previous Administration's handling of the BSE crisis, but I respectfully suggest that he leaves

[Mr. Gill]

that to the Phillips inquiry and concentrates instead on that for which he and his Government have been responsible since 1 May.

Mr. Paul Marsden (Shrewsbury and Atcham): On a point of order, Mr. Deputy Speaker. Is not it a convention of the House that the Minister has 15 minutes to reply to an Adjournment debate?

Mr. Deputy Speaker: There is no such rule, but I would expect that a Minister would be given a reasonable time in which to answer. I do not think that the time now available to the Minister is reasonable.

1.26 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): I have exactly four minutes. When the debate started, everybody knew that it had to finish at 1.30 pm.

I shall address two key points raised by the hon. Member for Ludlow (Mr. Gill). On the cattle movement service, we lost six weeks because the previous Government did not complete the arrangements to appoint the consultants, which they could have done before the general election. No final decision has yet been taken on charging for the cattle movement service. The location at Workington was the cheapest for running costs. I am conscious of that, as the farmers will have to pay the running costs in the end. It was also the only option where I could guarantee that staff could be recruited.

The previous Government said that the set-up costs would be met by central Government. I must emphasise that we have not announced the decision on that. It is quite wrong for people to assume that we have. People are going up and down the country, on one radio station after another, telling us what the Government have announced and decided. Nowhere have we announced any decision regarding start-up costs. We have still to make that announcement, and will do so in due course.

On specified risk materials, I announced on 19 November that charges could be up to £48 million. I announced that in front of a Standing Committee. I was not questioned about it by a single Conservative Member. Since 1 January—when the conditions came into effect, but not the charges—experience has shown that the real costs will be nothing like as high. We are still consulting, as the hon. Gentleman knows. A letter was issued on 6 February. The consultation ends on 2 March. The decision on charges will not be made until the consultation has finished.

I regret that some parts of the industry refuse to pay the existing Meat Hygiene Service charges, which is causing problems of undercutting costs and unfair competition. I was at a medium-sized abattoir yesterday in Staffordshire, which had a high hygiene assessment score and has invested in new equipment. Why should a good firm be undermined by crooked companies—bucket shop companies—refusing to pay? We are looking urgently at bad debt to the Meat Hygiene Service to see what action can be taken. I am not prepared to see the good side of the industry unfairly disadvantaged.

There are problems with sanctions. The key sanction would be for us to ask the Meat Hygiene Service to refuse to health-mark the goods. There may be problems with the European Union about that, but the situation cannot be allowed to continue with one part of the industry placing unfair burdens on the other. I repeat that consultation on those charges is still under way, and it would be wrong for anyone to draw a conclusion.

As for the hooligans outside the television studio on Sunday, such people do the farming industry no good whatever. Had they been outside a football ground, they would have been charged.

Mr. Noel Smith

1.29 pm

Mr. Eddie O'Hara (Knowsley, South): I wish to draw to the House's attention the case of a life that has been grievously damaged as a result of treatment by the health services, mostly under the national health service. There has been no redress to that damage, and no one has yet been prepared to take responsibility for it.

Noel Frank Smith, a constituent of mine, was born in Liverpool on Christmas day 1922—Noel was a Christmas baby. At an early stage, he suffered rheumatic fever, and in 1929, at the age of six, he was admitted to Myrtle Street children's hospital. On examination by a specialist cardiologist, a disorder of the heart was diagnosed—mitral valve disease. The prognosis was that he was unlikely to live beyond his teens, and he was told to avoid strenuous exercise.

The prognosis had drastic consequences for the rest of his life. He could not lead the life of a normal child, and had regularly to visit to his general practitioner, who prescribed glyceryl trinitrate, a vasodilator designed to decrease his blood pressure to prevent strain being put on the supposedly defective valve in his heart.

Mr. Smith's job prospects and earning capacity were curtailed. There was less sympathy and provision for chronic invalids in those days. In short, his quality and standard of life have been affected, as has provision for his old age. Worse still, his painful treatment has had lasting side effects. He now suffers from degeneration of the cell walls around his veins. To put it in his words, his blood vessels are now like a leaky boat. He suffers much discomfort and pain as a result of the pooling of fluids in his legs. He has also developed glaucoma, which he maintains is because his eyes have reacted to his treatment in the same way as the rest of his vascular system.

After his initial diagnosis in 1929, Mr. Smith did not see another heart specialist until 1981, when he attended Broadgreen hospital in Liverpool with a chest infection. After tests, he was advised that he did not have a heart complaint, and that the diagnosis of mitral heart disease made 52 years previously had been wrong. His understandable reaction was to instruct a solicitor to prepare a claim against the cardiologist who had made the false diagnosis. However, he was given counsel's opinion that there was no evidence of negligence, and therefore no ground for a claim.

Mr. Smith subsequently received a second and contrary opinion based on a number of points, including the fact that, when the misdiagnosis was first discovered, the lasting damage to his health was not clear or known, and that he had not been examined by a cardiologist in the 52 years between the initial diagnosis in 1929 and the second opinion in 1981. I ask the House to consider 52 years of repeat prescriptions for serious drugs for a supposed heart disorder.

However, there was an obstacle to Mr. Smith's pursuit of a claim for compensation: he had no access to his medical records. His battle for access to his records was conducted first by Eddie Loyden, the Member of Parliament in whose constituency of Garsden he lived when the misdiagnosis was discovered, and thereafter, when he went to live in Knowsley, by my predecessor, the late Sean Hughes. The matter had not been resolved when I entered Parliament in 1990 and picked up the case.

There were three aspects to the story of Mr. Smith's records. First, in 1983, shortly after the discovery of the misdiagnosis, the medical records mysteriously disappeared. They were withdrawn by the medical practitioners unit at Princes road, Liverpool, and mysteriously went to Hertfordshire. A strange story was told about someone registering and claiming benefit, fraudulently using Mr. Smith's national insurance number. It was not until 1985 that the records eventually returned. Secondly, there was the battle to gain access to the medical records. That was pursued, but when Mr. Smith eventually gained access to them, key sections were missing. The whole story is mysterious and sinister.

The third aspect, in which I have been most involved, is trying to get to the bottom of what happened to the missing records. I pursued the complaint as far as the health service commissioner in 1996. His response was interesting. He gave three reasons for being unable to help: first, that the complaint was out of time—of course it was out of time by now, given that Mr. Smith had been battling steadily throughout the intervening time; secondly, that he could not become involved because of the possibility of legal action arising from the case; and, thirdly, that there was little practical point, after such a lapse of time, in trying to get to the bottom of how the records had mysteriously disappeared. And that was that.

There is yet another cruel twist to the tale. With or without his medical records, Mr. Smith does not have the means to pursue a claim without legal aid. That has been denied, not least because, after the long battle to get hold of his records, deficient as they are, the claim is statute barred, so he cannot have legal aid. The battle for Mr. Smith's right to pursue his claim through the law courts is a sub-plot with which I shall not burden the Under-Secretary of State for Health, my hon. Friend the Member for Brent, South (Mr. Boateng), but it is a subject for a whole Adjournment debate. Suffice to say that it has not yet been resolved.

One can choose the best cliché to describe Mr. Smith's experience: catch-22; Greek tragedy; or Kafkaesque. It is a catch-22 in that he could not pursue his case without his records, but by the time be got them he was statute barred. It is a Greek tragedy in that Mr. Smith has suffered a rare misfortune on a epic scale, and his twists and turns to alleviate his fate have been doomed to constant and, by now to me, predictable failure, given all the avenues that I have pursued on his behalf. There is no catharsis or relief in this drama because this is not vicarious drama; it is a real life ruined. It is Kafkaesque in that Mr. Smith has been shunted in bureaucratic circles, with functionaries who refer to and reinforce each other but do not address the issue—the ruin of Mr. Smith's life.

One could not blame Mr. Smith for concluding that the whole bureaucratic edifice is designed to serve itself and so thwart the individual. I hold what I thought was a common-sense view: that, if no one in the system will accept responsibility for the wrong done to Mr. Smith, the ultimate responsibility rests with the Secretary of State; but successive Secretaries of State have declined to acknowledge that.

I leave the last word to Mr. Smith:

"the Ministers did answer your letters and mine but . . . they never acknowledged the questions that we asked.

I would have thought that being responsible Ministers they would have sent a directive to Merseyside Regional Health Authority to get the problem of my missing medical records sorted. Also,

that they would inform me why I was treated for the serious heart complaint that I was mistakenly diagnosed as suffering from for 54 years of my life and also the drastic medical treatment that has caused me so much pain and injury.

I know that I am entitled to an explanation and answer to these questions. I also know that I am entitled to compensation for the pain and injury that I am suffering to this day."

I am pleased to have a Minister at the Dispatch Box to respond to the debate. He is a sympathetic Minister, and I hold him in high regard. I realise that he is only the most recent of a succession of Ministers who have been approached about this case. I look forward at least to a positive and sympathetic response to this exceptional story of a ruined life, but I urge him to institute an inquiry into this sorry matter.

1.39 pm

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): The constituent of my hon. Friend the Member for Knowsley, South (Mr. O'Hara) is fortunate in only one respect: he has a hard-working and diligent Member of Parliament, who has pursued every avenue on his behalf. I congratulate my hon. Friend on securing this debate on behalf of Mr. Noel Smith.

Mr. Smith's experience over 70 years gives us considerable pause for thought and for regret. For most of his life, he has suffered pain and distress as a result of an inaccurate diagnosis that went undiscovered for more than half a century. His experience may be unique in its duration, and we can only express regret at his suffering.

The problem predates the national health service, whose 50th anniversary we celebrate this year. This story began at a time when people did not enjoy, as we all do now, a national health service that is capable of responding to the changes in people's expectations. Not to be registered with a family doctor and via him or her to have access to a comprehensive range of appropriate health care is almost inconceivable today, but Mr. Smith's story began at just such a time.

My hon. Friend raised this case with my right hon. Friend the Secretary of State last summer. The matter has been pursued through our predecessors and through other channels. When I replied to my hon. Friend's correspondence on 6 August 1997, I could do no more than repeat the message that he had received a number of times in the past. No mechanism is currently in place by which Mr. Smith can seek redress for the initial misdiagnosis and subsequent, apparently unnecessary, treatment that has dominated and ruined his life.

I am sure that, on reflection, my hon. Friend will appreciate that the NHS is not at fault. After all, it was at an NHS hospital, Broadgreen in Liverpool, that doctors revealed the truth to Mr. Smith in 1981. The national health service made known to its patient the enormity of what had happened to him.

That must have been a time of incredibly mixed emotions for Mr. Smith. He must have been relieved that he was not suffering from a condition that was likely considerably to truncate his life, but the knowledge that he had spent much of his childhood and all his adult life under the misconception that he was suffering from a potentially fatal disease must have been devastating. It was not until Mr. Smith attended hospital for treatment of a chest complaint that the enormity and horror of the situation was revealed.

This is an astonishing state of affairs. Mr. Smith had been told that he was unlikely to survive beyond his teens. He was not examined thoroughly at any time until the age of 58. It would be surprising if, at some time during that period, it had not occurred to him that there was something wrong because the prognosis had not materialised. It is clear that, for whatever reason, he did not discuss the matter with his general practitioner, and no inquiries were made as to how it was that he was still in the land of the living. One hopes that such a total breakdown of communication between patient and the NHS would not happen today.

I have made inquiries about the medical notes, to which my hon. Friend rightly attaches considerable significance. Unfortunately, every attempt has been made to trace those notes, but without success. I understand that the Liverpool health authority has copious notes on a file dating back to July 1954, all of which Mr. Smith has seen for himself. He is concerned that entries may be missing, but no one can say for certain that they are.

Significantly, legislation governing the security of medical records and a patient's right of access is a comparatively recent development. The actions of the clinician working at a pre-NHS hospital in the 1920s, who is long since dead, are not covered by existing guidelines. It is Mr. Smith's misfortune to be in a unique position that is not covered by any known guideline or procedure.

We have no reason to believe that the original doctor acted in anything other than good faith, bearing in mind the extent of medical knowledge at the time and the rapid advances in treatment and diagnostic techniques that followed. I accept that successive GPs must have had access to some form of written record to persist with the treatment for more than 50 years. That was investigated by the old Liverpool family health services authority, which contacted all Mr. Smith's former GPs in 1992. The health service commissioner, who was unable at the time to investigate clinical decisions, found no suggestion of impropriety by the FHSA in the retention of or access to Mr. Smith's medical records.

I hope that my hon. Friend will find some reassurance in the knowledge that, if there were any way to remedy the situation, we would do so without delay. It gives me no satisfaction whatsoever to say that every possible method has been tried, and that no adequate solution has emerged.

I sincerely regret the unfulfilled years of Mr. Smith's life. I am glad that he is still with us, and that the early ill-founded and misplaced predictions were not fulfilled. I am pleased that he has lived to see the day when we can rely on accurate diagnosis and access for all to appropriate treatment as routine features of the modern NHS. Access to medical records is now the due entitlement of every patient.

My hon. Friend has pressed long and hard for justice for Mr. Noel Smith. I am sorry that the debate is unlikely to satisfy either of them. I express profound regret on behalf of the national health service. I would be only too happy, if it would assist in any way, to meet Mr. Noel Smith with my hon. Friend at the Department to express to him in person my sincere regrets and the regrets of the health service.

It being before Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

WALES

The Secretary of State was asked—

Numeracy and Literacy

1. **Mr. Flynn:** If he will make a statement on the standards of numeracy and literacy in Welsh schools. [28398]

4. **Mr. Ruane:** If he will make a statement on the standards of numeracy and literacy in Welsh schools. [28401]

The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain): Standards of literacy and numeracy in Welsh schools are not high enough, and we have, therefore, set very clear targets for further improvement.

Mr. Flynn: May I say how pleased are the people of Wales that the Government are committed to improving the deplorable standards of literacy and numeracy in our schools, particularly after the reign of the right hon. Member for Richmond, Yorks (Mr. Hague) as gauleiter of Wales, whose legacy was 645 lost teaching posts? Is the Minister aware that firms such as LG in my constituency, which offer the promise of an enormous harvest of jobs, are insisting on high standards of technical skills, which must be founded on basic numeracy standards? Has he specific plans for improvements in our numeracy skills?

Mr. Hain: I agree with my hon. Friend that the standards of numeracy are simply not sufficient. That is one of our legacies from the Tory Government. We are putting in train programmes to improve numeracy skills. I was always uneasy about the fact that my two sons never seemed to know their times tables because they had not been taught them and relied on calculators. Nevertheless, they got good maths A-levels and science degrees at university, whereas I just ended up as a politician despite the fact that I know my times tables.

Mr. Ruane: My constituency was one of only three in north Wales to participate in the summer literacy schools initiative. The school that participated was Ysgol Llewelyn in Rhyl. The pupils who attended were seven years old, and their reading and literacy skills were dramatically improved over the summer. Has the Minister any plans to expand the summer literacy schools in Wales?

Mr. Hain: Yes, I have. As part of our programme for raising standards of literacy and numeracy, I am delighted to announce the extension of the summer literacy programme for 1998 to cover every local education authority in Wales. Our intention is to build on the enormous success of last year's pilots, when more than 700 pupils in Wales were given the chance to improve their reading and to discover the world of books.

Welsh Assembly

2. **Mr. Lansley:** What representations he has received from UK national organisations regarding the siting of the Welsh assembly. [28399]

The Secretary of State for Wales (Mr. Ron Davies): On 3 February, in response to a question from my right hon. Friend the Member for Swansea, West (Mr. Williams), I placed in the Library of the House a list of all those who responded during the public consultation exercise.

Mr. Lansley: I am grateful to the Secretary of State for that reply, but I fear that it will not assuage the sense that finding a home for the assembly is descending into, at best, farce. Will he explain why he has narrowed the options for a site for the assembly down to south Wales?

Mr. Davies: The hon. Gentleman will know that we had many submissions from all over Wales. I am delighted to take this opportunity to place on record my personal thanks to the authorities, from Swansea and Cardiff in the south through to Wrexham and Flint in north Wales, that showed their interest in and commitment to the assembly.

It is true, however, that the overwhelming majority of submissions favoured either Cardiff or Swansea. Officials in the Welsh Office are examining several alternatives in Cardiff, and we have a good bid from Swansea in the form of the Swansea guild hall site. Those are the sites that commanded widespread public support. It seems right and proper that we should discuss more details with the promoters of those options so that, eventually, within about a month, I shall be able to announce the final site. I have no doubt that that will command widespread support throughout Wales.

Mr. Donald Anderson: My right hon. Friend will be aware that, during the Conservative years, for every £1 that the Welsh Office spent in Swansea, it spent £5 in Cardiff. Will he reflect on the fact that the choice of site is one of the few decisions that is entirely under his control, and that he can help to decide whether the new Wales is over-centralised or diffused through what we hope will be the all-Wales, Swansea solution?

Mr. Davies: I am conscious of the submission by my hon. Friend's local authority, and of the arguments that he, my right hon. Friend the Member for Swansea, West (Mr. Williams) and my hon. Friend the Member for Gower (Mr. Caton) have advanced in support of the Swansea bid. However, it is not a simple matter. I have to weigh in the balance the Swansea submission, offering, as it does, what we have described as the all-Wales option, and the Cardiff option, which will be based on an institution. I have to take full account of both the cost-effectiveness of each scheme and the broader political considerations. It will be a difficult choice, but I will take into account the matters that my hon. Friend has raised.

Mr. Ancram: With the benefit of hindsight, does the right hon. Gentleman now regret ever launching this beauty contest for the assembly site, particularly as it was

done only to save his face after the mess that he made in his negotiations on Cardiff city hall? How much has that cynical, face-saving exercise—in which he has merely arrived back where he started—cost the council tax payers of Swansea, Cardiff, Wrexham and other councils? Does not his peremptory decision to exclude Wrexham and Flintshire from Monday's shortlist send a chilling message to north Wales that his pious assurances of even-handedness in the whole of Wales are no less empty and cosmetic than this whole sad and expensive exercise has turned out to be?

Mr. Davies: The right hon. Gentleman has only a passing knowledge of the matters that have taken place in Wales over the past couple of months. I shall deal with two of the points that he has raised. The question of submissions has been one for local authorities. The enthusiasm that they have shown to house the assembly clearly shows that local authorities—be they Wrexham, Cardiff, Swansea or any other of the many that have made submissions—think that the assembly will be good for Wales and for democracy, and will bring increased employment opportunities to whichever location eventually houses it.

The reason why the submissions for Cardiff and Swansea have been selected is that they are the ones that have commanded broad support. The decision to exclude submissions outside Cardiff and Swansea was taken not lightly, but on the basis of careful costing of the submissions and careful analysis of the support that those submissions attracted. If the right hon. Gentleman favoured a submission from Wrexham, Flintshire, Rhondda Cynon Taff, Merthyr or Bridgend, why on earth did he not say so? Why did he not write to tell me what his preference was?

Education Funding

3. **Mrs. Betty Williams:** If he will make a statement on the funding of primary and secondary education in Wales and its distribution to schools. [28400]

Mr. Hain: Individual local authorities decide on their budget for primary and secondary schools.

Mrs. Williams: I welcome the additional £50 million that has been announced for Wales. Will my hon. Friend confirm the exact additional amounts for Gwynedd and for Conwy in my constituency? Furthermore, will he confirm that special needs will not be neglected and will also benefit from additional resources?

Mr. Hain: I thank my hon. Friend. Gwynedd will receive about £1.9 million and Conwy over £1.6 million of the additional £50 million spending on school budgets in Wales. I give her the assurance, especially as I know of her close family interest in special educational needs, that we are determined to improve provision and to adopt a much more flexible level of provision. I will certainly bear in mind her submission to me in response to our Green Paper on the matter.

Mr. Ieuan Wyn Jones: Is the Minister aware that, despite the additional funding that his Department is making available to local authorities, a number of schools in my constituency and elsewhere are still predicting that teachers will be lost this year? Has he made an assessment of the number of teachers who might be lost to our schools in Wales this year and, if he finds that the number is reaching an alarming level, will he reconsider the level of resources?

Mr. Hain: I understand the hon. Gentleman's point, particularly against a background when, under the Conservatives, 1,800 teachers in Wales lost their jobs. That is the appalling record and legacy that we inherited. I see no reason why, in either the hon. Gentleman's local education authority or any other in Wales, any teacher's job should be lost, especially when we have put an additional £50 million straight into the schools' budgets. I shall be monitoring that carefully to ensure that it goes into schools and is not siphoned off into general local government expenditure.

Mr. Touhig: One of the obstacles to implementing the new deal in my constituency is the many jobless youngsters who lack literacy and numeracy skills. They were the people who were betrayed by the Tories' failing to provide adequate resources at primary and secondary levels. Will my hon. Friend look into that matter and see what he can do to help bridge that gap in the most basic of all skills?

Mr. Hain: Yes, I will, and we have been considering the problem since we took office in May last year. We are determined to drive up literacy and numeracy skills. My hon. Friend is right to draw attention to the shabby record that we inherited. Of the additional £50 million for schools' budgets, £1.5 million has been specifically earmarked for literacy schemes. In addition, another £1 million will be allocated for literacy and numeracy projects to ensure that we tackle the basic core skills which must be enhanced in Wales.

Mr. Evans: Will the Minister acknowledge that up to half the money provided to reduce class sizes could be swallowed up in the teachers' pay award? On top of that, what does the Minister intend to do about teacher recruitment in key subjects in secondary schools, which is falling to crisis levels? Words come easily, but they will not provide extra teachers in primary or secondary schools, and class sizes in Wales will continue to increase, making this yet another broken Labour promise.

Mr. Hain: On the contrary, Wales now has a Government who keep their promises and who are determined to deliver higher educational standards. It is rich for the hon. Gentleman to lecture us on school cuts when school after school in Wales suffered savage cuts during the last few years of Conservative Government.

The specific answer to the hon. Gentleman's question is that £7 million of the overhang on the 1997 teachers' pay settlement will fall on this year's budget. An additional £19 million of the staged pay increase this year will fall on this year's local authority budgets. That should take up less than half the £50 million because the Secretary of State has provided a general uprating for local government over and above what would have been provided by the Tories. There is therefore no reason to reach for teachers' pay settlements or any other excuse, let alone one from the Conservatives, to try to drag money out of school budgets this coming year.

Mr. Gareth Thomas: Does my hon. Friend agree that with the onset of democratic devolution, there is an

opportunity to develop an education policy more attuned to the specific needs of Wales? Does he further agree that there is no reason why that process of diversity should not begin now?

Mr. Hain: I very much agree. Since we took office, we have been developing a distinct educational agenda for Wales. The first ever White Paper on education in Wales was published in July. We shall similarly be publishing in the spring the first ever Green Paper on lifelong learning in Wales. All that, including the School Standards and Framework Bill, is designed to ensure that we devolve opportunities for developing an educational structure to meet the needs and values of Wales, rather than the alien programme that we had thrust on us by the Conservatives, under the likes of the right hon. Member for Wokingham (Mr. Redwood), during the past 18 miserable years.

Tuition Fees

5. **Mr. Clappison:** What meetings he has had with student organisations in Wales to discuss tuition fees. [28403]

Mr. Hain: I met the National Union of Students in Wales to discuss the Government's proposals for the funding of higher education, which included the issue of tuition fees.

Mr. Clappison: Does the Minister think that the prospect of paying tuition fees for a full five years—rather than for three or, at most, four years in the case of other courses—will make able Welsh sixth-form students more or less likely to choose veterinary science as a subject for study? Will the Minister meet representatives of Welsh veterinary students to discuss this question?

Mr. Hain: I should be happy to meet representatives of Welsh students to discuss this or any other matter and, as I said, I have done so. The full five-year provision is made in respect of medical and dental students, but veterinary students are not covered. I have received no representations on the matter. If the hon. Gentleman—who is an English Member of Parliament—wishes to raise the issue, I suggest that he takes it up with an English Education Minister, not the Welsh one.

Mr. Llew Smith: Is the Minister concerned by recent figures which show that the introduction of tuition fees is deterring a number of adults from making applications to universities? Does he recognise that, for many adults, to be accepted by a university is a major achievement, but that to be unable to take up that opportunity because of tuition fees would be the ultimate tragedy?

Mr. Hain: I would be concerned to find any adult or any other student in that predicament. If my hon. Friend has any examples, perhaps he could bring them to my attention. In Wales, more than one third of students are in families who will not be covered by any tuition fee. In addition, more than a further third are in families where the parents do not earn the requisite amount at which the full £1,000 will be levied. That means that only one quarter of students in Wales will pay the full £1,000 fee. That message has to be got across to ensure that low-income students are not deterred from taking up a university place.

Mr. Dafis: Is it not the case that the Government's proposals will do nothing to solve the problem of student poverty, to which the Minister began to refer? Even though students from low-income families are exempt from fees, they will lose the grant and will be that much worse off than they would be under the present arrangements. In any case, the total loan available to them will be well below what is necessary to survive for a year. How does this square with the Government's rhetoric about opening up opportunities for students from low-income families? By the way, what has happened to the White Paper on lifelong learning?

Mr. Hain: The paper will be coming in the spring. The hon. Gentleman's specific point is legitimate, but no student from a low-income family should be deterred from taking up a university opportunity. The loan will be repayable only if the individual gains a job and earns more than £10,000 a year—and then over a long period when that individual is in work—so each individual from a low-income family will be better off than they are now. Under the present arrangements, students must take out loans which they must start to repay immediately they leave university. I hope that the hon. Gentleman will explain to his constituents that for low-income students, the proposed financial arrangements should be seen as an opportunity, rather than a handicap.

Mr. Ancram: Would the Minister be prepared to issue a leaflet to Welsh students, explaining how the Prime Minister's assurance last April that he had no plans to introduce tuition fees can grammatically and logically be translated into, "We are not only going to introduce tuition fees but, for good measure, we will abolish the maintenance grant as well"? While he is doing that, could he explain why a student at a Scottish university who comes from Newport in Wales will have to pay £1,000 more in tuition fees than a student from Newport in the Republic of Ireland? Is that what the Prime Minister and the Government meant when they asked students to trust them?

Mr. Hain: May I say in the nicest possible way to the right hon. Gentleman that it comes ill from a Conservative party—[HON. MEMBERS: "Answer."] He asked a series of questions, as it happens. The questions come ill from a member of the Conservative party which set up the Dearing committee to examine the crisis in higher education that the Conservative Government had created. The Dearing committee recommended that tuition fees should be introduced. We assessed that recommendation, and proposed a system that is both fair and logical. If we had not done so, we would have been saddled with a series of universities nearing bankruptcy, which is the fate that awaited them had the Conservatives retained power on 1 May.

Welsh Referendum

6. **Mr. Swayne:** If he will instigate an inquiry into problems arising in the counting of votes in the Welsh referendum; and if he will make a statement. [28404]

Mr. Ron Davies: There has been not one substantive allegation of impropriety in the referendum count. There are no outstanding problems and there is, therefore, no justification for an inquiry.

Mr. Swayne: May I remind the right hon. Gentleman that members of his own party described what reigned on the night as chaos? If the Secretary of State is not going to re-establish public confidence by holding an inquiry, what does he intend to do? Already, counties are campaigning to be exempted from the provisions of his Government of Wales Bill. Will he grant their requests?

Mr. Davies: The hon. Gentleman will be aware that one question was raised by members of my constituency party. It was dealt with fully and comprehensively by the returning officer. I repeat the challenge that I made to the right hon. Member for Devizes (Mr. Ancram) a month ago. If the hon. Gentleman has one substantive allegation, he should bring it forward and let us have the evidence. If he does not have such evidence, he should stop abusing the privilege of the House of Commons by casting aspersions on the integrity of decent, hard-working public servants.

Dr. Marek: Will the Secretary of State focus his mind not just on impropriety, but on muddle? It would be very helpful to the people of Wales and those of us who fought for devolution if he could give the House a clear assurance that, if all the doubtful votes had been counted adversely, there would nevertheless have been majority for devolution. Such an assurance would go a long way to putting the problem to rest.

Mr. Davies: Of course I can give that assurance. I remind my hon. Friend that I answered all these matters fully and comprehensively in a series of written answers to the questions tabled by my hon. Friend the Member for Clwyd, West (Mr. Thomas) in January. Every question that has ever been asked on this matter has been answered truthfully, frankly and comprehensively. If the previous Government had had this Government's record of honesty, they would not have lost every parliamentary seat in Wales on 1 May.

Mr. Paterson: There is doubt in the public mind. The actual result was only 168 votes a constituency in favour. The Secretary of State's bluster is just not good enough. If the assembly is to go ahead, it must do so on a sound basis and not on the shifting sands of doubt in areas that voted no.

Madam Speaker: Order. I made a statement last week that questions must be put. The hon. Gentleman did not put a question; he made a statement. I shall be careful not to call him again for some time. *[Interruption.]* Order. Is my statement being challenged in some way?

Mr. Davies: It is not a question of whether devolution proceeds; it is a question of when it proceeds. The hon. Member for North Shropshire (Mr. Paterson) will know that the Government of Wales Bill is proceeding apace through the House of Commons. If he feels that there is any doubt about the validity of the referendum result, he should explain why he and his right hon. and hon. Friends on the Front Bench are actively co-operating with the Government to get the legislation through the House of Commons as quickly as possible.

NHS Trusts

7. **Mr. Rowlands:** If he will make a statement on the reconfiguration of NHS trusts in Wales. [28405]

9. **Mr. Denzil Davies:** If he will make a statement on the progress of NHS trust reconfiguration in Wales. [28407]

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): I launched the trust reconfiguration exercise to improve the quality of hospital and community health services in Wales through the establishment of a more effective and efficient structure of NHS trusts.

The review will lead to improvements in the planning and delivery of services to patients, the replacement of competition between trusts with a new collaborative approach, and the transfer of considerable resources from management and administration towards direct patient care.

Mr. Rowlands: Is my hon. Friend aware that the Bro Taf health authority proposal to merge East Glamorgan and North Glamorgan trusts commands no support? It does not command the support of the vast majority of clinical and medical staff, the community health councils or the communities. Instead of heeding the word of a quango, will my hon. Friend heed the words, wishes and feelings of the people of the communities that the trusts are supposed to serve, and those who serve in them?

Mr. Griffiths: The proposals made by every health authority in Wales will be considered by the group that I have set up to estimate what best can be made of their proposals. Where there are dissenting voices, the health authority has to report that to the group. I shall make decisions with my right hon. Friend the Secretary of State based on all the evidence, not just one proposal.

Mr. Davies: Is my hon. Friend aware—I think that he will be aware of it—that all the evidence from my constituency is against the recommendation of Dyfed Powys health authority to abolish the local hospital trust? There is much talk of consultation. If my right hon. Friend is looking for more evidence, will he consult the patients in my constituency, who will tell him the same thing?

Mr. Griffiths: Apart from addressing a meeting of about 400 people in Llanelli town hall, at which my right hon. Friend was present, I have visited the hospital, spoken to consultants, spoken to the campaign group and spoken to relatives of mine who have been patients at the hospital. All that will be taken into account when we consider the reconfiguration of trusts in my right hon. Friend's constituency.

Mr. Livsey: Given the Government's White Paper on the NHS, in the reconfiguration exercise, will the Minister

please consider the total support of general practitioners in Powys for an NHS primary care trust? Will he assure me that he will not deny GPs their wishes?

Mr. Griffiths: The hon. Gentleman will know that I cannot make any such commitment from the Dispatch Box. I have before me many proposals affecting the whole of Wales. I shall consider all of them before I put concrete proposals to everyone in Wales for further consultation. I am determined that the £5 million to £10 million that can be made available for patient care as a result of the exercise is used as effectively as possible.

Mr. Llwyd: As health is to be one of the main responsibilities of the Welsh assembly, would it not be better to stand back and allow the reconfiguration to take place when the assembly has had time to look at it? It is surely bizarre that the new reconfiguration should come into being a few days before the assembly takes up its work.

Mr. Griffiths: The great advantage for members of the assembly will be that they will have an extra £5 million to £10 million a year to allocate to health services in Wales, thanks to our prompt action in carrying out the reconfiguration exercise.

Mr. John Smith: Is it lawful for the Cardiff Community Healthcare trust to take over the patient services at Sully hospital, which is owned by another health trust, before the reconfiguration and without any consultation whatsoever?

Mr. Griffiths: My hon. Friend knows that I have taken a close interest in what has been happening in his constituency; I can say that everything was done in a legal and correct manner, and that it will not affect any decisions that we have to make on the reconfiguration of trusts in his part of the world.

New Enterprises

8. **Mr. Wigley:** If he will make a statement on his Department's strategy to help generate new enterprises; and what plans he has to provide resources to match the proposed reduction in resources being provided by the training and enterprise councils in Wales for local enterprise agencies. [28406]

Mr. Ron Davies: I am anxious to encourage the formation of more good-quality enterprises. A range of exciting and innovative programmes are under way in Wales. Through the business connect scheme in particular, we shall support enterprise with skills training, mentoring and advisory assistance. The Welsh Office will shortly be contracting with the TECs for the management of the new programme and it will be for them to determine local delivery arrangements with relevant organisations, including the local enterprise agencies.

Mr. Wigley: Is the Secretary of State aware that the development of new enterprises in north-west Wales is being emasculated by the cuts in resources for CELTEC? That £4 million pound cut will result in Antur Menai, the enterprise agency in my constituency that has developed more than 100 new enterprises, having its money halved; and in valuable schemes such as the training for enterprise business course, the local initiative fund and enterprise allowance being scrapped. Is that the way in which we are going to get necessary new jobs, or is it the price that we have to pay for the money that is going into the profligate LG project in Newport?

Mr. Davies: I am sorry that the right hon. Gentleman should want to take issue with the creation of about 6,000 jobs in south Wales. I can assure him that it is my desire to ensure that we have economic prosperity in all parts of Wales, including his constituency and that of my hon. Friend the Member for Newport, West (Mr. Flynn). I am aware of the funding difficulties of the North Wales TEC and the problems to which the right hon. Gentleman refers, but the budget of the TEC has not yet been finalised. When it has been finalised, it will be for the TEC to enter into arrangements with local enterprise agencies.

I should point out that, this week, we launched the new deal in Wales and that about £200 million will be available both for the creation of job and training opportunities for young people and to those who wish to start up their own enterprise. That is part of the package, and I assure the right hon. Gentleman that I, and the Government as a whole, are committed to getting economic prosperity throughout Wales.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1.[28428] **Helen Jones:** If he will list his official engagements for Wednesday 18 February.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. Later today, and in addition to my duties in the House, I shall attend a dinner in the City of London with Chancellor Kohl.

Helen Jones: Will my right hon. Friend join me in welcoming the first transfer of money from the assisted places scheme to cut class sizes in my constituency and in many others? Is that not an excellent example of Labour education policy? It is good for children, parents want it, teachers welcome it and the Tories oppose it.

The Prime Minister: Primary school class sizes rose by more than 40 per cent. in the past 20 years. The additional money from phasing out the assisted places scheme is the first instalment to get class sizes down for five, six and seven-year-olds in Britain. It will mean that 100,000 children are in class sizes of under 30 who would otherwise not have been. It is an excellent example of how the education programme of the Government is working well for the children of Britain.

Mr. Hague: I thank the Prime Minister for accepting the Opposition amendment in last night's debate on Iraq, supporting the Government's policy, but emphasising

the importance of clear objectives. Does he agree that the UN Secretary-General takes to Baghdad the strong support of the British people for the attempt at a peaceful solution to the present crisis; but does he also agree that that solution must ensure the enforcement of the UN mandate on weapons of mass destruction?

The Prime Minister: Yes, I do agree with that. I am delighted—indeed, it is in no small measure due to British diplomatic efforts—that Kofi Annan can go to Baghdad with the full and unite ' support of the five permanent members of the Security Council. We hope that his mission will succeed, but whether or not it does will depend, of course, on Saddam. However, we should be very clear that his mission is within these parameters: full compliance with the UN Security Council resolutions on weapons inspections; no inhibition or condition that prevents the inspectors from gaining full access to the sites that they need to inspect; nothing that undermines in any way the integrity of the weapons inspection process. Saddam agreed at the end of the Gulf war to let the inspectors do their work and destroy those weapons of mass destruction and he must and will be held to that agreement. Our resolve on that is right, and it is immovable.

Mr. Hague: I am grateful for the Prime Minister's reply, and for his reaffirmation of the position. Will he also look carefully at the suggestion made yesterday by my right hon. Friend the Member for Huntingdon (Mr. Major), that we should consider how we might best ease the hardship of innocent people in Iraq, if necessary by delivering aid directly under UN authority and bypassing the Iraqi regime?

The Prime Minister: Yes, and I welcome very much the suggestion that was made by the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), as well as the content of his speech, which I thought set out excellently both the problems that we face and the fact that the course that we are taking is the only viable solution.

Of course we want to do all that we can to relieve the suffering of the Iraqi people. Our quarrel is not with the Iraqi people; it is with the dictator Saddam Hussein. We shall support—indeed, have been vigorously promoting—the idea of increasing the oil-for-food programme. We shall ensure what could easily happen if Saddam Hussein wished it to—proper humanitarian aid going to his people. Of course that is right, and, at the same time as rightly taking a strong line against Saddam Hussein, we shall continue to do all we can to alleviate the suffering of the Iraqi people.

Mr. Dennis Turner: Will the Prime Minister join me in celebrating this week of British beef? You yourself, Madam Speaker, graced us with your presence this lunchtime in celebrating wonderful cuts of beef—steaks, braised beef and boiled beef. Whatever hon. Members want today in the House of Commons, it is there—British beef. I invite all hon. Members to join me in celebrating this glorious week of British beef.

The Prime Minister: Yes, I should be delighted to join that celebration.

Mr. Ashdown: For the avoidance of doubt, I place on record what the Prime Minister already knows—that Liberal Democrats fully support the Government's position and the Prime Minister's comments on Iraq.

On a different point, can the Prime Minister confirm these two facts: first, that public finances are not in deficit, but in surplus; secondly, that national health service waiting lists are going not down, but up?

The Prime Minister: It is correct that the January figures, as they often do, show a repayment of national debt, but we are still expecting a borrowing requirement—the Chancellor will obviously give details of that when he makes his Budget statement. I should say to the right hon. Gentleman that I believe it absolutely essential to keep a tight rein on public spending.

The right hon. Gentleman will know that waiting lists have been going up since March 1995; it is our pledge to get them down, and we shall get them down. In the meantime, we have put extra money into the NHS—£300 million more than the Conservative party promised. We shall carry on doing what we can to ensure that we get those waiting lists down.

Mr. Ashdown: It is precisely on that matter of doing what we can to get those waiting lists down that I think there is some doubt. I remind the Prime Minister that he fought the general election nine months ago on a card—*[Interruption.]* Hon. Members might like to listen for a moment. The card contained some early pledges, one of which was to bring down NHS waiting lists by 100,000—those were the Prime Minister's words, not mine. In the nine months since the election, NHS waiting lists have gone up by 1,000 a week. The question that some are asking is how long it takes before an early pledge becomes a broken promise.

The Prime Minister: It will be met, as I have explained. In their manifesto, the Liberal Democrats—I do not have the right hon. Gentleman's pledge card with me—pledged an extra £1.1 billion for the NHS over the first two years of government. Actually, this Government are putting in £1.5 billion. Of course, the moment that we do that, he says that he wants even more. I am afraid that not even in Liberal Democrat economics does 2 plus 2 make 10.

We must ensure that we keep within the tight public spending limits, as I shall not have us go back to the boom and bust that the Tories gave us, when we had record interest rates, record repossessions, record bankruptcies, interest rates at 15 per cent. for a year or more, and record national debt. That is the difference between this Government and the previous one. We shall meet our NHS pledge, and when we do, I hope that the right hon. Gentleman will congratulate us on it.

Charlotte Atkins: Does the Prime Minister welcome the support from the Liberal Democrats for the

Government's new deal programme? Is he puzzled by the fact that they do not support the windfall tax that funds it? On that basis, could he encourage a Liberal Democrat to become my bank manager?

The Prime Minister: I am puzzled, but I am not surprised. The Liberal Democrats support the welfare-to-work programme, but they disavow the means of achieving it. We cannot have one without the other. There is no point in willing the end unless one wills the means, and the present Government have willed both.

Ministerial Visits

Q2.[28429] **Mr. Fabricant:** If he will visit the Lichfield constituency before 2000; and if he will make a statement.

The Prime Minister: I have no immediate plans to visit the hon. Gentleman's constituency.

Mr. Fabricant: That is a shame; people will be disappointed. Lichfield is a beautiful city, with an 800-year-old cathedral. However, if the right hon. Gentleman does plan to visit Lichfield, perhaps he could meet some of Lichfield's business men, many of whom are worried about the Government's plans to force recognition of trade unions, which they feel are a return to the bad old days of the 1970s. Will he make a pledge, or at least give a sign of hope, that smaller businesses in Lichfield and elsewhere in the country—perhaps businesses employing fewer than 50 people—will be exempt from such plans?

The Prime Minister: As the hon. Gentleman knows, the details of the policy are still under consideration, and they should be announced in the proper way, but I hear the point that he makes. However, I believe that it is important that we have legislation that allows our people the same freedoms that are enjoyed elsewhere in the western world.

Engagements

Q3.[28430] **Mr. Canavan:** Will my right hon. Friend have a word with his friend, President Clinton, about the multilateral agreement on investment, which would prevent the rejection of an inward investor with a record of damaging the environment, ill-treating workers or refusing to employ local workers? Bearing in mind that the United States of America is proposing that agreement and yet, ironically, has negotiated an opt-out for its own states and local authorities, will my right hon. Friend either reject the agreement in its entirety or negotiate a similar opt-out for local authorities in this country, and for the Scottish Parliament?

The Prime Minister: I am afraid that the answer to that is no. Let me explain why. The multilateral agreement on investment is supported not just by the United States, but by Britain. Indeed, we have been active in promoting it, for a very good reason. Contrary to some of the things that are being said, it does not prevent decent regulations, either on labour standards or on the environment. What it does prevent is means of discriminating against foreign companies, and it is actually very important for British business and British exports that we prevent countries using regulation as a backdoor means of discriminating against foreign investment.

We are people who gain, in Scotland and elsewhere, from free trade. We want to promote it as much as possible, and an agreement such as this does not, in any shape or form, prevent us imposing decent minimum standards for our work force. It does mean that we, in common with other countries, cannot use that as a back-door method of discrimination. I think that, once that point is understood, people will support that investment agreement.

Mr. John M. Taylor: Under the Prime Minister's proposals for compulsory trade union recognition, does a majority of the work force mean a majority of those voting or a majority of those entitled to vote? [28431]

The Prime Minister: As I have just said to the hon. Member for Lichfield (Mr. Fabricant), a range of issues are being discussed and considered, and it would not be appropriate or right to give an answer until the consideration is over.

Q5.[28432] **Ms Beverley Hughes:** Is my right hon. Friend aware that many thousands of women, including many in my constituency and in the north-west, work for poverty pay, and that millions of pounds are spent subsidising the worst employers? Therefore, is not the national minimum wage a good deal for the country, but vital for women? Are not the Tories continuing to fail women by opposing it?

The Prime Minister: Literally hundreds of thousands of women will benefit from a statutory minimum wage; that is one of the reasons why we are committed to introducing it. It is also important that we reduce the vast benefits bill—now running at more than £3 billion a year—for subsidising low pay.

Every other country in the civilised world has some minimum threshold of pay. There is no reason why we should not have one too. It is right for the work force and, what is more, it is better in the long term for the efficiency of our economy. There is no way in which this country can compete as a low-wage, low-skill economy.

Mr. Hague: Last week, the Prime Minister told me that the Human Rights Bill would not lead to a privacy law and that there was no need to amend it. When did he change his mind?

The Prime Minister: I made it clear then that there was no backdoor privacy law, and I make it clear again now. That is precisely why the Home Secretary—if people had listened to his speech—said exactly how that could be prevented in the course of the Second Reading debate on Monday.

Mr. Hague: We all know a U-turn when we see one—even though this is a particularly welcome U-turn. Last week, the Prime Minister said that our questions on this subject were a lot of trivia. This week, what he dismissed as a lot of trivia is now Government policy. While he is in the mood to accept amendments, will the Prime Minister also accept the Lords amendment that guarantees

religious freedom? People of all faiths are worried that, under the Bill as drafted by the Lord Chancellor, religious schools may have to accept as teachers people whose way of life or faith is incompatible with the ethos of those schools.

The Prime Minister: On the first point, I remind the right hon. Gentleman that, last week, I said that we should consider the representations of the Press Complaints Commission and others. We considered them and we came up with an answer that the right hon. Gentleman appears to agree with, yet he still criticises us.

In relation to the second point—I think that the right hon. Member for South–West Surrey (Mrs. Bottomley) raised it last week—we said that we should consider it. The Home Secretary is still considering the matter. When we have a proper opportunity in the course of debate to make our position clear, we shall do so. My information is that there has been no active, practical problem with this so far. We are discussing whether we need an amendment to make it absolutely clear.

Mr. Hague: We know that the Prime Minister and the Government are considering the matter. However, the Human Rights Bill is more than halfway through its passage through Parliament, and it is time that the Prime Minister stopped dithering and made up his mind. The Lord Chancellor could have sorted it out ages ago if he were not so busy flicking through furniture catalogues. When will the Prime Minister make the decision that the Churches and religious schools are waiting for? Does it not worry him a bit that, for the second time in two weeks, he must consider amending the Human Rights Bill in order to protect human rights?

The Prime Minister: No, it does not concern me at all. It is entirely sensible, during the passage of a Bill in which the overwhelming majority of issues are supported by members of the public, to consider points that are raised during debate. If we were not considering them, the Leader of the Opposition would attack us for that. I do not understand the purpose of this interchange. As for furniture and fittings, that is something that has occupied the Opposition more than us.

Caroline Flint: Is the Prime Minister aware that 90 per cent. of lone mothers would like the opportunity to work? *[Interruption.]* Given the start that the Government have made in supporting and promoting the new deal programme, what more can be done to enable women to take up the four options in the new deal and encourage businesses and employers to play their part in assisting women into work?

The Prime Minister: I thank my hon. Friend for that question. It is interesting that Opposition Members jeer and shout about the prospects of getting lone parents back into work. They appear unable to ask a serious question about any issue that actually concerns members of the public.

As a result of the Government's actions, an extra £300 million will be available for people to bid into for child care programmes. One of the biggest inhibitions that lone parents face in getting off benefit and into work is that they cannot get enough help with child care. This fund, which is especially set aside over and above the Conservatives' pledge, is there precisely to help them to do so. I am delighted that my hon. Friend supports it.

Q6.[28433] **Mr. Breed:** Will the Prime Minister visit Fowey and St. Barnabas, Saltash hospitals in my constituency and explain to the patients, doctors and nurses there why, when the Government pledged to save the NHS, those hospitals are about to be closed? As a Liberal Democrat former bank manager, I am quite used to looking at both sides of the balance sheet. Why does the Prime Minister concentrate only on expenditure and fail to use any additional income that he has received to help relieve some of the misery in the NHS in Cornwall?

The Prime Minister: I am delighted to hear that the hon. Gentleman was a bank manager. There should be a job going as the economic spokesman for the Liberal Democrats.

Additional money is going into the national health service, but it will take time to turn it round. We have always made that clear, because it is necessary to make sure that we bring the public finances under control. We are putting more money into the health service than the Liberal Democrats asked for in their election manifesto. It will take time, but it is better to make sure that we get there in a way that is consistent with running a stable economic ship, rather than do it in the way that the Liberal Democrats suggest, which is to spend money on every problem under the sun, trying to pretend that it grows on trees, when in the real world it does not. That is the difference between government and opposition.

Ms Blears: In the national press yesterday, the Langworthy area of Salford was described not as Coronation street, but as desolation street. It is true. Good, decent families are terrorised by crime and drugs, and surrounded by dereliction, as a direct result of 18 years of uncaring Tory policies. Will my right hon. Friend reassure me and local people that this Labour Government will tackle the desperation in our inner-city areas caused by the Tories?

The Prime Minister: Some £900 million of capital receipts has been released, and there is a £3.5 billion welfare-to-work programme, the additional £200 million that is going to help pensioners with their fuel bills, and the £300 million that I mentioned for child care. For the first time, through the social exclusion unit, there is a Government who are trying to deal with all those inner-city problems—poverty, housing, unemployment and poor educational opportunity. It will take time, but we shall do it, and my hon. Friend's constituency and others throughout the country will see the benefit and the difference between this Labour Government and the previous Conservative one.

Q7.[28434] **Dr. Tonge:** Has the Prime Minister seen the recent letter to the press from three former and very distinguished members of the armed forces, calling for a more restrictive arms policy? Will he assure the House that his proposals for the European Union code of conduct on arms sales will be strong enough to prevent another scandal like the arms to Iraq scandal, so that we never have to face an enemy that we ourselves have armed?

The Prime Minister: I entirely share that objective. Any action that is taken on a European level must be

negotiated with other European Governments, and the hon. Lady will know that there are sometimes difficulties in doing that. Our commitment is firm. The idea of a code that operated on a Europewide basis was an initiative of this Government. We shall prosecute it as speedily as we can.

Q8.[28435] **Mr. Skinner:** Was not the best news this week the announcement that there is an extra £10 billion in income tax receipts? That will be very helpful in the Budget.

I hope that my right hon. Friend, the Chancellor of the Exchequer and the rest of the Cabinet, most of whom are spending Ministers, will be able to take part in an exercise that will take us further and further away from the discredited policies of the previous Government and their Tory spending plans. We must wean ourselves away from those in order to save a little for a rainy day and elections—*[Laughter.]* Oh yes, and long term. We must make sure that the bulk of that money is used to repair the national health service, renew our education system and repair the social fabric. There will be no tax cuts for the rich, and we shall leave the Tory leader fiddling away with his zero-hours contract.

The Prime Minister: Yes; I agree with most of that. The measures that we have taken on the economy will bring the public finances back into balance and cure the Budget deficit left to us by the Conservative party, which will for ever be known as the party of boom and bust. We are not going back to those days. Precisely because of the prudent way in which we have managed the economy, we shall be able to get the investment into our health service and schools that the country wants.

Q9.[28436] **Mr. Fearn:** Is the Prime Minister aware that three theatres and three arts centres have closed in north-west England over the past few months, and that museums there are in a desperate state? Not only that, but Southport pier, which is the longest pier in Europe, is in danger of being lost for good. When will the north-west of England get a fair crack of the whip?

The Prime Minister: We are trying to ensure that it gets a fair crack of the whip. I do not want to rehearse all the arguments that I have already advanced to the Liberal Democrats. We made a commitment that we should live within the spending constraints that we inherited. Many of those constraints were unrealistically low in many ways because of various things that were supposed to happen but did not under the previous Government. As soon as we can get help to the north-west and other areas, we shall.

However, I repeat to the hon. Gentleman that it is important that we do not make the mistake that was made at the end of the 1980s, when people thought that the economy was fine and that we could put ever-rising amounts of money into it. Then, two years later, under the Conservatives, we had record interest rates of 15 per cent., record borrowing, record bankruptcies and record repossessions. If we are cautious, it is for a good reason.

Kali Mountford: When the Tory party was telling us that Britain was booming, many small businesses in my constituency were going bust. Do not small businesses need economic stability for growth? In particular, should we not encourage them to take part in the new deal, which will present both them and the people they can then employ with an opportunity?

The Prime Minister: We have been delighted by the response from many small employers, as well as large, to the new deal. About 800 employers have already signed up to it. We believe that there will be many, many more. I know that many Members—I hope on both sides of the House but I know certainly on the Government Benches—are organising meetings of the employers in their areas to try to get them interested in the new deal. The scheme has generated enormous enthusiasm among many young people who wanted the chance to work and who are now being given it by the Government.

Q10.[28437] **Mr. Peter Atkinson:** I return to the subject of trade union recognition in the hope that the House can have a clear answer to the questions put by my hon. Friends the Members for Lichfield (Mr. Fabricant) and for Solihull (Mr. Taylor). Does the Prime Minister agree with the Confederation of British Industry that trade union recognition should require a majority of those in the workplace to vote in a ballot? May I have an answer, yes or no?

The Prime Minister: No, the hon. Gentleman cannot, until the consideration is out of the way, which is what I have explained to the hon. Members for Lichfield (Mr. Fabricant) and for Solihull (Mr. Taylor). The hon. Gentleman would not expect, when there is a consultation process under way, for me to pre-empt it now. As soon as the decision is made and the consideration is completed, we shall come and tell the hon. Gentleman.

Q11.[28438] **Mr. Winnick:** With reference to last night's overwhelming majority vote, does my right hon. Friend agree that whether or not military action is taken depends entirely on the Iraqi dictator and no one else? Can more be done to nail the lie—it is a lie—that it is the United States, Britain and other countries that are engaged in warmongering, when every effort is being made, as my right hon. Friend said today and as we know, to enable diplomatic efforts to reach a solution? The responsibility for military action, if it comes, must surely lie with the Iraqi regime and no one else.

The Prime Minister: Yes. If you will permit me one moment, Madam Speaker, I shall explain to the House briefly why the presidential sites are particularly important.

In the first few years of the existence of the United Nations weapons inspectors' programme, the inspectors became convinced that Iraq was operating a mechanism to conceal the amount of weapon-making capability that there was. The breakthrough came in 1995, when the son-in-law of Saddam defected to Jordan and said that such a programme was going on. He later returned to Iraq and was murdered. It was then clear that organisations such as the Special Republican Guard and others were involved in concealment and that that involved presidential sites. The inspectors could not get access to those sites but they could see equipment being moved around inside them. Some of those sites are vast compounds—not just palaces—with hundreds of buildings within them.

The inspectors could see equipment being moved around and documents being burnt. For that reason, they started to ask for access to them. Effectively, they have been refused that access for the past two years. That is why this all arises. The idea that this has suddenly come up or that we have suddenly started to take seriously the possibility of those presidential sites being used for weapon-making capability is wrong. We have seen this all the way through. That is why it is important that we make Saddam back down. Iraq is saying, "You can go into those sites, but only once." We have to be able to go into them regularly, to monitor them. It is absolutely vital that we ensure that we are able to get into those presidential sites. That is why we have taken the action that we have.

Q12.[28439] **Mr. Gerald Howarth:** Does the Prime Minister recall giving a pledge during the general election campaign, when he told ITN that the Labour party wanted to extend the scope of PEPs and TESSAs, so that the idea that it would take any action against them was completely absurd? Is he aware that not only I but many other hon. Members have received letters from the public, who are greatly exercised at the action taken by his Chancellor? Does he not feel a sense of shame that he has betrayed so many ordinary people, many of whom put their trust in him?

The Prime Minister: No, I do not accept that in any shape or form. In fact, as a result of individual savings accounts, more people will be able to save. Under the current proposals, a couple will be able to put £100,000-worth of savings into it. It is important—whatever the Conservative party may think—that millions more ordinary people will be able to save for the first time.

Hillsborough

3.31 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission, Madam Speaker, I should like to make a statement about the Hillsborough stadium disaster.

Few events in recent years have touched the lives of so many people. The families and friends of the 96 Liverpool fans who died at Hillsborough have suffered immeasurably. The whole nation has been profoundly disturbed by what occurred that day. Although almost nine years have now passed, many of the families and others felt very strongly indeed that new evidence was available that would cast new light on the events. As Home Secretary, I was determined to do all that I could to establish whether that was indeed the case.

On coming into office in May last year, I gave that question intense and urgent consideration, and on 30 June, I announced to the House that the Attorney-General and I had decided to appoint Lord Justice Stuart-Smith, a senior Lord Justice of the Court of Appeal, to conduct an independent scrutiny of the matter. His terms of reference were:

"To ascertain whether any evidence exists relating to the disaster at the Hillsborough Stadium on 15 April 1989 which was not available;

(a) to the Inquiry conducted by the late Lord Taylor; or

(b) to the Director of Public Prosecutions or the Attorney General for the purpose of discharging their respective statutory responsibilities; or

(c) to the Chief Officer of South Yorkshire Police in relation to police disciplinary matters;

and in relation to (a) to advise whether any evidence not previously available is of such significance as to justify establishment by the Secretary of State for the Home Department of a further public inquiry; and in relation to (b) and (c) to draw to their attention any evidence not previously considered by them which may be relevant to their respective duties; and to advise whether there is any other action which should be taken in the public interest."

Lord Justice Stuart-Smith has now submitted his report, which I am publishing today. It is available in the Vote Office. His scrutiny is the latest in a series of lengthy and detailed examinations of the evidence in this case. The public inquiry led by the late Lord Justice Taylor considered fully the causes of the disaster and made wide-ranging recommendations about crowd control and safety at sports events. Those have had a profound and positive effect on both crowd safety at football grounds and on the policing of football matches.

The deaths that occurred were also the subject of inquests conducted by the coroner for the Western district of South Yorkshire in two parts in 1990 and 1991. Those inquests involved more than 80 days of public hearings. A further investigation was conducted by the West Midlands police, supervised by the Police Complaints Authority, to establish whether there were any grounds for criminal or disciplinary proceedings against the police. That investigation involved taking more than 5,000 statements. At a later stage, in November 1993, a judicial review of the coroner's proceedings upheld the inquest verdict of accidental death and the conduct of those proceedings. We have now had this further detailed scrutiny by a senior Lord Justice of Appeal.

The main causes of the disaster have long been clear. They were identified by Lord Taylor in his interim report in August 1989. Lord Justice Taylor did not attribute all the blame to a single cause or person, but in paragraph 278 of his report he made it clear that

"the main reason for the disaster was the failure of police control".

Both Lord Taylor, and now Lord Justice Stuart-Smith, have been damning in their condemnation of the senior officer in charge that afternoon, the then Chief Superintendent Duckenfield. Lord Justice Stuart-Smith refers in his report to

"Mr. Duckenfield's disgraceful lie"

about—one of the gates at Hillsborough—

"Gate C being forced open by fans".

The South Yorkshire police have in turn accepted the main share of responsibility for the disaster. Sheffield Wednesday football club and the local authority were also criticised by Lord Taylor.

With any major disaster, it is almost inevitable that, over time, some new information may become available, but that does not necessarily mean that the outcome of any previous inquiries would have been different. What is crucial is not just whether the information is new, but whether it is of such significance—to use the phrase in the terms of reference—as to justify a new inquiry.

Lord Justice Stuart-Smith has considered in great detail all the evidence put before him. That included all the relevant evidence presented to the earlier inquiries and inquests. He has looked equally rigorously at all the information presented to him, by individuals and official bodies, including those representing the families of those who died and others who have acted in support of them. He has produced a thorough and comprehensive report and goes into immense detail to analyse and reach conclusions on each of the submissions made to him.

Let me briefly summarise what Lord Justice Stuart-Smith says on the key allegations relating to video evidence and the cut-off time of 3.15 pm for the inquest, and allegations of interference with witnesses. I refer first to the video evidence. Two sets of allegations were made to Lord Justice Stuart-Smith about video evidence. They were, first, that video tapes were stolen from the club's control room to conceal material evidence from the earlier inquiries. There is no dispute that the theft of two tapes took place. The tapes were pictures from the club's closed circuit television cameras, not from police cameras. Lord Justice Stuart-Smith says that, in any event, the tapes would have shown nothing significant. Moreover, he is satisfied that all the police tapes were made available in their entirety to Lord Taylor's inquiry and to the coroner.

The second allegation relating to video tapes, with which Lord Justice Stuart-Smith deals at considerable length, was made principally by Mr. Roger Houldsworth, a video technician at Sheffield Wednesday football club. It was that the police had blamed their failure to see overcrowding in pens 3 and 4 on camera 5 being defective, when it was not; that evidence of the video tapes taken by camera 5 was deliberately suppressed and concealed; and that two police officers gave deliberately false evidence that camera 5 was not working correctly.

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Lord Justice Stuart-Smith says that the police did not try to blame their failure to spot overcrowding on the terraces on faulty CCTV equipment. He says that the police controllers had a good view over the terraces from the control box, and did not pretend otherwise. He also concluded that

"the importance of Mr. Houldsworth's evidence has been exaggerated out of all proportion",

and that Mr. Houldsworth's existence and evidence were known to the Taylor inquiry and to the coroner. Lord Justice Stuart-Smith concludes that the allegation that the police hid video tape evidence of the terraces is "unfounded".

There are allegations about the conduct of the inquest, and in particular about the cut-off time of 3.15 pm. One of the issues that has unquestionably caused most distress to those bereaved at Hillsborough was the decision of the coroner to rule that all those who had died had received the injuries that caused their deaths by 3.15 pm.

Lord Justice Stuart-Smith says that the coroner did not say that all those who died did so before 3.15 pm, or that all those who became unconscious subsequently died. It was only in relation to how or by what means the deceased came to their deaths that the cut-off time was imposed. Lord Justice Stuart-Smith says that the cut-off time did not limit the inquiry undertaken by the inquest, and that he does not consider the inquest to have been flawed. The Taylor inquiry considered in detail the response of the emergency services after 3.15 pm as well as before, and concluded that no valid criticism could be made of them.

The main allegations concerning interference with witnesses were that specific witnesses had had pressure put on them by the West Midlands police, and that the South Yorkshire police had collected evidence from their own officers in an unacceptable manner.

On the first allegation, Lord Justice Stuart-Smith concludes that there was no improper attempt to alter the evidence of those witnesses. On the second, he records that a number of the initial statements made by South Yorkshire police officers were subsequently amended on the advice of solicitors to the force before being submitted to the Taylor inquiry. He says that in a very few cases, which are referred to in appendix 7 of the report, what was excluded was either factual or comment in which factual matters were implicit. He says that

"it would have been preferable"

for those matters not to have been excluded, but he is satisfied that Lord Taylor's inquiry was not in any way inhibited or impeded by what happened.

The report also deals comprehensively in appendix 10 with the 10 questions posed by the Granada Television programme in December 1996.

Taking those and all other considerations into account, the overall conclusion that Lord Justice Stuart-Smith reaches is that there is no basis for a further public inquiry. He also finds no basis for a renewed application to quash the verdict of the inquest, and he concludes that there is no material that should be put before the Director of Public Prosecutions or the police disciplinary authorities that could cause them to reconsider the decisions that they have already taken. He also concludes that none of the evidence that he was asked to consider added anything significant to the evidence that was available to Lord Taylor's inquiry or to the inquests.

I, the Attorney-General and the Director of Public Prosecutions have considered Lord Justice Stuart-Smith's report very carefully. We have no reason to doubt his conclusions. That will, I know, be deeply disappointing for the families of those who died at Hillsborough and for many who have campaigned on their behalf.

I fully understand that those who lost loved ones at Hillsborough feel betrayed by those responsible for policing the Hillsborough football ground and for the state of the ground on that day. I hope and believe that the changes that resulted from the Taylor inquiry will mean that such a disaster will never happen again.

However, there is another sense in which the system has failed the Hillsborough families. As Lord Justice Stuart-Smith says in chapter 7 of his report:

"I understand the dismay that they have that no individual has personally been held to account either in a criminal court, disciplinary proceedings, or even to the extent of losing their job".

That highlights some of the serious shortcomings in the police disciplinary system. Earlier this year, the Select Committee on Home Affairs produced a report that made major recommendations for change. I shall respond fully to that report soon, but what happened after Hillsborough is a prime example of why we must improve the current arrangements.

Lord Justice Stuart-Smith also comments on whether coroners' proceedings are appropriate at all in respect of a major disaster that has already been the subject of a public inquiry. He endorses the recommendation of a Home Office working group on disasters and inquests—published in March 1997—that the role of the coroner after such a public inquiry should be limited.

Lord Justice Stuart-Smith's report emphasises the exceptional difficulty of the coroner's task in conducting the main inquest. It placed an unreasonable and, I think, unnecessary burden on the families involved, given that the Taylor report had covered substantially the same ground. Certainly, I am sure that Hillsborough proved that the inquest system in its present form is an unsuitable means of dealing with disasters of that kind. I think it would be far better—above all, for the bereaved families—if there were one fully comprehensive inquiry into the causes of death and the wider circumstances.

When I instigated the scrutiny, I said I would do my best to ensure that the evidence considered by Lord Justice Stuart-Smith was published. Most of the main material that he has considered is contained in appendices to his report. Much of the other evidence that he has considered is already in the public domain, consisting of transcripts of public hearings or material considered by the Taylor inquiry. As I told the shadow Home Secretary, I am arranging for the other material considered by Lord Justice Stuart-Smith to be placed in the Library of the House, save where there are overriding reasons for doing otherwise. Let me make it clear that the material that will be published will include all the original statements made by South Yorkshire police officers, together with the amended versions submitted to the Taylor inquiry.

All hon. Members will have profound sympathy with the families and friends of those who died at Hillsborough. We can scarcely begin to comprehend what they have suffered. In his report, Lord Justice Stuart-Smith says:

"I realise that my report and advice will come as a disappointment to them"—

the families and friends of those who died—

"especially since they have had their hopes raised that something more could be done. But I cannot allow compassion to cloud my judgement. I have had to look dispassionately and objectively at what is said to be fresh evidence, in the light of the evidence which had previously been considered".

My right hon. and learned Friend the Attorney-General, the Director of Public Prosecutions and I have had to consider Lord Justice Stuart-Smith's report in the same light, and we accept its conclusions.

The entire country is united in sympathy with those who lost loved ones at Hillsborough. We cannot take the pain from them, but I hope that the families will recognise that the report represents—as I promised—an independent, thorough and detailed scrutiny of all the evidence that was given to the committee.

Sir Brian Mawhinney (North–West Cambridgeshire): I thank the Home Secretary for his courtesy in letting me have early sight of his statement, and even earlier sight of the report. It is a long report, and, as the right hon. Gentleman will understand, I have not had the opportunity to read it all, but I have read carefully the chapter that summarises the findings in Lord Justice Stuart-Smith's own words. I also thank the right hon. Gentleman for his willingness to publish all the material, both unamended and amended. I am sure that that was the right thing to do.

We, like Lord Justice Stuart-Smith, express great sympathy for the relatives of those who died, and the spectators who were injured. We, too, find it difficult to imagine anything more horrific than the experience of those who endured it, and of those who lost their families—including children—in that appalling incident.

I have four questions on the report. First, is the Home Secretary satisfied that Lord Justice Stuart-Smith fully examined all the so-called new evidence that has emerged, not least from the families, since the Taylor inquiry? Is he personally satisfied that none of it was newly significant? Secondly, is he satisfied that the families' complaints about the so-called 3.15 pm cut-off point have been comprehensively addressed by the judge? No doubt the right hon. Gentleman realises that, although his decision to establish this independent scrutiny was broadly welcomed, it always carried the risk that it would heighten expectations, particularly those of the families who were involved. That brings me to my third question. Does he accept that they will be disappointed by the outcome of the inquiry and that some of them may feel let down?

My fourth and final question to the Home Secretary is this. By agreeing that there is no basis for a further judicial inquiry; for a reopening of Lord Taylor's inquiry; for a renewed application to the divisional court; for the Attorney-General to exercise his powers under the Coroner's Act 1988; or for any new material to be put before the Director of Public Prosecutions or the Police Complaints Authority, is he suggesting to the House and the country that matters relating to what happened and how it happened in the worst tragedy in British sporting history are now closed as far as the Government are concerned?

Mr. Straw: I am grateful to the right hon. Gentleman for his opening comments. Of course, the whole House agrees with the eloquent and compassionate words that he used to express some understanding of the nightmare that the families have faced since that afternoon. He asked four questions, the first of which was whether I am personally satisfied that Lord Justice Stuart-Smith fully examined the new evidence, or the claimed new evidence that has emerged. Yes, I am satisfied, and so is my right hon. and learned Friend the Attorney-General.

It does not follow that, when one establishes an inquiry of this kind, one is bound to accept its conclusions, but, as the right hon. Gentleman will have seen from the summary in chapter 7, Lord Justice Stuart-Smith has conducted a most careful examination of the evidence and has reached clear conclusions. It would have been extraordinary if my right hon. and learned Friend the Attorney-General and I had not followed those conclusions in those circumstances.

The right hon. Gentleman asked whether I am satisfied that the families' complaints about the 3.15 pm cut-off point have been dealt with satisfactorily in the report. I am satisfied about that, so far as the report is concerned. Lord Justice Stuart-Smith states on page 41, paragraph 12 that in his view the coroner had been "widely misrepresented" about what the 3.15 pm cut-off point was meant to mean. He states:

"It should be noted that the Coroner did not say that all those who died did so before 3.15, or that the medical evidence was to this effect."

The point about the 3.15 pm cut-off was much narrower. I do not think that that will be accepted by the families. The combination, the conjunction, of the coroner's inquest before and after the major public inquiry raises concerns about the purpose of such inquests when there is such a major inquiry, about which I commented in my statement.

The right hon. Gentleman asked whether the families will be disappointed. Inevitably, there was always a risk that in accepting, as I did, that there was, prima facie, sufficient new evidence needing this kind of scrutiny, the families' hopes would be raised and that that could lead to one of the four possibilities that are mentioned in the terms of reference. That was inevitable. I do not in the least think that it was wrong to set up the inquiry, and I know that the right hon. Gentleman supported me in doing so.

The families are disappointed. With your permission, Madam Speaker, I saw them at 2.15 pm this afternoon and, again with your permission, I gave them copies of the report. They are upset, disappointed and angry about its conclusions. They are also angry that I have accepted those conclusions. I understand that, but what I ask them to do—and, obviously, what they were not able to do in the three quarters of an hour that I had with them—is to read the report carefully and, I hope, in time, to come to understand that the establishment of this further scrutiny and the way in which Lord Justice Stuart-Smith conducted it show great respect for their bereavement and continuing concerns.

Finally, the right hon. Gentleman asked me whether I believe that, as it were, this matter is now closed. We are announcing today that there are no grounds for

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reopening a further full public inquiry of the sort that was conducted by Lord Justice Taylor, the coroner's inquest, disciplinary matters against the police or certain other matters. Those are our decisions, and they will have to stand.

The feelings of the families will live with them for ever, so the matter is not closed in that sense. All of us who have lost children in any circumstances have some understanding of the way in which people never get over the deaths of children, even if they die from natural causes; it is still more terrible if they die from violent causes such as this. However, there are other lessons that we have to learn. As I have said, those relate to the purpose of coroners' inquiries, to the fact that we should not put families through the mill twice, as happened in this case, and to the need to change the police disciplinary system.

Mr. Eddie O'Hara (Knowsley, South): One has to live on Merseyside to understand the palpable sense of grief, resentment and anger that still exists in our part of the world at what we regard as the continuing injustice as a result of the Hillsborough affair.

My right hon. Friend has rightly pointed out that Lord Justice Stuart-Smith had to consider two questions: was there new evidence; and was it sufficiently strong to be a basis for reopening the inquiry? I draw my right hon. Friend's attention to paragraph 14 and related paragraph 13 on page 41 of the report, which deal with the 3.15 pm cut-off, which is one of the most important sources of anger. Referring to new evidence about whether people were alive after 3.15 pm, Lord Justice Stuart-Smith says:

"it is difficult to see the relevance of further evidence that person A was alive at 3.15 pm but died subsequently"—

referring to whether people might have survived if they had been given better medical treatment. He justifies that conclusion by referring to the divisional court, which rejected such grounds, concluding that such questions

"were not relevant to the inquiry into how—i.e. by what means—the deceased had come to their deaths."

If a person had a cardiac arrest in hospital and was not satisfactorily treated, would that be regarded as simply death by cardiac arrest, or would the consideration of neglect come into it?

Mr. Straw: The point that my hon. Friend raises is often raised in relation to the conduct of inquests. It comes up when, for example, there have been allegations of deaths in custody and in many cases when there has been a violent or unexpected death. The relatives believe that part of the purpose of the inquest is to allocate blame for what has happened, whereas the purpose of the inquest is much narrower: to try to identify the cause of death. It is in that context that Lord Justice Stuart-Smith makes his remarks. It is important to recognise that all that he says in paragraph 14 on page 41 follows the decision of the divisional court, which followed a thorough judicial review hearing, not to grant a reopening of the inquest.

Again, my hon. Friend flags up a need for changes in the way in which investigations are held into major disasters such as Hillsborough. I repeat that we believe that, in future, there should be what are called mini-inquests into the immediate causes of death, followed by a comprehensive inquiry, which, in practice, would include the purposes of subsequent main inquests under a senior judicial figure, and a final, formal inquest, which would simply receive the main inquiry's report. In our judgment, that would be a far more satisfactory way of dealing with these matters, and far less frustrating to the relatives and friends of the bereaved.

Mr. A. J. Beith (Berwick-upon-Tweed): Although the report has not provided the Home Secretary with support for a further general inquiry, does he recognise that this outcome will make it even harder to lift the cloud of grief and frustration that hangs over the families and friends of those who lost their lives? Bearing in mind Lord Justice Stuart-Smith's reference to the "disgraceful lie" of a senior police officer, the evidence of material omitted from police evidence and Lord Justice Taylor's assertion that the principal cause was a police failure, is it not understandable that the families will be bitterly disappointed that the door seems finally to be closed on any disciplinary action against particular individuals who should bear some responsibility? Will the right hon. Gentleman look again at that aspect of the issue and give priority to a reform of police disciplinary procedure?

Mr. Straw: The right hon. Gentleman asks whether it will not now be even harder to lift the clouds of grief over the bereaved families. I cannot speak for them, but it would have been far worse had I not set up this further scrutiny. They came forward with serious new allegations and it was important that they were examined by someone of the experience and distinction of Lord Justice Stuart-Smith. However, the right hon. Gentleman is right—there can be no dispute about it—that the families are bound to be bitterly disappointed by the fact that no one has taken the blame for what happened. Lord Justice Stuart-Smith makes that clear and shares the bitter disappointment of the families, as do I and, I believe, the House. As I said in my earlier remarks, that underlines the need for there to be significant changes to the police disciplinary system.

Mr. Andrew Miller (Ellesmere Port and Neston): My right hon. Friend has mentioned in the context of the report his consideration of the future conduct of inquests. Will he extend his review to consider carefully the way in which relatives are treated during inquests? They are treated in a most dispassionate way, which results in much of the grief that is expressed vocally by many of the people, including my constituents, who suffered in this terrible tragedy.

Mr. Straw: Yes, I will. We have the helpful report of the disasters and inquests working group, established under the previous Administration, which made recommendations in March last year. Part of the reason for the frustration—often anger—at inquests, of relatives and others who are bereaved, goes back to a misapprehension about their purpose. To some extent, that will be dealt with by the kind of changes that I have already outlined for inquiries into major disasters.

Mrs. Louise Ellman (Liverpool, Riverside): My right hon. Friend acted promptly and properly in commissioning the scrutiny, for which I thank him. I agree that the bereaved parents will remain upset,

disappointed and angry. In that knowledge, will he give the matter further consideration? Does he accept that it is not possible for all of us at this early stage to assess the report's full implications and to read it in detail to form our judgment? Therefore, will he support calls for an opportunity for the House to consider the report further, so that we may give a reasoned assessment of the report and attempt to deal with the unresolved problems and traumas faced by the parents? I support them in not wishing to leave matters simply as they stand.

Mr. Straw: I am grateful to my hon. Friend for her opening remarks, and I fully understand her concern—which is widely shared—that there should be a debate on the matter. I am probably one of the few who has had an opportunity to read the report thoroughly, and I shall pass on my hon. Friend's remarks to my right hon. Friend the President of the Council. I hope that my right hon. Friend will take them into account.

Maria Eagle (Liverpool, Garston): I thank my right hon. Friend for his statement and for his consideration in seeking your permission, Madam Speaker, to speak to the families first before making it. He has accepted the deep disquiet that they feel as a result of the report by Lord Justice Stuart-Smith, and I know that it is deep. I particularly welcome my right hon. Friend's undertaking to publish all the available evidence. What would his attitude be if, at some stage, the families were to consider private prosecutions or taking further action?

Mr. Straw: Subject to certain constraints, individuals in this country may take private prosecutions. That is entirely a matter for them and for the judicial processes. It would be improper for me to comment.

Mr. Derek Twigg (Halton): I speak with some knowledge, as I was on the terraces at Hillsborough that day and not in some directors' area. I had to wait for two hours to see whether my friends were alive, and I know that a number of people from my constituency and that of my hon. Friend the Member for Weaver Vale (Mr. Hall) were killed on that day.

May I express my bitter disappointment—not at the Home Secretary, whom I thank for organising the scrutiny—but at the conclusions of the report? The families will be bitterly disappointed by the fact that no one has been brought to justice, and such an injustice does not give confidence in our judicial system. I ask my right hon. Friend for his comments on that. If we cannot have a debate on the Floor of the House on the report, would you, Madam Speaker, be prepared to allow an Adjournment debate on the subject in the future?

Mr. Straw: Of course I understand my hon. Friend's personal feelings in the light of the fact that he was present on that terrible day. I understand, too, that those feelings will live with him for the rest of his life. The families are bitterly disappointed and, as I said, I hope that their disappointment will be directed at my right hon. and learned Friend the Attorney-General and me as well as at Lord Justice Stuart-Smith, because it is our view that he has done a thorough, comprehensive and detailed job with the utmost integrity. He has gone into all the allegations carefully and, as he said, it was his job to look at the evidence presented to him and to put compassion aside, as the families would have wished him to do. It is a matter of huge frustration that no one has been brought to justice. That represents severe defects in terms of police discipline, and I have spoken about the need for that to be changed. It is not possible to put the clock back nine years to do so.

Mr. Robert N. Wareing (Liverpool, West Derby): Does my right hon. Friend accept that there will be deep unease on Merseyside and elsewhere, and that people will feel that there is no justice in this world? Does he further accept that because few of us have had the opportunity to read the report—although he was kind enough to analyse it with the parents—far more scrutiny is required by the House of Commons; possibly by the Select Committee on Home Affairs, which should be asked to report?

Furthermore, I add my voice to that of my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) and ask that there should be a proper debate following a reasonable period to allow us to read the report. For example, it would seem that Lord Justice Stuart-Smith ruled as not significant a couple of videos stolen from Sheffield Wednesday. How on earth could he say that they were not significant if he had never seen them? Many questions have been raised by the report, and the parents will not feel that justice has been done until they are answered.

Mr. Straw: Lord Justice Stuart-Smith explains why he came to that conclusion and how he could judge that the videos were not significant when he had not seen them. One of the videos was from a misplaced camera angle. It was known that it had been pointing at a wall. Therefore, the tape was of no value, even though it was stolen. As for the other video, two points are made. One is that it was a club video. Police videos in part covered the same area. In addition, Lord Justice Stuart-Smith makes the point that the police admitted that they could see with their own eyes what was going on on the terraces and did not need this crucial video evidence. That is one example of why it is very important that everybody should read the report's details. When they do, they may be reassured that Lord Justice Stuart-Smith has gone into the matter in great detail and with great care.

That brings me to my hon. Friend's first point. I have already accepted that it is a matter of fact—there is no question about this—that there is great disappointment among the bereaved families and friends of those who died on that terrible day. I do not think that it is correct to say—to pick up my hon. Friend's words—that there is no justice in this world. On reflection, he will perhaps accept that Lord Justice Taylor's inquiry was conducted impeccably, with great thoroughness. There has been no criticism of either the way in which he conducted that inquiry or his conclusions. That may be only partial justice in the context of this terrible tragedy—it is partial justice. I understand that the conduct of the inquests was controversial, but that has a great deal to do with the system of inquests, and that was not found to be unjust.

It is inevitable that an inquiry's conclusions may be uncomfortable to one side or another. I hope that those who read the report will understand that it represents a thorough inquiry in the best traditions of British justice.

Mr. Vernon Coaker (Gedling): As one of the Members of Parliament who represents the Nottingham

[Mr. Vernon Coaker]

area, may I take this opportunity, on behalf of those Members, to express our sympathy with the families and people of Merseyside? Does the Home Secretary agree that the people of Nottingham, along with those on Merseyside, will want a full and frank debate on the report, which amounts to more than 200 pages and has only just been published today? Will he do all that he can to ensure a full debate, so that people will have the opportunity to express their views and opinions to me and other Members of Parliament, and we can express those views in the Chamber?

Mr. Straw: I accept my hon. Friend's point. I should have made the point in response to my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) that there is obviously considerable feeling about the need for a debate. I shall pass that on to my right hon. Friend the President of the Council.

Mr. Dennis Skinner (Bolsover): Is the Home Secretary aware that I find it difficult to believe that 95 people were killed but nobody is to blame? Is he further aware that inquests on the deaths of many people, such as after mining disasters and for this matter, are not fit and proper places to start the procedure? He would do well, during this Parliament, to introduce measures to ensure that inquests are fit to deal not just with the death of three people in a house fire but with mass disasters. I have never believed that inquests are competent to do the job.

Will the Home Secretary do me a favour? If, perchance, there is another unfortunate incident of this kind, will he not invite these tinpot judges and justices—distinguished though they may be—to deal with the problem? I have never believed that they understand working-class culture. Over the past few years, all these people—Lord Justice Scott, Lord Justice Taylor, Lord Justice Stuart-Smith—have been investigating matters. What do they really know about what makes working-class people tick?

Mr. Straw: My hon. Friend makes the point that no one is to blame. It is not the case that the earlier inquiries found no one to blame. Indeed, on page 49 of his interim report—Cm 765—Lord Justice Taylor was explicit and damning. He said:

"the main reason for the disaster was the failure of police control".

There has been no cover-up of that. There was a failure of police control, and Lord Justice Taylor pulled no punches whatever in reaching that conclusion. I hope that that gives the lie to my hon. Friend's suggestion that judges are incapable of holding investigations into matters of this kind. I note that, whenever there is a call for an inquiry, there is a great demand for members of the Court of Appeal to hold them.

It is inevitable that not everyone will be satisfied by the result of an inquiry because such judgments defy human behaviour. However, Lord Justice Taylor's report showed great understanding of soccer and soccer culture. He was an ardent soccer supporter himself. I had the occasional discussion with him about it. That is one of the reasons why he was chosen to hold the inquiry. When my hon. Friend has had a chance to digest Lord Justice Stuart-Smith's report, he will appreciate that it has gone into the allegations with great care.

Mr. Tony Clarke (Northampton, South): Does my right hon. Friend accept that it is that clear evidence that will make it impossible for the families to accept disappointment, inasmuch as they know that the police failed and that nothing is being done about that?

Will he say a few words about the evidence that Lord Justice Stuart-Smith put forward in respect of the stolen tapes? Surely, if the stolen tapes are missing, we must ask two questions: first, who was responsible for that theft, and, secondly, for what reason were they stolen if not for concealment? It is for that reason that I add my support to the call of my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) for a full debate in the House to examine the individual pieces of evidence and missing evidence before coming to a conclusion.

Mr. Straw: I appreciate that I am one of the few people who have had the benefit of reading the report. If my hon. Friend reads it, as I know he will, he will see that the question of the two missing tapes is dealt with in some particular detail. I have explained why Lord Justice Stuart-Smith reached the conclusion that he did about whether the fact that they were stolen was significant.

This goes back to the point that I made at the beginning of my statement. When we consider whether a major public inquiry into events that took place nine years ago should be reopened, with all the inevitable problems caused by the effluxion of time, the issue has to be not only whether there is new evidence—which there might be—but whether it is of such significance as materially to alter the conclusions of the first inquiry. That is what Lord Justice Stuart-Smith has examined. He has come to the conclusion I have described about the two missing tapes.

It is a matter of supposition why the tapes were stolen. People steal things for the purposes of concealment or for more prosaic reasons. They may have wanted the tapes for their own use. No one has ever been apprehended for the theft of the tapes, but in the circumstances described and set out in the report, it is palpable that they were not material to the question whether the police were to blame for failing to recognise that a serious disaster was taking place at the Leppings lane end. That was the issue.

If Lord Justice Taylor had said that the police were not to blame and that the tapes were likely to disclose why, the tapes would have greater significance. However, Lord Justice Taylor said that the police were to blame. He also pointed out—this was confirmed by Lord Justice Stuart-Smith—that one of the reasons why the police were to blame was that they did not have to rely on video evidence; they could see with their own eyes what was going on, and they failed to make proper decisions following that.

Mr. Ross Cranston (Dudley, North): May I take my right hon. Friend back to the issue of police discipline and the feeling among the relatives that no one has been brought to justice? May I ask him specifically whether Lord Justice Stuart-Smith addresses the issue of early retirement by police officers to avoid disciplinary procedures? May I press him for a speedy response to the Select Committee on Home Affairs report on police discipline?

Mr. Straw: I have already referred to Lord Justice Stuart-Smith's remarks about the fact that no one has been brought to justice and that no one has suffered any disciplinary proceedings or even lost their job as a result either of those terrible events, or of Lord Justice Taylor's clear conclusion that a failure of police control was the principal cause of the disaster. By implication, it is clear that Lord Justice Stuart-Smith is not happy with what happened, and neither are we. I have looked in great detail at the helpful report from the Select Committee, of which my hon. Friend is a member. As I said earlier, we intend to make an early announcement about that matter, with a view to improving the system of police discipline.

Point of Order

4.21 pm

Mr. Andrew Robathan (Blaby): On a point of order, Madam Speaker. I have given you prior notice of this point of order, which concerns the accuracy of statements recorded in the *Official Report*. We all judge the *Official Report* to be of immense use when we write our speeches or assemble arguments, and it is important that statements recorded in it are accurate, so I ask your guidance. On 21 January, the hon. Member for Broxtowe (Dr. Palmer) introduced a ten-minute Bill about air weapons. I have spoken to the hon. Gentleman and we have discussed the matter, although sadly he cannot be here this afternoon. I should say that I wish him no ill and I am sure that it was confusion of facts, rather than any other cause, which led to this point of order.

The *Official Report* states:

> "In the past few years, one police officer was killed and another 7,000 injured by airgun attacks."—[*Official Report*, 21 January 1998; Vol. 304, c. 1014.]

However, in response to a written question from me, the Home Secretary said that, although he had no figure for the past two years, he could find no fatal injuries and a total of 22 injuries recorded during eight of the past 10 years. I can find no other evidence of anybody being killed. Every policeman injured is a serious matter, but the discrepancy between 22 and 7,000 is large, and I wondered whether you could give your judgment on that, Madam Speaker.

Madam Speaker: The answer is a polite no. It is not a point of order: the hon. Gentleman is challenging the figures used by another hon. Member and that is not a matter for the Speaker, but a matter for debate and argument. It is not for the Speaker of the House to determine the figures or to become involved in arguments about the substance of debates. The hon. Gentleman may try to use other methods to bring the matter to the attention of the hon. Member for Broxtowe (Dr. Palmer).

Water Industry (Amendment)

4.22 pm

Mr. David Kidney (Stafford): I beg to move,

That leave be given to bring in a Bill to make further provision with respect to the water industry.

The Bill is to amend the Water Industry Act 1991 and for connected purposes. In short, it is a Bill about sewage, or, more precisely, about the sewers and the works that take away our sewage. It is not an engaging subject, I admit, but it is a very necessary function. The Bill would correct what I believe is an unfair omission from the privatisation of the water industry as carried out by a previous Conservative Government.

Around the country, especially in rural areas, are a number of small sewage works that were excluded from the privatisation of the water industry. That leaves the owners with the continuing liability for the cost of maintenance and upkeep. Since 1991, the environmental standards imposed on those works have been raised, adding to the financial burden on owners. I give as an example Stafford borough council, owners in the years before 1991 of a number of small sewage works provided under public health and housing provisions. Today, those works service a mere 160 or so households in rural areas. The cost of that is ridiculously high, as service on such a small scale is hopelessly uneconomic. If you will excuse the pun, Madam Speaker, it is not the council's business.

As a result, the council has to choose one of two unattractive options. It must either require the service users to pay a service charge many times in excess of the water company's charging rates, or subsidise the charge using other people's council tax and rent payments. In 1996, the cost to Stafford borough council of such a subsidy was almost £100,000 for the year.

Under the 1991 Act, an owner in that situation can ask the water company to adopt the sewage works, but the water company cannot be compelled to do so. In the event of a disagreement between the company and the owner, an appeal may be made to the regulator, Ofwat. The adoption procedure, including the appeal procedure, is contained in section 102 of the Act. The criteria that are set out in the section stack the odds against the owner.

My Bill would turn that around and place an obligation on the water company to adopt the sewage works. It would substitute a new section 102, which would provide that an owner or any of the owners of a sewer or a sewage disposal works may request that a water company make a declaration to adopt such a sewer or works.

The company would be required to make, within four months of such a request, a declaration that the sewer or works are to be vested in the company. The specified date of vesting must be no later than six months after the date of the declaration. That framework provides an overall maximum time scale from request to adoption of a year. In the event of a dispute, an appeal would lie with the Secretary of State for the Environment, Transport and the Regions. For a water company not to carry out the procedure would be an offence, subject to the defence of due diligence.

The Government who devised the sale of the water industry considered that question ahead of the 1991 Act. A consultation paper on water and sewerage law was issued in March 1986; it stated that the Government foresaw that the problems of private sewers would increase unless remedial action were taken. It therefore proposed that all sewers and private sewage works should be transferred to the water companies. The paper continued:

"The cost of the proposal is difficult to estimate but water authority figures suggest that it could range from £10 million to £30 million per annum in extra maintenance expenditure nationally, depending on the assumptions made. This compares with total water authority revenue of about £2.5 billion. These increased costs, if passed on in higher sewerage charges, would add little to the average annual bill."

I am confident that most hon. Members would regard that proposal as a fair and reasonable solution to a future problem that the then Government had anticipated. But what happened? The Government completely reversed their position, and excluded such sewers and sewage works from the Bill. I believe that the fair and reasonable solution was abandoned in favour of maximising the privatisation receipts.

Sewage may not be the most glamorous or engaging subject for our consideration, but I hope that the attention of the House can be captured by a call for fairness and equity in whatever circumstances it may arise. Therefore, on behalf of those few private owners such as Stafford borough council, which have been disadvantaged by the 1991 Act, I ask the House for leave to present this amending Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Kidney, Charlotte Atkins, Mr. Peter Bradley, Mrs. Janet Dean, Mr. David Drew, Ms Julia Drown, Dr. Brian Iddon, Jacqui Smith, Mr. Tom Levitt and Ms Joan Walley.

WATER INDUSTRY (AMENDMENT)

Mr. David Kidney accordingly presented a Bill to make further provision with respect to the water industry: And the same was read the First time; and ordered to be read a Second time on Friday 6 March, and to be printed [Bill 124].

Social Security

4.29 pm

The Minister for Welfare Reform (Mr. Frank Field): I beg to move,

That the draft Social Security Benefits Up-rating Order 1998, which was laid before this House on 5th February, be approved.

Madam Speaker: I understand that with this, it will be convenient to discuss the following motions:

That the draft Social Security (Contributions) (Re-rating and National Insurance Fund Payments) Order 1998, which was laid before this House on 5th February, be approved.

That the draft Guaranteed Minimum Pensions Increase Order 1998, which was laid before this House on 5th February, be approved.

That the draft Social Security (Incapacity for Work) (General) Amendment Regulations 1998, which were laid before this House on 5th February, be approved.

Mr. Field: The main uprating order increases social security expenditure by £2.5 billion. In these uprating debates, it is a tradition that we are able to look at social security in the round rather than discuss the detail of the uprating orders, and I wish to follow that tradition today.

There are a number of reasons for celebration. It is the first uprating for nearly 20 years that a Labour Government have introduced to the House. This year also celebrates the 400th anniversary of this nation taking national action to combat destitution. It is also the 50th anniversary of the implementation of the Beveridge system. Therefore, on a number of counts, it is appropriate that we are holding this debate and that it should be wide-ranging.

However, the uprating order uprates benefits that are, in the main, of a pre-Beveridge structure. Although there has been a tenfold real-terms increase in social security expenditure, and although the proportion of gross domestic product spent on social security has increased from a little under 4 per cent. to well over 12 per cent. of GDP, we are operating under a system that owes its origin to the pre-Beveridge age.

I want to develop that point briefly to the House, and in so doing to present information on how much of our social security uprating and the total bill is today determined by a structure of benefits that operated before the Beveridge scheme came into existence. That shows in this area, as in many areas of government, how the dead hand of the past influences not only the present, but the future.

Some hon. Members may be as surprised as I am to learn that £5 in every £8 that we spend in the current year on social security is spent on a benefit structure that pre-dates Beveridge. In other words, only £3 in every £8 we spend results from the legislation that followed the Beveridge report, or subsequent social security legislation following 1948. That is one of the background reasons why the Government are undertaking such a thorough review of welfare provision in this country.

We therefore have a social security budget approaching £100 billion, which shows a growth in expenditure of £43 billion since the previous Labour Government left office. If we are not merely concerned with the extent to which the dead hand of the past continues to operate on how that huge budget is spent, it is important for the House to consider how the claimant roles have changed, for that also makes a case for the welfare reforms that the Government will shortly introduce.

If we now regard 1948 as a dividing point, when both the national insurance scheme that Beveridge advocated and the National Assistance Act 1948 came into force, we find that, then, two thirds of people drawing benefit were retired and, obviously, a third were below retirement age.

Of those claiming benefit then, there were few single parents, and few who could be deemed to be long-term sick and disabled. Today, more than two thirds of those who claim benefit are below retirement age. That fact lays the basis for the Government's programme of a modern, active service, which the Under-Secretary of State for Social Security, my hon. Friend the Member for Manchester, Withington (Mr. Bradley), has done so much to promote energetically since last year's general election when Labour took office.

It also provides the rationale and the basis for many of the programmes that the Chancellor of the Exchequer has announced. For example, the welfare-to-work programme ensures that those aged between 18 and 25 have opportunities to re-enter the labour market. It also underpins the reason why we have introduced pilot projects to increase the contact that lone parents have with the labour market, and why we seek bids from groups that promote the interests of the long-term sick and disabled as to the sort of projects that they wish the Government to back at this stage of our welfare reform.

An issue that we wish to register in the debate is the effect of the dead hand of the past on current expenditure. As I said, about £5 in every £8 that we spend on social security each year is determined by a benefit structure that predates Beveridge and his report—let alone the legislation passed by the House following the publication of that report. That is part of the background to the major welfare reform that the Government are undertaking.

It is also important to comment on how the world has changed since Beveridge wrote his report and this House debated it, as that is pertinent to the current reform of welfare. I shall mention five major changes.

First, when Beveridge published his report, there was unanimity that the state should extend welfare coverage. The Government plan to reform and extend welfare, but I believe that consensus now favours a mixed economy of welfare. Although the state plays a crucial role in provision, it will also play other welfare roles, particularly in the area of regulation. In the future, the state will look increasingly to ensuring that individuals can make choices fairly. That role will be combined with the state's historic role of providing benefits.

Secondly, while we shall aim to increase welfare expenditure, we shall aim also to decrease the proportion of the budget that is covered by taxpayers through benefits guaranteed by the Government. That is a marked change from when Beveridge presented his original report. At that time, the unanimous view was that there would be an increase and that it would be run by the Government—or the state, as some said then.

Mr. Steve Webb (Northavon): I seek some clarification. Is the Minister saying that there will be an increase in total welfare expenditure, but that it will not

[Mr. Steve Webb]

all be public welfare? Does he envisage an absolute decline in state social security spending—not merely in spending as a share of national income?

Mr. Field: I am grateful for that intervention from my hon. Friend—that is what I call him. We are speaking relatively. Therefore, we are talking about which shares will be spent faster than others. The Government's aim is to slow down the rate of increase of social security expenditure, so that some of the budget may be shifted from welfare payments to educational and health opportunities. I was happy to give way to my hon. Friend, who has also made my next point: that there is a difference between the Government's proposals and those that Beveridge advanced.

I hope that it is becoming clear to the House and the country that there are four stages of welfare development in this country. I said earlier that we were celebrating the 400th anniversary of this nation's intent to deal with destitution. For a large part of those 400 years, welfare policy was about dealing with destitution. In this century, most decades have dealt with how to relieve poverty.

Under some of the actions of the previous Government, but particularly under this Government, we have moved to a third stage of welfare, which is how to prevent poverty in the first place. The fourth stage is how we move even beyond that, to provide a range of benefits and opportunities so that individuals can fulfil their full potential.

The question posed by my hon. Friend from the Liberal Benches was relevant, for, if we are thinking of welfare in terms of the third stage—preventing poverty in the first place—and the fourth stage—moving to a situation in which individuals can fulfil their potential—we are less concerned with paying benefits, although that is a crucial function for those who need them, and we are increasingly interested in using public funds—taxpayers' money—to create those opportunities.

Mrs. Teresa Gorman (Billericay): If I understand correctly that the right hon. Gentleman and his Government intend to encourage a more mixed economy in welfare, which I take to mean that people should be able to make their own arrangements, is it not imperative that those who have been saving particularly for their old age should be given every encouragement? Is that not the antithesis of what the Government have so far done in raiding pension funds?

Mr. Field: I am always happy to give way to the hon. Lady. Ever since she has been in the House, she has tried to show that there is some major difference between her point and mine. Both of us are agreed on the fundamental point that those who have funds invested for future pension provision will rely on the health of the economy to pay rich dividends when they retire.

It is therefore important for the hon. Lady not to try to make a cheap debating point against the Treasury Bench, but to take the longer-term view that she usually brings to issues in the House, and to realise that the long-term health of the economy will pay the dividends to pay those pensions. She should not be obsessed, as she wants to appear today, with short-term changes. I beg her to take her usual longer-term view of the future of the country, rather than the short-term debating point that she makes in that intervention, although of course I was happy to give way to her and will be happy to give way to her later in the debate, if she wishes to catch my eye.

Mr. Nicholas Winterton (Macclesfield) *rose—*

Mr. Field: I give way to another hon. Friend—I call him my hon. Friend because we served so long together on the Social Security Committee.

Mr. Winterton: I am grateful to the Minister for what he has just said. May I project us into the future, following up my hon. Friend's point?

Does the Minister believe that, for those who may be well enough off today but may not be in the future, there should be fiscal encouragement, which clearly involves the Chancellor of the Exchequer and his Treasury Ministers? Does he not believe that there should be fiscal encouragement in the mixed economy that we all support? I am delighted that his speech is constructive and philosophical in that respect. Should not fiscal encouragement be given as part of the package that he is announcing to the House this afternoon?

Mr. Field: My hon. Friend knows full well that that is a question for my right hon. Friend the Chancellor of the Exchequer, not for me. It is an important issue, and the Government are clear about it.

When Beveridge published his report, he hardly mentioned occupational pensions. Large numbers of pensioners are not poor today, thanks to occupational pension schemes. It is important to nurture and spread success, and for politicians to be aware that sometimes the framework in which they view developments can be so limited that they fail to see where the advances are coming from that will deliver the rich rewards from which most of those in occupational pension schemes are reaping the benefits today. I congratulate my hon. Friend, as I have referred to him, on a good try in suggesting that I should answer a question that would be appropriately answered by my right hon. Friend the Chancellor of the Exchequer. I am sure that my hon. Friend, as I have called him, will have an opportunity to put the question to my right hon. Friend in the near future.

As this is the last uprating debate before the publication of the Green Paper, I want to conclude my remarks by making a comparison—

Mr. Webb: There will be a statement next year.

Mr. Field: It took my hon. Friend all of seven seconds to realise that it will be another year before we have another uprating statement. I congratulate him on being so quick off the mark.

I wish to end by making a comparison with—

Mr. Nick Gibb (Bognor Regis and Littlehampton): Before the Minister concludes, does he recall the statement made by his right hon. Friend the Secretary of State for Social Security the other week during social security questions—I notice that the right hon. Lady is not in her place today—to the effect that the Government had taken the advice of the Government Actuary and had

acted properly on it? The reality is that the Government have not fully adopted and accepted the advice of the actuary.

Will the right hon. Gentleman explain what the Secretary of State meant? Will he also explain why the Government have not accepted in full the actuary's advice on rebates to private pension funds and to money purchase schemes?

Mr. Field: The Government have accepted in the main the recommendations made by the Government Actuary. In the round, I believe that we have fulfilled what is required of us, given that we asked for and received a report.

The hon. Gentleman has noted that my right hon. Friend the Secretary of State is not in the Chamber. The hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), who sits on the Government Front Bench, has tried to make something of that during the day. As departmental Ministers, we are happy to present ourselves as a team. I am happy to underscore the point that my right hon. Friend has been generous enough to allow me the opportunity of presenting the orders. My hon. Friend the Under-Secretary of State will reply.

It is interesting that, if I am not speaking, the hon. Member for Chingford and Woodford Green says that I am being gagged. If I am speaking, he says that my right hon. Friend should be undertaking the debate.

I said before the last helpful intervention that I wanted to end my contribution to the debate by making a comparison between what Beveridge tried to achieve in his report and what we shall be aiming to achieve in the Green Paper when it is published shortly. It is clear from reading the Beveridge report that he thought that, by extending state provision, he would be achieving what he called a big-bang approach. That is not the approach that the Government have been following or will follow, or that will be detailed in the Green Paper.

I hope that right hon. and hon. Members will find set out in the Green Paper a clear idea of the society that Labour hopes that the country wishes to join in building. It will be a contrast with the big-bang approach to which Beveridge gave such emphasis.

The Green Paper will contrast in another sense with the Beveridge report, in that Beveridge was keen on producing a shopping list of policies. In contrast, the Green Paper will give a description of the sort of society that we hope the country will be supporting 15 years hence, as a result of the reform programme that will start following the publication of the Green Paper.

Beveridge was keen on detailing different benefit rates, but that will not be the preserve of the Green Paper. Instead, we shall be setting out clearly the objectives that the Government will hope to achieve by their reform programme. Again, in contrast to the Beveridge report, instead of giving chapter and verse to the genesis of each benefit rate, we shall be presenting in the Green Paper a series of success measurements by which we wish to be held accountable in trying to achieve the objectives that we shall be setting out.

Beveridge thought that his report was the end of the debate. We hope that the publication of the Green Paper will be the beginning of the debate in earnest about welfare reform in this country. The Green Paper will be followed by a series of proposals on pensions, counter-fraud strategy, and the Child Support Agency.

Mr. David Rendel (Newbury): The Minister just told us that the Green Paper will be the beginning of the debate. What is the road show about?

Mr. Field: I am sorry that the hon. Gentleman did not pay more attention to the road shows, which have been fairly well covered. I thought that he would have read about them. The road shows were about establishing the need for reform, which has been—and is being—successfully done. Hon. Members even on the Liberal Democrat Benches seem to be generally in favour of the proposed reforms.

This is the last uprating debate before the publication of the Green Paper, and the measures that will follow from it. I have considerable pleasure in commending the draft measures to the House.

4.50 pm

Mr. Iain Duncan Smith (Chingford and Woodford Green): I suspect that this will be a fairly quiet debate.

I welcome the Minister of State to his position. It is not the case that I am critical when he is not here and critical when he is. I welcome him and the Under-Secretary of State for Social Security, the hon. Member for Manchester, Withington (Mr. Bradley). One could not ask for a more generous and reasonable pair on the Treasury Bench to lead the debate for the Government.

My point first—I want to get it out of the way—is not a small, political point but a very real point. The Secretary of State for Social Security and Minister for Women is the first Secretary of State since 1978 not to have made the announcement on uprating, which was made in December, or to outline the position at the start of this debate. As the right hon. Gentleman knows, before 1978, there was a slightly different structure but the Secretary of State still came to the Dispatch Box. It is not that the right hon. Gentleman is not welcome; it is that the Secretary of State is not here. The uprating announcement is the biggest thing that happens to social security every year. As he said, it is an opportunity to debate the round, to debate what has been happening in the past year, and how it will affect us.

The Secretary of State's absence seems very much in keeping with the behaviour of her colleague, the Minister of Agriculture, Fisheries and Food, who was not present during a huge debate on beef on the bone and spent his time in the Smoking Room. If I did not know about the Secretary of State's habits, I would, perhaps, ask my colleagues to check the Smoking Room to ensure that she is not also there. I gather that the Secretary of State for International Development also was not at the Dispatch Box this morning to hear a rather important debate.

With respect to the Minister of State, this place matters. This is where the power to pass orders comes from. This is where the debate should be held, and the Secretary of State should be held to account. I am not being churlish. I hope that the point is taken and that it is made clear to her that the House is concerned that she is not here. I certainly thought that she would be.

Ms Gisela Stuart (Birmingham, Edgbaston): Should I draw any conclusions from the fact that, for the first

[Ms Gisela Stuart]

time, the uprating orders have been signed by the deputy Actuary, not the Actuary? I understand that the Actuary was not there on that day. I ask the hon. Gentleman for guidance on that.

Mr. Duncan Smith: With respect to the hon. Lady, who is a new Member, silly little tricks such as that are a waste of time. If she cares to look at the Order Paper—

Mr. Field: What is the answer?

Mr. Duncan Smith: Hold on.

In the Order Paper, there is one name against each of the draft measures—that of the Secretary of State. If her name is there to move the draft measures, she could at least have respect for the House and be here. That is the answer. I have made a simple point and will now move on. What has happened is in keeping with the way in which the Government constantly treat the House.

As the Minister of State said, the annual uprating order is an opportunity to talk about the detail of this matter. Clearly, it is a straightforward and traditional uplift in line with two measures of inflation, and it would therefore be wrong for anybody in the House to try to block it. It deals with those in need, and it is only fair that those payments should be made at the earliest opportunity. I therefore welcome the order and make no bones about it.

I wish to make one or two small points before going on to deal with the wider subject of social security. When the Conservatives were announcing the uprating in 1995, the hon. Member for Withington said that the freezing of capital and earnings disregards was a problem. There seems to have been a slight change in his position since then, and I hope that, when he winds up the debate, he will explain why. He might like to check *Hansard* on that.

I suspect that the same logic exists in the general debate on welfare, where there have been a number of changed positions. Before the election statements were made on lone parents; the Government have certainly changed their position on that subject since coming to power. They changed their mind on freezing lone parent benefit. In opposition, the right hon. Member for Islington, South and Finsbury (Mr. Smith)—now the Secretary of State for Culture, Media and Sport—said that the move would save only £5 million out of a budget of £90 billion. He said that there must be

"some really important objective to include such a tiny measure within those proposals".—[*Official Report*, 20 February 1996; Vol. 272, c. 204.]

If it is such a small measure in relation to the overall budget, why are the Government doing it now? Is it purely for reasons of cost, or is it on principle? Do the Government support the underlying principle?

I wish to discuss two specific areas. The first is pensions, which form the largest part of the welfare budget. Too often in these debates people discuss benefits but miss the point that pensions constitute a growing and sizeable chunk—nearly 40 per cent.—of the overall welfare bill and therefore should be dealt with. Last July, the Government announced a consultation process, which was supposed to be the start of a comprehensive reform of existing pensions arrangements.

However, before the consultation process was properly under way, the Chancellor drastically changed the parameters of the pensions debate. The Minister for Welfare Reform has already spoken about that in response to an intervention. However, by abolishing the advance corporation dividend tax credit, the Chancellor took a significant chunk—some £20 billion—off the funds held by occupational pension funds, and changed the whole pension debate.

In the pensions debate of 9 July, I said that the abolition of the ACT credit would create a massive problem for SERPS because it would, in essence, devalue the rebate. The Minister of State, who is smiling, knows that only too well; indeed, it was clear to those of us who know about pensions the moment the announcement was made in the Budget. I said that we should waste no more time and called for an immediate out-of-sequence review because those who had opted out of SERPS would be in difficulty and would be confused about their position, and those who were thinking about opting out would also have difficulties.

The Under-Secretary of State for Social Security, the hon. Member for Southampton, Itchen (Mr. Denham), who is responsible for pensions, said that those were "arguments of convenience", yet in December the Government began to realise that the decision to abolish the ACT dividend tax credit had done exactly what I and others had predicted, and sent for the Government Actuary to review the matter. That was logical and reasonable, except that it took until December for the Government to get round to doing it. As was predicted back in July, the Government Actuary returned with some sizeable recommendations.

My point today is that that has taken time and created confusion for those in both personal and occupational pension schemes.

Having announced the changes to the rebates, the Government proceeded to implement only part of the recommendation in the Government Actuary's Department report. The Minister said that, in the round, they did the right thing, but I disagree. I think that they have interfered in the process and have tilted the balance against occupational pensions at a time when the Government have legitimately said that occupational pension provision was the right route for many people, as it was a serious and supportive way to provide for their future.

Calculations by the National Association of Pension Funds, *Pensions Week* and others show that it will cost taxpayers up to £0.5 billion to uprate the rebate for personal pensions to correct the mistake made by the Chancellor in the Budget. By lowering the rebate by more than the Government Actuary recommended, the Government have hammered contracted-out money-purchase occupational pension schemes, and by freezing final salary schemes and not following the Actuary's recommendation that the rebate should be raised, they have also put those schemes under pressure.

An examination of the calculations brings us to the rather cynical conclusion that the taxpayer will pay the cost of correcting the Government's mistake on personal pensions. By not doing what the Actuary recommended, the Government are throwing the problem back on to occupational pensioners. They are asking them to bear the burden of their failure to follow the Actuary's

recommendation. People will be in doubt about what to do about their pensions. They will have to decide whether to go back into SERPS and change what they have been doing for some years, or to stay out and bear the extra cost, which is estimated to be close to what it will cost taxpayers to bail out personal pensions as a result of the changes.

This is the same Government who said:

"We must continue to value the contribution that employers can make to their employees' security in retirement."—[*Official Report*, 9 July 1997; Vol. 297, c. 1037.]

They were strong on occupational pensions, and were critical about the administration of personal pensions, but when it came to making the corrections, they did the opposite. They have had to rob Peter to pay Paul to get out of the hole that the Chancellor got them into when he made changes in the Budget in haste, and did not listen to what the Treasury was telling him about the effect of the calculations.

There is a further serious problem. As I said in July, even if the Government undertake the out-of-sequence review, it will not be implemented until April 1999. People in occupational pension schemes, and even those in personal pension schemes, will have to wait for the next year and a half wondering whether to go back into SERPS or to stay out. Even if the rebate is altered in their favour, they will still have to bear the cost in the meantime. That proposal comes from a Government who have been talking decisively about pensions.

The Minister did not touch on the present review of pensions in his interesting comments about welfare reform. The Chancellor's moves in this area have had a bigger effect than simply cost. The Department has been boxed in, because the key to the resolution of the problem of unfunded pension liability is to deal with SERPS by phasing it out in due course and ensuring that pension provision is funded.

I applauded the Minister for his comments before he came into government. I heartily agreed with him, and I still agree with him. The trouble is that the changes that have been made to the rebate have driven a coach and horses through the possibility of a proper review of pensions. There was one big review and, by the end of the autumn, 2,000 responses had been received from various companies and individuals. That first review told the Government clearly that SERPS had to be phased out, but they could not do that because they had begun to enhance it. So they had to have a second review. There were 191 submissions—quite a difference from the 2,000 that were received the first time.

The reason became clear when companies were consulted. Companies are sick and tired of the review process: they are fed up with it. Having made their submissions the first time, they were asked again to try to get the Government off the hook.

The Chancellor's hand is on this. He has boxed in those at the Department. If it is possible to feel sorry for them, I do. Given that—as I said earlier—pensions constitute about 40 per cent. of the welfare budget, they are a big issue. Arguably, a Government who tackle that—we made serious inroads into it, but the present Government now face the challenge—tackle the greatest part of the problem that accompanies the unending provision of payments from that budget. The challenge and the opportunity are there.

Another aspect is the constant leaking and rowing about what will happen to the basic state pension. The Government have said on a number of occasions that the issue is not for review, and that it is not in the equation; but the real point is the persistent comments about means-testing the pension. As the Minister of State knows better than anyone else, when we are dealing with that issue we need to be cautious in our choice of language and in our delivery of that language.

I am concerned about the fact that so many people seem to have taken the opportunity to comment in speeches. For instance, the other day the Secretary of State for Health was able to comment at one of those roadshows on what would happen to the state pension. I understand that he made clear his view that means testing was definitely on the agenda, and that there would be a complete overhaul of that aspect of pension provision.

We have heard half-denials and acceptances, but, out there, a group of people who currently receive pensions are legitimately beginning to wonder what the position will be. I understand that a Government must govern and must make decisions, and I do not seek to block the Government's route to decisions and review; but I believe that pensioners have a contract to continue to be paid the pensions that they believe they were contracted to receive. I ask the Minister of State, or the Under-Secretary who is to wind up the debate, to take this opportunity to dispel the unnecessary fear that has been generated throughout the country by comments such as those by the Secretary of State for Health.

As I have said, this is a big issue. Perhaps only those receiving disability benefits are as scared as the people affected by it. I urge the Minister to clarify the matter. If he wants to intervene now, I shall be more than happy to give way, but I sense that he does not want to intervene.

Mr. Nicholas Winterton (Macclesfield): My hon. Friend made an interesting point in challenging Ministers to give an assurance in respect of the state retirement pension. Will he now give an assurance that the Conservative and Unionist party has no intention of means-testing the state retirement pension? I am thinking not only of those who are over retirement age and are drawing the pension, but of those who, like me, are about to reach the age of 60. I have been contributing national insurance and tax payments in the belief that, when I reach the state retirement age, I shall be entitled as of right to a state retirement pension, whatever the amount may be at the time—although that pension will be subject to taxation. Will my hon. Friend give a commitment that the Conservative party will not means-test it?

Mr. Duncan Smith: I have no problem in giving my hon. Friend that undertaking. It was the Minister of State who opened the debate about means testing and he made it clear that he opposes its extension across the board. It is for him to say how that squares with the affluence test or means test that has been suggested by the Secretary of State for Health, and the Secretary of State for Social Security who, around Christmas, I gather, entertained the concept of affluence testing and was probably urged to do so by the Chancellor. When the Prime Minister returned from Japan, the right hon. Lady was told to stop talking about affluence testing, and we have heard nothing since. I suspect that the Minister of State is rather pleased at that because he does not have to try to redefine the concepts of affluence testing and means testing.

Mr. Michael Jabez Foster (Hastings and Rye): Is that Conservative commitment by the hon. Gentleman of the same nature as the one that was given in 1979 when pensioners were promised a continuance of the basic pension? Shortly afterwards the earnings-related element was abolished and, as a result, single pensioners in my constituency are now £18 worse off. Married couples have lost more than that.

Mr. Duncan Smith: When we were in government we maintained the purchasing power of the basic state pension. The hon. Gentleman can check any record that he likes. Is he suggesting that the Government are about to re-link the basic state pension to earnings? Does he have interesting information about that? The Member for Doncaster, North (Mr. Hughes) who corrals him through the Lobby and pages him to tell him what to say may have got the message wrong. I shall give way to the hon. Gentleman if he wishes to say that his Government will re-link pensions to earnings.

Mr. Foster: I cannot make a commitment on behalf of the Government, but I understand that they have said that the poorest pensioners will be protected. My constituents were not protected over 18 years when the previous Government were in office.

Mr. Duncan Smith: There we go again: a Back Bencher is unable to make yet another commitment on behalf of a party which promised that it would not change lone parent payments and promptly changed them when in government. We do not need any lessons from such a Government.

I have dealt with pensions, and I hope that the Minister will address the issues that I have raised. I should like to move to the issue of the review. The Minister made an interesting, almost philosophical speech about where the Government should and could go. I listened with great interest and agreed with much of what he said, as I often do. He invited us to be positive, as we have been because we have laid down our criteria on the matter. I said that on welfare reform in general there must be a structured programme: otherwise, there are merely leaks and innuendo and nothing about which to be positive.

I was fascinated by the intervention of the hon. Member for Newbury (Mr. Rendel) who speaks for the Liberal Democrats on these matters. He mentioned the roadshow. If the Government are keen to sell the concept of welfare reform, the opposition parties would be happy to help them. The problem arises when we try to define what we are selling. What is the structure? No wonder there is fear.

The more the Government cannot answer questions the more people fear that benefits will be squeezed, changed or abolished. What is the purpose of a roadshow that is presented only to a restricted part of the Labour party? It is absurd. We have to learn, as do the public, from snippets that are given to friendly journalists about what was said at a roadshow. That is not the right way to go about a reform programme, and I shall later deal with that in detail.

The debate on reform is important, but without a clear understanding of the framework we shall not be able to move off. The Minister of State is honest and honourable, and I am sure that he would be happy to let the House and the world know his thinking on what the Green Paper should contain. He had time before his party came to government to think the matter through, and has written and spoken much about it. In government, it should not have taken him long to formulate a structure, although I admit that there would be problems.

I wrote to the Prime Minister after he answered a question in the House in September and asked him when the Green Paper would be published. He had obviously spoken to his Minister of State because he said in early November that the Green Paper would be published at the "turn of the year". The document obviously had structure and was close to being published, or the Prime Minister would not have made that statement.

In January, I again wrote to the Prime Minister, drawing his attention to the delay and asking when the Green paper would be published, because there were reports about the matter in the newspapers. There was no response, so I sent another letter and eventually the Prime Minister replied. The correspondence states that the Green Paper will be published "when it is ready." Every hon. Member will accept that nothing can be published until it is ready: the Prime Minister's reply was a truism.

The question of publication remains, because for all the Minister of State's fine words in opening the debate we are no farther forward. The Government have been in office for some months and we are engaged in a serious debate on matters that do not even have an initial structure. Who is in control of the process and battling to change it completely? It is clear that the Green Paper will not be published until the Budget or after it. The Budget will be the focus and lead for all welfare change—call it reform if you will—and that has led to a series of stupid interventions by the Chancellor's press spokesman or Downing street about exactly what will be in the Budget and who was right and who was wrong.

The Prime Minister's press spokesman said that the Chancellor was psychologically flawed. Irrespective of whether I agree with that—and there is a great temptation to endorse the view of the Prime Minister's office on it—it shows the frustration of Downing street about whether the Chancellor has seriously gripped the issue.

Without the Green Paper it is not possible to focus on how the welfare reform programme will move. More important, I cannot recall a time when the Department of Social Security has not taken the lead in welfare reform. The Minister of State knows that, for many years before Labour came to government, the then Secretary of State for Social Security, my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), led the debate throughout.

Many of the changes were accepted, even welcomed, by the Minister of State and some of his colleagues. They may have wanted other changes, but they accepted that reform had started and that my right hon. Friend had made a huge effort on the process. Under my right hon. Friend's direction, that Department, which is responsible for the welfare budget, led the debate. There were no noises off from Ministers who were pitching in to try to claim that they controlled some of the debate about a section of that budget.

Such a crucial reform programme cannot be tackled in such a piecemeal way. Everybody in the Cabinet seems to be able to speak almost at will, saying one thing one week and being contradicted the next. That creates problems and confusion for people out there who need to

know what is going on. I say again that the confusion is so great that it is beginning to be felt even among people who the Minister of State and his right hon. and hon. Friends would consider to be their natural allies in the general debate.

The other day, after the Prime Minister spoke about welfare as being the big issue, *The Big Issue* said: "If you're poor, vote Tory. They would do more for you than Blair". All I say to the Minister of State and his right hon. and hon. Friends is that that highlights to some degree the confusion out there as to exactly what is going on and the fear that has been engendered.

Mrs. Gorman: People have seen through Labour.

Mr. Duncan Smith: Perhaps people have seen through Labour. It is not difficult.

Mr. Webb: I have just a quick question to the hon. Gentleman. I may be entirely mistaken, but do I see a photocopy of *The Big Issue* or did he actually pay for one?

Mr. Duncan Smith: I paid for one; it is just here. That is why *The Big Issue* wrote that headline, I expect.

Mr. Malcolm Wicks (Croydon, North): Was an ex-Tory Member of Parliament selling it?

Mr. Duncan Smith: I look forward to many of the hon. Gentleman's colleagues assisting some of those selling it in four years' time.

Mr. Patrick McLoughlin (West Derbyshire): If my hon. Friend is right to say that the Chancellor is the person who leads on this matter, does that not mean that, instead of getting consultation on these welfare reforms, we shall get no consultation? Is that perhaps the plan? The party in government is so afraid of its Back Benchers that it wants no consultation on the issue at all.

Mr. Duncan Smith: I do not think that the Government are particularly interested in consulting more widely; otherwise, these roadshows would have been public roadshows. The Liberal Democrats have hit the nail on the head. The desire is not to engage the public but to engage Labour Back Benchers. It occurs to me that one reason why the Secretary of State is not here may be that we saw her pulled from the roadshow in Wales, after the Chancellor said that the people attending his roadshow were a bunch of Trots or Conservatives. The mind boggles at the thought. I must admit that I did not get my ticket or invitation, but next time I will try harder; perhaps the hon. Member for Northavon (Mr. Webb) should try harder, too.

The Chancellor then said that we needed tighter security and a greater vetting of invitations: not greater public debate, but tighter security. I will not be tempted down that road, but I saw the boots growing on his feet even as we looked. The point is that it was not a public debate. My hon. Friend the Member for West Derbyshire (Mr. McLoughlin) is right about that. The Chancellor is clear about that. It seems that the Minister of State is not clear about it. I genuinely believe that he would like an open debate, and I respect him for that.

Mr. Edward Leigh (Gainsborough): Is my hon. Friend aware that the Secretary of State for Social Security and the Minister for Welfare Reform distrust each other so much that they will not allow each other to appear separately in front of the Select Committee? We have waited nine months to have the pleasure of the company of the Minister of State, someone whom we knew very well in the previous Parliament: he turned up every week. However, he has not been allowed to appear on his own before the Select Committee for nine months. He has been allowed off the leash only to the extent that the Secretary of State sits beside him like a minder. Is that not extraordinary? Has it happened before?

Mr. Duncan Smith: I am guided by my hon. Friend on this because, to be honest, there is no one whom I would less like to think of as distrustful than the Minister of State. He is genuinely someone who would be prepared to trust people and to take everyone at their own measure. Whether the same applies to the Secretary of State is another matter. Perhaps she has recognised that she still is in charge of the Department and attends with the Minister of State to find out exactly what is going on in relation to the Green Paper. I do not know; perhaps they do not talk.

We are talking about a huge uplift in Department of Social Security payments. This is a massively important time. Huge, unanswered questions remain about the Department, the Secretary of State and the reform and review process. The Government seem to have put their Department into a state of drift. It is rudderless. It is sitting almost becalmed while every other Department of State manoeuvres around it, pulling pieces off it as though it were a piece of flotsam, and viewing its budget as something to be grabbed.

It is clear that the Chancellor views the Department of Social Security as part of his package of redistribution. He views the next Budget and the last one as a means of raiding the Departments and people who have put money aside for their future. He wants to redistribute the money into other areas of Government spending, which he will then spend in the run-up to the next election.

We heard that slip from the hon. Member for Bolsover (Mr. Skinner) when he made a point to the Prime Minister about special provisions for an election. We know that that is true. It is out of the bag from an hon. Member who has been around long enough to know these things. He has been here long enough to recognise the cynicism of what is happening.

The Government intend to redistribute the money from the Department of Social Security—that is all there is to it. It appears that that is what the reform is all about. The money will be spent in an attempt to buy votes in the run-up to the next election. I say to the Minister of State, a man whom I have consistently respected, who still deserves respect and whose integrity should be driving this review: if the Department and the Secretary of State for Social Security do not get a grip and seriously start to insist that the Department's view on the matter must prevail, we will end up with a review of cuts, with no purpose other than the saving of money.

If the review is a top-down levelling, it will achieve nothing but the displacement and continual growth of this sector of Government expenditure. Reform that changes the structure and delivers more focused benefit to people in need is what matters, but that is not the Chancellor's priority. I say to the Minister of State and to his colleagues: "Get a grip before you lose it."

5.26 pm

Mr. Malcolm Wicks (Croydon, North): I thank my right hon. Friend the Minister for Welfare Reform for the way in which he has introduced this important debate. It may be a quiet debate, but it is about a big and potentially noisy issue.

The upratings debate is an opportunity, particularly at this time in the reform process, to ask some fundamental questions. Perhaps the most important question of all is: what is social security for? What are the objectives? Many people rush to give a seemingly simple and clear answer to that question, saying that it is simply about the attack on poverty.

Historically, that was always the answer. Like my right hon. Friend, I have noted that, 400 years ago, Parliament was discussing this very subject of poverty relief, leading to the Poor Relief Act 1601 and the Elizabethan poor laws, as we now call them. However, in modern times, although poverty relief and the attack on poverty are clearly major—perhaps the major—objectives, social security has other objectives too. Our debate would be poorer if we forgot those other objectives.

I know that my right hon. Friend now has to leave the House to give the Beveridge memorial lecture. I hope that the House agrees that that is the perfect excuse for his absence, and we wish him well.

In modern times, we have realised that there are other social security objectives apart from poverty relief. All citizens during their lifetime face needs and risks. They include the risk that, in work, a person may become injured, need some income support or become sick. There is also the risk, if that is the word for it, that we may need an income when we reach retirement age. I agree with the hon. Member for Macclesfield (Mr. Winterton), and hope that that is a non-means-tested income in old age. It is too soon to wish the hon. Gentleman well in his retirement, but in many years' time I hope that that goes well for him. Therefore, there is an issue about how we insure, either publicly or privately, against the risks and needs that we face during our lifetime. That is the second objective.

The third objective is to support children. We often refer in debates such as this to the founding fathers of the welfare state, but let me refer to a founding mother—a former distinguished Member of the House, Eleanor Rathbone. Eleanor Rathbone's campaign attracted much support across parties and across society and led to the family allowance system, introduced by the coalition Government shortly before the 1945 general election.

What Eleanor Rathbone said in one of her books on the subject is worth repeating:

> "Children are not simply a private luxury. They are an asset to the community, and the community can no longer afford to leave the provision of their welfare solely to the accident of individual income."

That led to the family allowance and, when that was merged in the late 1970s with the child tax allowance, to what we now call the child benefit scheme.

There are other objectives, but I have highlighted three—the attack on poverty, the need to insure people for the risks that they face during their lifetimes, and the important objective of supporting families with children. I want to reflect on some of the issues that we now need to face in modern times in relation to all three.

First, there is poverty. What we call the safety net, and what William Beveridge intended to be a safety net for the few, has now become a major system of income support, supporting almost 10 million citizens, those drawing the benefit and their dependants, including 3 million children. Before the last election, I asked a parliamentary question and was shocked to find that one in three of babies born in Britain are born to parents on either income support or family credit—in a sense, born into poverty. If we share the ambition to create a young country, that is the worst possible indicator that, in the recent past, we have not succeeded—a safety net for 10 million, intended for the few now supporting the many.

The two powerful recruiting sergeants for income support are economic recession and family breakdown and insecurity. That system of income support, allied to other means-tested benefits, such as housing benefit, free school meals and the rest, represents not an attack on poverty but its institutionalisation. It is associated with complexity, stigma, poverty and unemployment traps, disincentives and, yes, for a minority, it leads to a culture of dishonesty and fraud, which we need to recognise.

Any anti-poverty strategy is, first and foremost, about the Government's welfare-to-work strategy; about the new deal. I do not want to say too much about that, but we have perhaps a year or two to get that right. We do not look forward to a recession in the future, but the business cycle is the business cycle, and a time when employment is increasing is the right time to try the new deal and to work out how to get it right. When more difficult times come, as they will, we need to have the experience. It will be far more difficult to get our young people and our longer-term unemployed, some with disabilities and learning difficulties, into work, so I wish that vital project well.

Secondly, there is child maintenance. We debated the Child Support Agency recently. I simply say, briefly, that the more that we can do to crush the culture whereby more and more fathers, following a marriage breakdown or other circumstances, are not maintaining their children financially, the better. Yes, the CSA has messed up the lives of some men, but that should not camouflage the mass of irresponsible fathers who do not support their children. The numbers paying child maintenance may be as low as 20 per cent. and certainly not much more than 30 per cent.

Mrs. Gorman: I agree with what the hon. Gentleman has just said. Behind every lone mother there is an even more lonely father who is not contributing properly to the upkeep of his children, leaving it to the state. Will the hon. Gentleman therefore press his Government to ensure that any reform of the CSA—something about which they are now talking—does not end up with the burden being dumped back on to the general taxpayer?

Mr. Wicks: Yes, we must re-establish the principle that, whether one is a mother or a father, a baby is for life and, certainly during the childhood and youth of that child, both parents have a financial obligation to support it. It is a simple and obvious point but, sadly, we need to restate it loudly and clearly in these more difficult times.

Thirdly, we must get the tax benefit system right. I welcome the Chancellor's proposals for a working family tax credit, which he will announce in more detail in the Budget. We need to put incentives into work. We need to be able to tell poor families, perhaps on income support, that it is worth their while working. The tax credit is a useful device, but it is important that we match that with a concern about families and children.

Therefore, what we call the purse-to-wallet issue—policies that end social security benefits that go to mothers and give the benefit through the tax system, often to fathers—is one about which we must be cautious. All the signs are that the Chancellor recognises that point and that the new working family tax credit will offer a choice—have it either as a fiscal benefit or, as now, as a cash benefit. It may interfere with the purity of the system, but I am convinced that that choice is important to the welfare of our children.

Mr. Webb: On that specific point, does the hon. Gentleman think it satisfactory that the way in which the Chancellor has got out of the problem is to give a choice whereby the woman in a couple can elect to have the benefit? Might that not be a problem if, in the sort of families about whom we might be worried, who are not very good at sharing, there is pressure from the father to require the mother not to tick the box and so to get the money himself? Is that a concern of the hon. Gentleman?

Mr. Wicks: Yes, the hon. Gentleman raises an important concern. The Select Committee on Social Security is considering that very issue and will be producing a report shortly. I think that I can assure the hon. Gentleman that that matter will be dealt with in the report. I see the Select Committee Chairman agreeing that that will be a feature of the report.

Mr. Nicholas Winterton: The hon. Gentleman is making an extremely good and thoughtful speech, which is helpful to the debate. Does he agree that, if there is an unwillingness for child benefit to be paid to the wife of a millionaire or someone who is extremely wealthy, the way to deal with that is through a fiscal process of taxing child benefit? Is the hon. Gentleman in favour of that? I believe fervently in child benefit and want to see it paid to the mother for the benefit of the child, but, if a family is pretty well off, I am happy for that child benefit to be taxed, so that there is more money in the pond to help those in genuine need.

Mr. Wicks: The hon. Gentleman raises an important point. I was trying to make as brief a speech as possible, but I am tempted into a dissertation on an important but rather complex question. Independent taxation is a major complication here. For example, if one tried to cream off all or some of the child benefit for those paying the higher rate of tax, and if, as I think the hon. Gentleman believes, and as we have always thought, child benefit is an income for mothers, the logic would be to tax the mothers, and no Government want to introduce a new tax on mothers. If that technicality is ignored and the higher-paid person—often the father—is taxed, the issue of independent taxation is breached.

I am open minded on that. Although a universalist on these matters, if we could find a simple and clean technical way of creaming off some child benefit from the really quite well-off and using it for nursery education or whatever, I should be happy with that. I am yet to be persuaded that technically it is as simple as some suggest. A little later I want to say something more about child benefit.

My fourth point in relation to an anti-poverty strategy concerns child care. I welcome the Government trying to find more resources for after-school clubs and nursery education and, I hope, mainstream child care, too. Governments and Parliament should be wary, when it comes to those with children under five, of implying that the only way in which a mother can properly look after her child is to go out and find a job, often a rather low-waged job. When it comes to children under five, mother knows best. If anything, I should like a premium in our child benefit system for children under five. Much family poverty is concentrated among families with younger children because there may be only one breadwinner, or perhaps no breadwinner.

Mr. Howard Flight (Arundel and South Downs): Does the hon. Gentleman share my concern that some of the changes seem fiscally to encourage the idea that it is better for a child minder to look after a child than a mother? Does he agree that more in-depth thinking is required, because I cannot believe that that is the intent of the Government?

Mr. Wicks: Choice is important—it should be a choice for the family. I feel passionately about that in terms of the youngest children. I make no judgment; it is a judgment for the family whether a mother should go out to work and find substitute care or whether she should stay at home to look after her child. We have all been involved in such decisions. It is a choice for families, and not for the state. We should, if anything, load the benefits system in favour of under-fives.

Having spoken about poverty, I shall speak about finding a modern way to enable citizens to insure themselves over their life cycle against the needs and risks they face. We have the national insurance scheme and a range of private provisions, principally the occupational pensions sector. The question now is, as Beveridge asked—probably my right hon. Friend the Minister is reminding his audience of it even now—what risks do people face over their life cycle and how are they met?

One of the modern risks is that, in our very old age, we might become frail and need not hospital care, but nursing home care or intensive domiciliary care in our own homes. If Beveridge were here today—I sometimes think it would be a good thing if he were—he would say that that is one risk we need to insure against. That raises colossal issues about the future of national insurance.

Why do we not discuss national insurance more? It is extraordinary. Its big sister, income tax, raises £77 billion, but national insurance raises £50 billion. It is big business, and it looks after many people—not least through retirement pensions. There are those who say that it is unsound actuarially and that we should come clean and merge it with income tax. I am in the opposite camp. I think we need a renaissance of ideas about national insurance. National insurance recognises the balance between rights and responsibilities. We put into the community chest of the nation when we can, and we draw out when we need to. There is a need for a reinvigoration and a relaunch of national insurance.

Mr. Simon Burns (West Chelmsford): The hon. Gentleman has been talking, in effect, about a contract. In that context, does he think that the Government should allow out-of-school child care to be means-tested?

[Mr. Simon Burns]

Mr. Wicks: I have not thought that through adequately enough to know. I have implied that, instinctively, I am anti-means test. I think the welfare state is blocked up with means tests. It is not unreasonable that some fee should be paid for out-of-school care when a parent is in work and earning money. However, those earning low wages—or, perhaps, parents not in work who need care for the sake of the child—may have to be means-tested. I am in the peculiar position in this House of having an open mind on the subject.

Mr. Burns: The hon. Gentleman will be aware that funding for the new out-of-school care is coming from the windfall tax, the out-of-school child care initiative and the new opportunities fund. Is he aware that the Under-Secretary of State for Education and Employment, the hon, Member for Newport, East (Mr. Howarth) believes that those schemes should be means-tested if the people operating them wish it?

Mr. Wicks: I had not heard that view, but it is not unreasonable. We must look carefully at that matter, but the appropriate thing would be to do a run on it with the aid of a computer to see how it would affect the poverty trap and the willingness of parents to send their children to care, as opposed to alternative methods of care, which often may be more about neglect than care.

I have talked about the life cycle, and the needs and risks that we face. I am struck by the fact that a number of proposals relate to how we meet costs over the life cycle. Higher education is becoming more expensive and tuition fees and loans have been introduced. Many young people will start off in life by having to pay back considerable amounts of money. I support the policy, but I worry about some of its implications.

Ideas are proposed on pensions which essentially mean persuading people in their 20s, 30s, 40s and after to pay higher contributions than they are paying now. We have other proposals about individual savings accounts and others—from the royal commission in a year or so—about how we fund long-term care. Meanwhile, people are trying to buy homes. Some of the proposals are from the Department for Education and Employment, others are from the Department of Health, the Department of Social Security, or the Treasury. Is it naive to suggest that we should look at these matters together? It might make sense to offer people—either through the public or private sector—a hybrid, or a life cycle account.

Mrs. Gorman: Although it is not my place to commit the Opposition Front Bench, my right hon. and hon. Friends have made it clear that we are willing to co-operate with the Government in remedying the flaws in the welfare state. Much of what the hon. Gentleman has said this afternoon, I have found congenial. However, the hon. Gentleman's problem is with his Back Benchers, who will not allow the Government to bring in sensible reforms which follow in the footsteps of measures put in place by the previous Government to encourage people to make their own provision, particularly for their old age. His Back Benchers—who are conspicuous by their absence—will create merry hell, as they have done at the roadshows, which they have positively wrecked.

Mr. Wicks: As a humble corporal, I do not have my own Back Benchers, so I do not have to worry about them. I have to worry only about sharing my thoughts with the House.

Mr. Duncan Smith: The hon. Gentleman should have Back Benchers.

Mr. Wicks: That would help enormously. It is useful that the hon. Member for Billericay (Mrs. Gorman) is interested in my thoughts.

I often worry that, in these debates, children are the forgotten army. The debates are often about adults—working mothers and fathers, taxpayers. Let us think more about children. In an old-fashioned way, I should like to say that I support the child benefit scheme. If we find civilised ways of targeting it a bit, we should do so, but we must avoid the means test. Child benefit is universal. It avoids the complexities of the means test. Far from adding to poverty traps, it is a good welfare-to-work measure. One has it when on income support, and takes it when one goes into work. In addition, it is an income for mothers—that is absolutely crucial. I believe that a premium for those with children under five might be appropriate.

I have referred to the two major recruiting sergeants for poverty and insecurity as economic recession and family breakdown. Although this goes wider than the debate, it follows that the best social security programmes of all have little to do with the Department of Social Security and everything to do with a strong economy and strong families. Within this, the reform of state benefits is vital.

I wish my ministerial colleagues well, because they are dealing with a more complex system than confronted Beveridge, and with a more complex society and economy than those confronting the reformers of 50 years ago. This is an important subject, and I wish everyone taking part in the debate well in grappling with its complexities.

5.48 pm

Mr. Nick Gibb (Bognor Regis and Littlehampton): The absence of the right hon. Member for Camberwell and Peckham (Ms Harman) shows not just the absence of the Secretary of State on an important date in the social security calendar but an absence of leadership in the welfare reform process—at least so far as the Department for Social Security is concerned. It shows an absence of any policy on welfare reform, which was meant to be at the heart of the new Labour Government's policy. Indeed, it was meant to fill the gaping hole in their promises of extra spending on education. They said that they would reform the welfare state and channel the extra billions into education.

Where are those radical welfare reforms that we were promised? Where is the great Nixon-in-China, only-Labour-can-do-it end to the dependency culture? When will the Green Paper, which has been promised and delayed, promised and delayed again, be published? Review after review has been announced. There is the child benefit review, the welfare-to-work task force, the tax and benefits task force, the social exclusion unit,

the family policy committee, the pensions review, the long-term welfare review, the disability benefits review, the royal commission on long-term care and the comprehensive spending review. They are all very worthy, but where is the policy? The agenda is in chaos.

Even the reviews that are about to report will bring forth nothing but tinkering and hype. The tax and benefits task force is a classic example. When it was set up in May, it was heralded by triumphalist press spinning. It was to be headed by Martin Taylor, a chief executive of Barclays bank. The *Financial Times* reported on 20 May that it was told by Labour sources that the task force would lead to

"the full scale merger of the tax and benefit system."

The Sunday Times was told that the Prime Minister had agreed that

"Brown should consider all options for reform, including ultimately merging the separate tax and benefit operations into a new streamlined system."

Nine months later, when Martin Taylor appeared before the Social Security Committee, he said:

"I think that the arguments against full-blown integration are well known, well rehearsed, and I accept them."

So there was to be no tax and benefits integration from the Taylor task force.

What about reducing the high marginal withdrawal rates as people come off benefit and start paying income tax? Surely the Taylor task force would be able to do something about those. The response from Martin Taylor was:

"I would counsel you against believing that there is anything magical you can do with tapers which changes the world."

The lesson is not to expect radical reform proposals from the tax and benefits task force or any of the numerous reviews, committees and units that have been set up. There is no leadership in the DSS. Those seeking to lead are being crushed by internal dispute and internecine warfare with the Chancellor of the Exchequer.

That brings me to the Treasury: the source of the problem. There is not just a turf war. The Treasury's tax and proposals so far have been incompetent, ill thought out and extremely damaging, and have impacted on what the DSS has been trying to do. The Treasury's incompetence starts like a pebble thrown into a still pond, which sends out ripple after ripple until the whole pond is no longer still but a cacophony of waves. The pebble was the 2 July Budget and the decision to end the repayment of dividend tax credits on dividends paid to non-taxpayers, especially to pension funds. That raised £5 billion a year for the Chancellor, but its consequences were not foreseen.

In order to avoid companies having to pay large amounts of tax on foreign income dividends, foreign income dividends had to be abolished. Such unforeseen consequences caused an outcry from companies which had large amounts of overseas interests. So, four months later, the Treasury had to deal with that problem by abolishing advance corporation tax and introducing quarterly corporation tax payments for companies. That, in turn, is causing enormous concern in the corporate sector as companies are trying to find £2 billion a year in extra corporation tax payments. That, too, will have to be changed in the March Budget. So the mess and the ripples continue.

Ending dividend tax credits also affected pensions. Private pensions lost 11 per cent. of their income as a result of the measure, so contributors had to increase their payments to secure the same pension. Consequently, the state earnings-related pension scheme became more attractive relative to private schemes—unless rebates were increased. Associations such as the Association of British Insurers said that its insurance company members would have to recommend that their customers opted back into SERPS unless national insurance rebates for opting out were increased. Five months after the July Budget, a whole swathe of extra rebates for private pensions were announced.

That announcement totally contradicts the Treasury claim that ending dividend tax credits would not reduce the value of private pension funds. The Treasury said that ending dividend tax credits would help companies retain investment funds, which would lead to a healthier economy and higher share prices, and thus increase the value of private pension fund investments. It is a pity that neither the pension fund industry nor the DSS believes that. They have both taken the correct view that, if £5 billion a year is taken out of industry through tax, investment is reduced by £5 billion a year.

On 22 December, the last day before the Christmas recess, the uprating of the rebates was announced in a written answer—but the rebates are not enough. That is because the Government increased some by less than the amount recommended by the Government Actuary and reduced others by more than that recommended. The Government Actuary's report recommended a 2.4 per cent. rebate for the youngest age group in contracted-out money purchase schemes. The Government announced a 2.2 per cent. rebate. The Government Actuary recommended a 7.3 per cent. rebate for a 47-year-old. The Government announced a 7.1 per cent. rebate. So the ripple continues.

The pensions marketing manager of Britannia Life Ltd. said of the Government's decision on rebates for COMPs:

"I cannot see why anybody would want to stay in a COMP."

The head of the research at the AON consulting firm said:

"It's getting difficult to believe what the Government says."

It is difficult for us in the House to believe what the Government say.

In January, the Social Security Secretary said in response to a question from my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) that the Government

"considered the Government Actuary's advice and we changed the rebates."

That answer was very carefully worded and designed to leave us with the impression that the rebate changes were purely a matter for the Actuary and that the Government followed his advice. As we know, the Government did not follow his advice.

Subsequently, the Secretary of State went too far when she said:

"We sought that advice and acted properly on it."—[*Official Report*, 26 January 1998; Vol. 305, c. 5.]

Will the Minister tell us what the Secretary of State meant? Why did she say what she did when it is clear that the Government did not follow the Government Actuary's advice? Why did not the Government follow that advice? Why will members of contracted-out money purchase schemes have to pay, according to *Pensions Week*, an extra £200 a year as a result of the decision?

[Mr. Nick Gibb]

All those problems have arisen from that one decision on 2 July to abolish dividend tax credits on dividends paid to pension funds—one wrong decision leading to a ripple effect of highly damaging and unforeseen consequences. There is pure incompetence and chaos. Coupled with an absence of policy and leadership, that chaos is causing damage in the community. Policy is being developed by informed leak—kite flying. Labour suggests taxing child benefit, so someone in the Treasury leaks it to see what the reaction will be. Labour suggests trying a means-tested disability living allowance or taxing it. They think that that would be a good wheeze to raise a few hundred million pounds, so someone in the Treasury leaks it.

Those messages are read by people who need such allowances—decent, vulnerable people who rely on the money; independent people who would cease to be independent if DLA were means tested or taxed. That is best expressed by a Mr. Tim Armstrong, a 17-year-old disabled student who lives in my constituency. He wrote to me this week with his concerns about the Government's leaked proposals. He said:

"Dear Mr. Gibb,

I understand that the Chancellor of the Exchequer may be considering imposing income tax on the receipt of Disability Living Allowance. It would be unfair to tax this Social Security benefit as it is intended to help disabled people meet the increased costs which arise as a direct result of their disability. These costs are the same for both those liable to tax and those who do not pay tax. Few disabled people would not be taxpayers if DLA becomes taxable. The tax I would have to pay might mean that I could not afford to have a car under the Mobility scheme and would lose the independence that DLA gives me.

Please explain to the Chancellor of the Exchequer that to make DLA taxable would be to tax disability and make disabled people much more dependent. I would like to know what his response is."

So would I. He continued:

"I also understand that the Secretary of State for Social Security is considering the possibilities of means testing DLA and of transferring this benefit to local authority Social Services departments. Both these steps would be damaging to disabled people like myself. Means testing would have a similar impact to making this vital benefit taxable. Handing over control to local councils would almost certainly mean the end of the superb Motability scheme and the freedom of choice that disabled people enjoy in arranging their mobility needs.

Please explain to the Secretary of State for Social Security that to make DLA a means tested benefit would be very damaging to many of your constituents. . . . Again I should like to know what her response is."

So would I, but unfortunately she cannot be bothered to be here, or dare not be here. Whatever it is, it is not acceptable, and neither is the lack of progress that the Department of Social Security and the ministerial team have made in almost 10 months since the Government came to office.

6.1 pm

Ms Gisela Stuart (Birmingham, Edgbaston): The uprating debate covers a number of benefits that have direct relevance to women. People often see women as drawing benefits. They do not accept the vital role that women play in the work force. I wish to draw the attention of the House to the fact that simply uprating assumes an acceptance of the status quo. I look forward to considerable change to the benefits system. Unlike Opposition Members, I would rather wait for a Green Paper that gets it right than have things rushed through. We accept that this is a unique opportunity to reform a system that has been salami-sliced for many years, to get the structure right. We need to get it right for the next generation as well as this one. I would rather hold back and get it right.

Mr. Richard Livsey (Brecon and Radnorshire): I wonder whether the hon. Lady thinks that the issue of lone parents should also have been left until the Green Paper.

Ms Stuart: My view on the lone parents issue was that we were implementing the previous Government's policies. We shall all have to wait to find out how the new benefits system will affect all such issues.

I always find it extraordinary that people accuse us of not providing reform proposals, and in the same breath draw conclusions about what the reforms will be. The Taylor review is dismissed as not producing anything worth having and at the same time it is criticised for not having produced a report. We cannot have it both ways.

I welcome the Government's policies on women. Two issues are stated clearly. We want equality of opportunity for everyone, and that means that women continue to take their rightful place in the work force, but we also support the many carers of children, who are often women. Throughout the world, women are now the main breadwinners in about 30 per cent. of households. By 2010, some 80 per cent. of the female work force in industrial societies will be of child-bearing age. Any reforms of the welfare system have to take account of women, children and the implications for families.

Women have been failed badly by the previous Government. The Employment Service did not recognise the need to return to the work force. The benefits system assumed that women relied on men. Child care did not catch up with the changed role of women. The pensions system failed women miserably. The one issue on which I should like to focus today is the benefits system's failure to recognise the significance of caring for children. That should be recognised within the benefits system.

I welcome the tax and benefit reforms. I welcome the fact that a number of benefits will be delivered through the wage packet. I welcome the national child care strategy and the money put into child care, but—I endorse what my hon. Friend the Member for Croydon, North (Mr. Wicks) said—who speaks for the children? Children are the next generation. They are our future. It worries me that the debate on welfare is a discussion among adults in which we do not recognise children's needs.

Families are getting smaller. On average, families now have 1.7 children. There is a tremendous growth in single households; 28 per cent. of all households are now one person. Fewer people are getting married. At the same time, one in five children live in households in which there is no adult earning—that is, 21 per cent.

We need to reform the welfare state. We accept that children who grow up in households in which someone is earning fare better; that money that comes into a family via the wage packet is of greater benefit than that which comes via the benefit cheque. We need to introduce family-centred policies, but we should not overlook our

responsibility especially to the very youngest of children. We need to have a debate. We should not simply assume that children have the same needs at every age.

Those of us who went to America saw in Wisconsin one extreme. It was deemed that mothers should go back to work once their children were 12 weeks old. In Britain, we send out a signal that a mother should not be expected to go back to work until the child is 16 years old. That is clearly outdated and wrong. We need a debate about the appropriate age. When the new deal for lone parents is rolled out nationally, it will begin to strike the right balance. It will require mothers of five-year-olds to attend an interview.

Mr. Duncan Smith: I am sure that the hon. Lady would not want to mislead the House inadvertently, but the new deal does not do that. It simply invites them in to an interview. That is one of the weaknesses of the policy. We are wondering what the Secretary of State plans to do. She has a return rate of 6 per cent. on letters inviting women to an interview. Will the hon. Lady make it clear that the policy does not require them to attend, but simply invites them to an interview?

Ms Stuart: As I understand it, when the national programme is rolled out, mothers will be required to attend an interview. I may be wrong.

Mr. Duncan Smith: The hon. Lady says, "As I understand it". Does that mean that someone on the Front Bench has instructed her to say that compulsion will be part of the system? It is a fascinating point. Will she tell us that?

Ms Stuart: I may have misunderstood. I need to go back and check it.

Mr. Duncan Smith: I thought that the hon. Lady was making a statement on behalf of the Front-Bench team.

Ms Stuart: I do not presume to make a statement on behalf of the Front-Bench team, nor do I claim to be perfect.

Mr. Burns: I shall help the hon. Lady by changing the subject slightly. She has spoken on a number of occasions about failure. She will be aware that a week last Friday, the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) accused her and some of her hon. Friends of being failures. Why and how does she think that her hon. Friend is wrong?

Ms Stuart: I will not rise to challenges that are not worth rising to. I will move on to the subject of our responsibility to families, women and children and to mothers and fathers.

The way forward is to ensure that, as often as possible, families are supported by working adults and that children grow up in families in which someone earns. In the case of under-fives, there has to be choice—my hon. Friend the Member for Croydon, North used the phrase "mother knows best", which is a phrase with which I have a little difficulty, but there must be a recognition of the special needs of that generation.

I mentioned Wisconsin, which has a cut-off of 12 weeks old, whereas ours is five years old. In Norway, there has been a tremendous extension of maternity leave and even compulsory paternity leave, whereby the mother will have difficulty drawing all her benefits unless the father takes off four weeks to look after his baby.

We have to accept that there is a range of options, but there must be a strong emphasis on striking the right balance. I urge Ministers to accept in the review that the right balance when smaller children are a factor will, at times, involve increased part-time work. It is not necessarily my idea of progress for mothers of very young children to have to work full time for low pay and put their children in state nurseries. We need an element of choice and a recognition that the right balance for families and children has to be struck. We need to hear the voice of children.

6.10 pm

Mr. Mark Oaten (Winchester): I greatly enjoyed the opening remarks of the Minister for Welfare Reform, who has now left. His canter through history was illuminating and although we were obviously the audience for his warm-up act or rehearsal for his Beveridge lecture later, I welcomed it all the same.

I also welcomed the right hon. Gentleman's rather teasing statements about what would be announced in the Green Paper—frustrating though they were. However, I am concerned about some of the remarks made about the timing of the Green Paper's publication. When I hear that it will come out at the time of the Budget or after the Budget, I think, somewhat cynically, that the announcement might be made at the same time as the Budget. I hope that when the Under-Secretary of State winds up the debate, he will give assurances that such an important statement—we have been waiting for the Green Paper for some time—will not simply be pushed out on Budget day and lost among other announcements.

I cannot share the right hon. Gentleman's enthusiasm for today's orders, and I certainly cannot join him in celebrating the first orders for so many years to be laid under a Labour Government. I regret that he did not use today's debate to clear up some of the misunderstandings that have arisen about the direction being taken by the Government's welfare reforms. Of the few errors in judgment made by the Government since entering office in May, the manner in which welfare reforms have been handled and the Government's failure to deliver have been among the biggest.

Since May, the debate on welfare reform and benefit levels outside the House has been somewhat controversial and, at worst and in many cases, insensitive and alarmist—although today's debate in the House has been friendly, despite one rather unwelcome intervention. The climate of rumour and misinformation over the past few months has left many of the charities to which I have spoken feeling bemused and angry. Perhaps more important, it has left those who are on benefits and who read the newspapers feeling both rejected and confused.

That is why it is a shame that the Minister of State did not do three things that might improve the climate and why I hope that the Under-Secretary will do them instead. First, he could make a statement that the Government intend to overturn the freezing of benefits to lone parents. Secondly, he could have the courage to review the

[Mr. Mark Oaten]

increases in pensions for those above the age of 80. Thirdly, he could give an absolute assurance to disabled people that the Government will not attack their benefits and will introduce a proper review of the current benefits integrity programme.

The world has moved on since we first debated these benefit cuts and proposals in December last year. There have been two developments that should encourage the Government to think again. First, we know far more about the economic circumstances that this country is facing and we know that they are getting better by the day. We know that the Chancellor has more room for manoeuvre than any Chancellor has had in the past five years. If it is true that there may be £1 billion, £2 billion, or even £3 billion available, how can we turn round to lone parents and tell them there are not the resources available to maintain their benefits? If it is true that those extra resources are available, how can we turn round to the over-80s and justify the level of pension that they receive? It is time for the Government to turn what they currently call the Chancellor's war chest into a war on want and use those resources to tackle some of the unfairness in the system.

The second development is growing evidence that many of people who receive the benefits that we are debating will suffer a double whammy this April. In addition to the rumours about cuts at a national level, there is a second, local whammy in the shape of cuts in local authority social services budgets up and down the country. I have heard of social services departments facing huge cuts, and many of those cuts will be achieved by cutting services to individuals receiving the benefits before us today. What we are giving today at national level will, for some, be taken away at local level in April. The net impact is that many people will be worse off come April.

Let me illustrate that point. In Hampshire, the current social services budget, which provides essential support for the most frail and needy in the county, is facing cuts of £3 million. What does that mean in reality for a pensioner? One announcement is that the cut means that charges for meals on wheels will have to be increased by 21 per cent., or £2 per day. If we take into account the effect of today's orders and the settlement whereby we are giving pensioners a percentage increase in line with inflation, we can see that a pensioner who receives meals on wheels will be worse off.

That situation will be repeated up and down the country in respect of the old, the disabled or those who are in receive of local social services. Let us take the example of a disabled person on incapacity benefit who, after today's announcement, will receive an increase of £2.25 per week in his allowance. However, in Hampshire, that person faces charges on equipment that he gets for his house and possibly the end of schemes to provide help in the home. The net impact on that individual, despite our debate today, may be that he will be worse off come April.

The Parliamentary Under-Secretary of State for Social Security (Mr. Keith Bradley): So that I am clear about the case that the hon. Gentleman is making, may I ask whether he is arguing that the amount of the benefit uprating should be further increased to compensate for those charges; and, if so, by how much?

Mr. Oaten: I am arguing that, although we may take comfort in the inflation-linked increases in the orders, at the end of the day, people in need care little about whether their benefits are set by the House or by local authorities; what they have to live with is the reality of how much money is in their pocket at the end of the week. I am attempting to demonstrate that, because of the effect of the double whammy, the net impact on many people might be that they receive less overall. That comes against the backdrop of disabled people in particular reading in the press that cuts to their benefits might be introduced. That is the point that I want the House to take into account.

The picture is worrying for many individuals and for the groups that will be most affected—the old, lone parents and the disabled. Let me say a few words about pensioners. How can it be right that, for almost the past quarter century, no party has done anything to address radically the additional sum paid when a pensioner turns 80? Today, as we pass these orders, we add another year to that period of non-action, and I know how let down many pensioners feel about that.

Because of the rather unusual circumstances in Winchester, where the people seem to like fighting elections, I spent most of last year on the campaign trail, out and about talking to people, many of whom live in residential homes and old people's homes. Perhaps if Mr. Malone had done more of that sort of thing, the result would have been different.

I detected an interesting shift of opinion over the period of those elections. In the run-up to the May election, there was enthusiasm and a mood of optimism among pensioners, who looked forward to the prospect of having a Labour Government. However, when I spoke to the same people during the November campaign, the mood had shifted. They were disillusioned, not necessarily only with the Labour Government, but with politicians in general—I hope that that was not a reflection on my six months as their Member of Parliament.

Ms Stuart: Does the hon. Gentleman accept that 80 is an arbitrary age, and that we should consider the wider issue of the long-term health care of the aging population? We should take note of the royal commission on long-term health care, rather than focus only on uprating at a particular, but not necessarily appropriate, age.

Mr. Oaten: My evidence from speaking to many people last year, including those over 80, is that they cannot wait for reviews; they want action now. They felt insulted by and angry about the suggestion of a 25p increase, which was the figure that was cited time and again. As economic benefits begin to appear, surely the Chancellor of the Exchequer should allow the Secretary of State for Social Security and her ministerial colleagues to do something about the proposed 25p increase, and offer a decent amount of money for those over 80.

I offer a personal view—I am not now speaking for my party—about the resources that we give to pensioners. I found it frustrating not to be able to answer many of the questions that pensioners asked me, such as why they did not receive a decent pension.

I know that politicians are not supposed to highlight problems for which they do not have quick, smart solutions. I do not have solutions to these problems, but I made a commitment to those individuals that I would raise their concerns. All politicians should try to ensure that pensioners receive a decent pension. I recognise the Government's attempts to ensure that people of my generation receive one, but I believe that we need to deal with the problems of today's pensioners.

Lone parents are another key Liberal Democrat concern. Liberal Democrats strongly oppose the proposed benefit freeze for 1.5 million lone parents. It has been said that as many as half of those lone parents will not be able to take up welfare to work. For them, the freeze represents lost benefits; today, the House will reaffirm a decision that could mean a real cut in lone parents' living standards.

Why are the Government hitting lone parents in that way? I should have thought that lone parents would agree to welfare to work, but would also expect flexibility and a caring approach from the Government. I have a lively, 20-month-old daughter, and I am beginning to realise the traumas and joys of bringing up children. I marvel at how many lone parents can bring up children on their own, and I recognise that they face additional costs.

I am not alone in that recognition. In November 1996, the Secretary of State, who was then Opposition spokesman, said:

"Lone parents are some of the poorest people in Britain. They face additional costs in bringing up their children . . . Lone mothers not only do not have their partners' income; they do not have their partners' time."—[*Official Report*, 28 November 1996; Vol. 286, c. 501.]

Let us hear today that the Government will change and compromise on this measure and at least increase in line with inflation current benefits for lone parents.

I am surprised that disability issues have not yet been mentioned in the debate. I urge the Minister to send a strong signal of support to disabled groups, to reassure them about their current and future benefits. We must debate the changes to disability benefits, which is why the Green Paper must contain the details. We have been playing a cat-and-mouse media game of speculation and counter-speculation. Stories have been flying around in the right-wing press, half-portraying some disabled people as fraudsters.

According to a parliamentary answer given in another place, however, no cases of fraud have yet been unveiled by the benefits integrity project. I do not dismiss the possibility that there is fraud—indeed, Liberal Democrats take the matter seriously—but I do not believe that it is healthy to create a climate of mistrust as a prelude to a much needed discussion on the reform of disability benefits. Moreover, we should not constantly talk about errors in the system and misconstrue them as examples of claimant fraud.

Worryingly, the figures derive from the Government's own statistics, the release of which has been carefully timed. Do those figures paint a bleaker picture than the reality of future changes will be? If so, the Government are prolonging in the worst possible way the undeniable anxiety that disabled people feel about their payments, which in many cases are the mainstay of their livelihoods.

In the past week, we have heard that cases in which benefit has been cut under the integrity programme will be independently assessed. Although I welcome that, I have no doubt that the need for it has been highlighted by a number of shocking cases in which disabled people had their benefits cut when they should not have been. The Government's announcement smacks of reacting to events, rather than pre-empting them.

Earlier this week, the Government were giving mixed signals; the Prime Minister and the Secretary of State seemed to be at odds on the suspension of the benefits integrity programme. The Prime Minister seemed to say that the Government had agreed to reflect on the matter, whereas the Secretary of State had apparently ruled that out in an earlier meeting with Lord Ashley. Is it not time to halt the review, reset its parameters, retrain its assessors and reassure those being assessed?

We must clear the air soon. We need to examine the realism behind some of the Government's proposals for disabled people's benefits. No one wants to deny disabled people the right to work if they want to, but, equally, no one wants people with disabilities forced into work that they cannot do. Moreover, how many disabled people are likely to be able to take up work? Will there be 500,000 or 1 million, and will there really be jobs for them?

Today is the Government's last chance to show that they listen to the voices of those in need. Liberal Democrats want to make it clear to the Minister that, although we support the Government's review of the benefits system and will work with them, we urge you today to unfreeze lone parents' benefits, act now for a fair pension for those over 80 and reassure the disabled about their benefits. By doing so, you could show that the Labour Government do not want to be judged only by the iron Chancellor—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman keeps using the word "you". The Chair is not responsible for these matters. Will he try to use the correct form of address?

Mr. Oaten: I apologise, Mr. Deputy Speaker.

By doing what we suggest, the Government could send out a signal that they are listening to vulnerable people and standing up for the values of the people who elected them.

6.26 pm

Mr. Howard Flight (Arundel and South Downs): I think that the country believed at the general election that it would be much easier for a Labour Government than a Conservative Government to reform the welfare arrangements. That was one of the main reasons why the Government were elected.

Conservative Members are concerned that so many things have already been done that may prejudice the rational across-the-board reform that the Green Paper envisages. We have expressed our full support for the thinking of the Minister for Welfare Reform, and, within the parameters that we have described, for the Government's proposed thorough reform of welfare.

If we step back, however, we see that different parts of the Government have different agendas. The left, right and centre are all fairly disillusioned about the measures that have already been taken, and the public have the perception of a shambles—they do not understand where welfare reforms are going and how the big issues will be tackled.

[Mr. Howard Flight]

The first of those issues is the poverty trap, which has caused the dependency society. The solutions lie in taxation as much, if not more, as in social security. They are self-evident: we should raise the level at which income tax applies, and we should consider more generous child benefit arrangements. I cite the example of Canada, where an unsatisfactory family tax credit arrangement, which is similar to the one that the Government are considering, has been rejected.

The second big issue that has been mentioned in the debate is: should we continue with a national insurance system? Many politicians regard national insurance as just another form of taxation. The public do not; they continue to believe that their benefits are linked to their national insurance payments. If any of those benefits were means-tested, the public would, rightly, be outraged.

However, if there is to be a major change—if, in future generations, the principle of national insurance is to be abandoned—that needs to be made absolutely clear. Similarly, there need to be attractive tax incentives for people to take out their own private arrangements. I believe that many hon. Members are mistaken in not realising that the majority of the population believe that they are paying for their benefits on an insurance basis.

The third big issue—which is pretty obvious—is that it is no good having fancy slogans about welfare to work if there is no work in the communities. By far the most important thing is to follow policies that will lead to work opportunities in the areas of deprivation. Make-work schemes with the state add little, and will not solve deprivation in the long term.

There is a big issue of principle concerning whether we should continue with rights, and rights that are subject to tribunals and legal proceedings, or focus on the way in which much is done in Europe, which is based more on the principle of administered schemes.

The Social Security Bill takes almost a halfway house approach; there is some attempt to cut the complications and costs of the various adjudication and tribunal processes involved in the concept of welfare rights, but the result is likely to leave many injustices, and cause us to think radically about the European system. To my mind, so many welfare situations require case officers to assess what is fair for that situation that it may be better to have that assessment and deal with it than to have the expense and complication of fighting legal rights.

We must bite the bullet on fraud. Should we have identity cards? Should we use the Inland Revenue for intelligence? Incidentally, should we use Inland Revenue data to tackle some of the major Child Support Agency problems?

There are the big issues of the family unit, and tax incentives for the family unit. One hopes that both main parties will compete in making proposals to strengthen the family unit.

It must be wrong for one person keeping four, five or six people to be paying roughly the same tax as one person keeping one person, or one person keeping two people. Quite often, two people earning a similar amount, keeping just two people, pay less tax than one person keeping four people on the same income. That must be wrong. Therefore, I view the whole area of tax arrangements for the family as part of the territory to be addressed.

Why are we worried that the process of rational consideration of reform is going off the rails? As others have commented, we have seen the dangerous business of the Government testing things—I do not know whether they are testing public reaction or trying to sell ideas. The concept of means testing has been tested and withdrawn. The concept of taxing disability benefits has been aired, as has that of means-testing old-age pensions. In my opinion, that only creates confusion and worry among those most in need. Instead of testing public political opinion, we should decide the right way to proceed.

The welfare-to-work programme, although desirable in principle, is in danger of disappointing greatly. There is an element of stick and carrot. The stick sometimes falls on the wrong people, and the carrot will not work if there are not enough jobs. I perceive that, in future, people in their forties and fifties are more likely than the young to have difficulty in obtaining employment.

What are the several agendas? The Treasury has a specific agenda of cutting costs—a revenue agenda: hence the means-testing ideas and the taxation of benefits. The Chancellor has a redistribution agenda, concerned with ways in which the middle classes will suffer more taxation to make it possible for the Government to spend more, in due course, on health and education.

In the pensions area, we have not focused on principles such as those operating behind the "401K" arrangements in America, which pull together all aspects of saving. We have changed personal equity plans and tax-exempt special savings accounts—largely for revenue reasons, not reasons of principle. We had the advance corporation tax arrangements, which messed up the state earnings-related pension scheme situation and are relevant to the subsequent stakeholder pension reforms.

As my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) said, we believe that the danger is that the territory has already been boxed up, limiting the scope for the right sort of stakeholder pension proposals. We await the family tax credit, but I fear that we may be falling into the trap of the Canadian failures, and I suggest that the simpler arrangement of more generous child benefits may be more effective in achieving its objectives.

On single parents, it is my belief that the community differentiates between women who have been abandoned by their husbands and have children to bring up, and the other side of the coin. The community at large would wish to be generous and supportive to the former, and would often believe that it is better for those mothers to stay at home and bring up their children, at least when they are young. By contrast, the community wants to discourage young people from having children by themselves at the taxpayer's expense.

Those are two quite different cases within the single parent area, where I suggest that a single approach to welfare and tax misses the point. The disincentives will bear too hard on genuine cases needing support. All parties need to think more about that.

The CSA is not achieving its objectives. Last week, we had a valuable debate on the subject. The married woman who has been abandoned by her spouse is not receiving support from the husband in 80 per cent. of cases, and now, if that married spouse wants to work during term and be at home with her children in the holidays, the new

arrangements will be a direct disincentive to her doing so, because, if she stops working, she loses her income support, and then her overall take is lower when she is out of work.

In summary, I suggest that the view of the country would be that, if one means-tests what people regard as insured benefits, deep misunderstanding and unpopularity will result. People do want the system to be tightened up, to stop it being milked. There is huge sympathy for supporting those in real need, and the methods by which dependency communities could be ended need to be more economically oriented than welfare oriented.

I hope that the chance for radical and constructive reform, which we all hoped would be led by the Minister for Welfare Reform, has not been lost as a result of the morass and competition within the Government, among Cabinet Ministers, that has already happened. The population at large perceive that that has happened.

6.39 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I am very pleased to be able to make a short contribution to this interesting annual debate. While witnessing the mutual love-in when the Minister of State was in the Chamber—I am not being facetious—it occurred to me that the Under-Secretary might usefully report back to his colleagues in government on the Opposition's offer to co-operate on some of the work.

I have been involved in the social security area since my election in 1983, and I remember the days when the present Minister for the Environment, the right hon. Member for Oldham, West and Royton (Mr. Meacher), used to knock spots off the right hon. Member for Sutton Coldfield (Sir N. Fowler). It was argument by half brick in terms of a meeting of minds.

If the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), the Minister and my hon. Friend the Member for Newbury (Mr. Rendel) were to sit around the table, there would be a chance—I put it no stronger than that—of isolating some areas of agreement. Perhaps that course of action should be considered. I preface my remarks with that suggestion, which I believe is worthy of exploration.

Mr. Keith Bradley: Who would write the minutes?

Mr. Kirkwood: The Under-Secretary could write the minutes—the one who writes the minutes is often the most important member of the committee.

The hon. Member for Arundel and South Downs (Mr. Flight) referred to the morass that he believes surrounds these issues. I crossed swords with the hon. Member for Chingford and Woodford Green early in the Parliament, when he claimed that there was confusion across the Government regarding the progress of their reforms. I said then that I supported the view that fundamental reform could not be driven only by Benefits Agency Ministers. I cleave to that view, but I am becoming concerned that I may lose the argument.

There are nine or so reviews under way, and even those who share my view are beginning to wonder whether the Government's overall steer is coherent and thought through. Although I cleave to the view that the review should be conducted outside the Benefits Agency—Treasury involvement is very important also—concern is beginning to be expressed about whether the Government know where they are going. I appreciate that one cannot always believe what one reads in the papers, but that is all that some of us have to go on.

The Minister and the Secretary of State have willingly agreed to appear before the Social Security Select Committee next week. That is a very important appearance. If they do not convince people like me, who are willing to give them the benefit of the doubt in terms of the Government's intentions, it will be even more difficult for the Government to persuade people that they know what they are doing in the long term.

When I participated in these debates as spokesman for my party, I would always point out that 20 sides of uprating details represent unreasonable complexity. I talk regularly to Benefits Agency staff, and, in the main, they are committed to their work. They work hard, and they deserve more credit than they sometimes receive for operating a system that they believe is so complicated as to be almost impossible. It is very difficult to deliver "right first time" results consistently. We must not forget that.

We make piecemeal changes to the system all the time, and there is much detail in these pages. No objective observer would start from this point—not in a month of Sundays. In the long term—such things cannot be done quickly—the Government should look at the totality of benefits. The last time that I discussed the matter with some quite senior staff in the Benefits Agency, a long argument ensued about how many benefits there were. I do not criticise those senior managers, because the system is complicated. We should bear that in mind.

We have a complicated raft of benefits, levels, provisions, discretions and exemptions. We also have interaction between the tax and benefit systems. That is getting worse as tax comes down the income scale and benefit goes up. It is perversely difficult to get the overlap period right, because of the unintended consequences of changes and so on. Interaction of benefit is almost as important as the level of benefit. That leads to all sorts of confusion, until the system becomes unworkable. If the Government introduced proposals to solve those problems, I am sure that they would receive support from all sides of the House.

I listened with interest to the speech by my hon. Friend the Member for Winchester (Mr. Oaten). There is a worrying level of concern about the disability living allowance. I advise the House that my colleagues on the Select Committee and I agreed this morning to produce a short report on disability living allowance and the role that it will play in future benefits.

The review will not be pejorative: we will take evidence, and, if we think that the Government should do things differently, we shall say so openly, and without anti-Government prejudice. The review is designed to reassure those who represent disabled people, and particularly those Government officials responsible for the integrity programme, that they will have a chance to clear up the confusions and misconceptions that may have arisen as a result of recent press reports.

I am always puzzled by the fact that we uprate benefit levels annually but never examine the capital limits. I think that the capital limits are £3,000 and £8,000. I may be wrong, but I think that the last time they were

[Mr. Kirkwood]

increased was in the 1986 legislation, at the time of the Fowler reports. We cannot disregard the impact of leaving the capital limits at that level for so long. If we are to continue to have annual uprating debates, capital limits should form an integral part of our considerations. Perhaps the Government will reflect on that point for the future.

The hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) referred to tapers, and the fact that Martin Taylor said in his evidence that tapers were too difficult. Something must be done about tapers. I do not doubt that it is difficult, but the rates of withdrawal of benefit are almost as important as the rates of benefit. Debates such as this should consider how tapers may be dealt with and improved, and what consequences taper changes will have.

The hon. Member for Bognor Regis and Littlehampton gets very excited in Select Committee meetings—where he is a distinguished and valued colleague—when people talk about poverty levels in this country. He makes the genuine point—I agree with him—that measures such as 40 per cent. of average earnings or some other rather notional measures produce figures that are not very meaningful.

Some of our European sister nations are better at this than we are. When the Select Committee visited America, we were told that there is an American poverty line that derives from some of the original Rowntree work. It uses levels that are applied and accepted by everyone who participates in debates as givens, around which discussions may take place.

There is no point in taking 40 per cent. of average earnings, because that is a simplistic and pretty meaningless figure. If we looked at assets, debts and housing conditions, we might end up with a figure that was acceptable to all those who take part in debates. That would help to inform the process. The figure needs to be set at a realistic level to be meaningful. I am not encouraging the Government to undertake any more reviews, as they have enough on their plate already—

Mr. Duncan Smith: One hundred and forty-eight.

Mr. Kirkwood: One hundred and forty-eight reviews, I am helpfully reminded from the Opposition Front Bench.

We need some grasp of what constitutes an adequate benefit. I do not believe that it is possible to live on income support rates. It may be possible for a few short months, but in the longer term, income support rates and the like are not sustainable.

According to press reports today, NatWest has produced an index in an attempt to identify an adequate pension level. The finding was that an adequate level was £179 a week. For pensioners in my constituency, that is a king's ransom. That index may or may not be useful, but it is at least a contribution to the debate. It contrasts starkly with what people can expect to get from a basic state pension plus SERPS and any additional income from income support or pensioner premiums.

I also noticed today an interesting report in the press—I think it was in the *Daily Express*—about the problems faced by women who are getting monthly pensions of 32p because they were encouraged to pay national insurance contributions at the married women's reduced rate. There was a serious problem with that in bygone days. That has left them in severely distressed financial circumstances.

In his wonderful speech, my hon. Friend the Member for Bognor Regis and Littlehampton spoke about SERPS. I am extremely concerned about the contracting-out rates for SERPS. I spoke about that earlier in the Parliament, when we discussed social security, and I remain very sceptical about the level at which the rebates have been set. I am sure that, in the fulness of time people will opt back into SERPS in large numbers. It is too early to say what is happening, but I believe that the trend will get worse. The Government will have to examine the problem and take positive action.

The level of take-up is an important element of the levels of benefit that we are setting today. When the Government were in opposition, they made great play—rightly—of the level of take-up of some means-tested benefits. They now have it in their power by imposing a duty on the Benefits Agency to maximise benefit entitlement. They could do that at a stroke. It would entail more work for Benefits Agency staff, but it would get money quickly to the people who need it most.

I do not know what assessments have been done of the scope for additional take-up, but it is a scandal that we allow so many of our most impoverished households to face price increases that outstrip the increase in the retail prices index. My constituents are facing huge increases in water charges, for example. After the Budget, they may have to deal with a considerable increase in transportation costs because of the excessive increases which, it is rumoured in the press, we should anticipate in the upcoming Budget. My hon. Friend the Member for Winchester (Mr. Oaten) referred to increased charges from social services departments for services such as meals on wheels, alarm systems and so on.

Those are increases, over and above inflation, of 5 or 10 per cent. and sometimes more. That makes it extremely difficult for retired people, particularly those—usually women—who are living on their own on the basic state pension plus income support premiums.

The Select Committee has made comment to Governments about the position of overseas pensioners who do not have access to any uprating in certain countries with which we do not have reciprocal agreements. The Minister will know that Governments of both complexions in the recent past have considered the matter and said that they would not uprate the pensions available to overseas pensioners.

That is not a sustainable position in the longer term. The problem will have to be addressed, preferably to bring some equity into the situation soon. I know that a large sum of money is involved and that there are competing priorities, but I ask the Government to examine the situation carefully.

The orders, and the debate, are extremely important. We wait with keen anticipation to see what the Government will introduce. With the best will in the world, it will be the year 2000 and beyond before there can be any substantial legislative changes. The main point that I would emphasise from the debate this evening is that there are households in this country where children and old-age pensioners are suffering now.

Of course the future must be addressed and we must get matters right, I hope on an agreed basis, with consensus across the entire House. In the short term, however, we must do the best we can to do better for the poorest, most disadvantaged members of our society now.

6.55 pm

Mr. Oliver Letwin (West Dorset): The debate has been extremely interesting, and many hon. Members have made interesting contributions. If I may single out one, the contribution of the hon. Member for Birmingham, Edgbaston (Ms Stuart) made me think in a way that I had not thought previously about the vital question of the age at which a single mother should be considered best suited to an opportunity for work, and the age at which a single mother is better thought of as being at home. That is a critical matter that needs to be addressed.

The debate as a whole has demonstrated what the Chairman of the Select Committee, the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) said a moment ago: there is an opportunity for a remarkable cross-party consensus. Many of the contributions from both sides have shown that.

I must make an admission that may lead to my achieving a severe black mark with my Whips. Most of what I understand and believe about the social security system comes from a long acquaintance with the works of the Minister for Welfare Reform, who is by any account the most profound analyst of what went wrong with our social security system, and who has produced in his work—gradually evolving, not a constant pattern across time—the most coherent explanation of the direction in which we as a country might move to remove the twin evils that he identifies: the evil of a system that inclines people towards vice rather than virtue, and the evil of a system that inclines people towards dependency rather than self-help.

That is now the common currency of political debate, across the political spectrum. That in itself constitutes a remarkable achievement, but, beyond that, the right hon. Gentleman has proposed in his various works an amalgam of measures which, taken together, constitute a radical revision of the basis of social security provision in this country.

We are all familiar with the elements, and I do not intend to bore the House by reciting each one, but they include the elimination of means tests, the elimination of SERPS, the creation of a properly funded pension scheme for all, the creation of some form of savings account that carries one through a lifetime, and the redirection of social security towards incentives to build rather than to destroy families.

Those are elements which, as my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) has illustrated admirably in a set of speeches, could command support from all parts of the House. There is therefore a golden, and in the post-war period perhaps a unique, opportunity for the reform of the system—a reform on which the economy and probably the social cohesion of this country over the next 50 or 100 years heavily depends. That is no light matter.

It is a matter of profound regret to me—I hope that this does not sound too pious—that there are so few of us in the Chamber debating an issue of the deepest social and economic significance.

We have a golden opportunity before us, and I fear that this opportunity is binary. It is remarkable in that respect. In most areas of government it is possible to reform in a patchwork manner, with one element or another being changed gradually, but that is not so with social security. In many other areas, a favourable circle exists, which means that a reform can be introduced that is beneficial for a secondary reason, while saving money in the short term. As I have said, that is not so with social security.

To achieve the reforms that the Minister of State so admirably set out that could command cross-party support, two things must be accepted by the Government. First, there is the need for the whole to be considered on a global basis, so that there might be radical action. Secondly, there must be the acceptance that, in the short term, some elements will involve extra expenditure, and certainly will not save money. These are critical elements that my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) began to admit in his tenure of office. Alas, we see the signs of these critical elements being rejected, by, one suspects, the Treasury.

As soon as these two elements—the drive to radicalism and the acceptance of some short-term costs—are lost sight of, we are no longer in the territory of radical reform that will command cross-party support—the revision of a system that currently distorts the economy within society. On the contrary, we fall back, surprisingly, on no change whatsoever. We may tamper with a particular element that, in the absence of radicalism as directed to the whole, and in the absence of a willingness to spend some money in the early stages, will achieve nothing.

I wish briefly to allude to one element of that—earned income tax credit. I suspect that many Members on both sides of the House would have a great deal to say in favour of a radical system of earned income tax credit. Many of us believe that that is at the root of trying to resolve elements of the poverty and unemployment traps.

However, if the system of earned income tax credit, by a process of attrition and by the removal of elements of radicalism, is watered down into a working family tax credit, with opt-outs and arrangements for ticks in the box and a re-amalgamation with social security to solve the wallet-purse problem, so that the system becomes unrecognisably different from—that is, entirely similar to—the family credit system, we are left with no change.

It may be argued that that is not the worst thing that a Government can do—create no change. If the system were a working system and the Labour Government were merely trying to put their stamp on a working system, there would be nothing to which we could object.

However, the Minister of State has correctly analysed that the social security system does not work now in social or economic terms. To make changes that are not changes because they change nothing about the way in which people behave, because the Treasury has intervened and removed radicalism and the willingness to spend money up front, so as to end up with the same creaking system but with some further patchwork

[Mr. Oliver Letwin]

and, I fear, some further complexity—not integration and radicalism but disintegration and lack of radicalism—is a terrible and tragic waste.

Alas, here we are in a Chamber that is almost desolate, with a Minister of great importance but not the Secretary of State. For reasons we understand, the Minister of State is not present at the moment. We sit in the absence of Treasury Ministers, the Minister without Portfolio and many others. That being so, I hope that, by making these remarks, I shall not suddenly transform the Government's attitude.

However, I hope that the Minister, who we know from experience in Committee is especially clear-minded, will take back the message that has been adequately conveyed in many other speeches, and especially admirably by my hon. Friend the Member for Chingford and Woodford Green. Let the Minister take back the message that there are Members on both sides of the House who have the good will, if necessary, to enable the Department of Social Security to carry forward a genuinely radical programme.

There is a prize open to the Government in political terms—alas, from the Opposition's point of view. However, the prize is of sufficient worth for the country as a whole to make it possible for us, the Opposition, to accept that it should be given to the Government. That is a remarkable state of affairs. It will be genuinely a tragedy for the country if the prize were lost as a result of the Department not being able to get the Minister of State's vision—perhaps uniquely for a politician, worked out by himself and set down in writing—into an Act and into a structure that will serve the country well in future.

7.4 pm

Mr. Steve Webb (Northavon): I must admit that, as a new Member, I was rather taken aback when the Minister of State said at the beginning of the debate that the custom of the House on days such as this was not to talk about the orders before it. That rather threw me, as I had prepared a speech about the orders. With the indulgence of the House, I shall make a brief, fleeting reference to them.

I have in my hand a small, gummed, perforated piece of paper. It is a humble first-class stamp. Yet this stamp is more valuable than one of the social security benefits that we are talking about. My hon. Friend the Member for Winchester (Mr. Oaten) rather gave the game away, but I forgive him.

On page 14 of the order we find listed under the heading "Non-contributory Periodical Benefits" a description that reads:

"Age addition (to a pension of any category".

The rate of benefit is 25p. I was about to say that it was the smallest social security benefit in the system. It dawned on me, however, that in terms of weekly amount there is a smaller one.

The rate of benefit of 25p will be the same in 1998 as it was in 1997. Indeed, it will be the same as it was in October 1972, when it was last increased. It will be recalled that those were the days when five shillings really were five shillings. The benefit is paid to about 2.4 million pensioners, at an annual cost to the Exchequer of about £30 million gross.

I wish to assure the Government Whips that I do not propose to call a Division on the non-uprating of the age addition. However, its presence within the benefits system produces an odd result. On someone's 100th birthday, he or she will receive a telegram from the Queen. On someone's 80th birthday, he or she will receive an insult from the Department of Social Security.

What should happen to the humble 25p age addition? Well, it could be abolished. Its abolition would save the Government a little money. Apparently the DSS needs that money, although no one else seems to. The addition would be scarcely missed by the recipients. The alternative would be to make the addition a worthwhile sum—for example, a fiver.

Mr. Burns: Perhaps £5 a week.

Mr. Webb: From a sedentary position, the hon. Gentleman suggests £5 a week. I suspect that he is sympathetic to the proposal, so he has prompted me. Let us say £5 a week for starters. We could build on that.

Basically, the State pension increases with age. The hon. Member for Birmingham, Edgbaston (Ms Stuart) perceptively said that there is nothing magical about the age of 80. As she said, it is merely a threshold in the existing system. However, the State pension could be tiered more generally to increase with age.

What about cost? As a Liberal Democrat, I am always acutely aware of the costs of our proposals. The net cost, after savings, from income-related benefits and income tax, would be £310 million. Would this money be well spent? I hope that the House will remember the figure of £310 million, because I shall return to it.

In my view, the money would be well spent. Why? First, the oldest pensioners are the poorest pensioners. I studied the Government's figures on pensioners' incomes for official verification. The Government take account of the recently retired—those five years after retirement—and those who are more than 75 years of age. I would be more interested in the over-80s, but let us take the over-75s.

The latest figures show that the recently retired single pensioner, which is the relevant comparator of the over-80s, for obvious reasons, has an average median income—I am not trying to exaggerate in any sense—after meeting housing costs, of £93 a week. That is the figure for a typically recently retired single pensioner. The typical over-75 pensioner has £77 a week. The figure for the over-80s would probably be lower than that—perhaps not a great deal, but a little lower.

There is a £16 gap between the recently retired single pensioner and the older single pensioner, and that gap is growing. Since 1979, the recently retired figure has increased by 52 per cent., while for the older pensioner it has increased by only 40 per cent.

There are two fundamental reasons why the gap is growing between the recently retired and the elderly pensioner. Elderly pensioners are more likely to be women—two thirds of the over-80s are women. Low lifetime earnings, which feed through into low earnings-related pensions, and the period spent out of the labour market, particularly before protection was built into the benefits system, mean that elderly pensioners

receive lower state pensions. My hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) has already said that some people are getting 32p a month.

An increasing number of the women are divorced. They had assumed that they would get a share of their husband's pension rights in old age, but divorce has suddenly done away with that. I hope that the Government will soon introduce proposals to rectify that injustice. As women, and because of the jobs they did, they may not have been entitled to join their employer's occupational pension scheme. For all those reasons, women tend to be poorer in old age.

There is another reason why the over-80s tend to be poor. It is something with which my incisive brain has wrestled, but I noticed that they retired a long time ago. Why is that significant? Inflation has eroded the value of their pensions. Even the best pensions are typically price-indexed only up to 5 per cent. We have had double-digit inflation since they retired, and many pensions are not indexed to that extent. They have poor pensions because of inadequate indexation.

Almost all the over-80s will have retired before the state earnings-related pension scheme became a possibility. They are possibly getting a graduated pension, but not SERPS. Assuming that the economy continued to grow, newly retired pensioners will have had another 15 or 20 years of economic growth, and their pensions, pegged to their pre-retirement earnings, will have grown in real terms much faster than inflation, which is the best that the older pensioners can hope for. So the gap between the newly retired and the very elderly is likely to remain with us.

Mr. Wicks: I am interested in the idea of giving a higher pension to the very elderly, but there are two difficulties with that. First, a large number of people in poverty in old age are among the younger pensioner group. How would we justify the proposal to them? Secondly, is there not a problem that, in 10 or 20 years' time, the over-80s may be richer because they are getting SERPS, and perhaps are benefiting from occupational pensions? If we had that proposal, would it need to be phased out at some stage? What would be the political and social implications?

Mr. Webb: The hon. Gentleman makes two perfectly fair points. I am arguing for a tiered pension that rises gradually with age, not necessarily at the magic figure of 80. Younger pensioners would not necessarily feel aggrieved, because they would expect to be 75 or 80 one day. I would be surprised if recently retired pensioners have a particularly high incidence of poverty. I simply do not believe that. There will always need to be a means-tested safety net. The less people have to rely on means-tested top-ups, as the hon. Gentleman said earlier, the better.

Just as there is a quinquennial review of national insurance contribution rates, so there might be a quinquennial review of the differentials between older and younger pensioners. If the trends are changing, the pension system might be adjusted to reflect that, although, in the past 15 years, the trend has, if anything, gone the other way. I recognise the point that the hon. Gentleman makes, but I think that the differential is likely to remain.

The proposal is attractive, first, because it is well targeted on the poorest pensioners, without means testing, and, secondly, because old people take up their pensions. Take-up of the basic state pension is almost 100 per cent. The Government are acting on the fact that take-up of income support is poor. Their own figures suggest that 390,000 people over the age of 80 fail to take up their income support. How much does that cost? Interestingly enough, £310 million.

I was flicking through the Labour party manifesto this morning—as one does—and came across the extensive section where Labour promises more money to poor people. I have underlined the five lines. It says:

"We will examine means of delivering more automatic help to the poorest pensioners—one million of whom do not even receive the Income Support which is their present entitlement."

One of my various roles in life is to be constructive towards the Government and to offer them a means of delivering their manifesto commitments. We saw earlier that the ones on the little cards are a bit shaky, so let me help them with this one.

If the Government were to accept my suggestion and add £5 a week to the pension of the over-80s, that would guarantee that the poorest pensioners in the land—the elderly who are entitled to but do not claim their income support—would get the money. The manifesto uses the word "automatic". One cannot get much more automatic than adding it to their pension.

The Government have promised pilots in April, so I asked the Secretary of State what they would do to help elderly pensioners to claim their income support. The answer several days later was that they would let me have such information as is available in due course. They did not seem to know what was going to happen in April, or could not give me a summary of it. That rather worried me. As £15 million had been set aside for these pilots, the Government should know what it was going to be spent on. I offer the Government a chance, even at this late stage, to alter the uprating order to help to fulfil their manifesto commitments.

The third attraction of the mechanism to help elderly pensioners is something of an anorak's point, but I hope that the House will indulge me for a moment. State pensions are linked to contributions—those who have poor contribution records get low state pensions—but the age addition is not. Whether one gets 1p or £60 a week of state pension, one gets the same age addition of 25p.

If I were to put the Government's £300 million into the age addition, it would go to women with poor contribution records just as much as to people with full contribution records. It would be a much more progressive way to help pensioners than any addition to the basic state pension, as that would be reduced for those with poor contribution records. My final observation is that, if pursued over a number of years, this proposal would restore to the basic state pension its historic role.

The Minister for Welfare Reform is no longer with us—he is off to talk about Beveridge and the history of pensions. In 1908, the pension was for the over-70s, at a time when a male born in that year could expect to live to 51. In 1998, the pension is for the over-65s, and a male can expect to live to 77. In other words, we have gone from a system that was insurance against living too long to something that gives an inadequate flat-rate benefit to 10 million people for the last 20 years of their lives.

With the Deputy Prime Minister, I am a great believer in traditional values in a modern setting. Therefore, we should restore to the pension its role as an insurance

[Mr. Webb]

against poverty in extreme old age. The recently retired can, by and large, cope. The very elderly often cannot. They miss out on all sorts of things—the extra winter fuel payment from the Government, for example. They were given £20, not £50, because they were not claiming their income support. They would not miss out on this £5. It would be action today for some of the poorest pensioners in the land. I commend it to the House.

7.18 pm

Mr. David Rendel (Newbury): I shall, if I may, ask a question that has not yet been raised. The Minister will remember that, in his social security uprating statement on 2 December, he made the point that they do not intend

"to increase the earnings for the three lower rates of employers' contributions."

He may also remember that I asked him a brief question about that, because I felt, and made the point at the time, that that meant that there would be a real-terms increase for businesses. He replied simply:

"No employer will pay more on existing payrolls as a result of the freezing of the bands."—[*Official Report*, 2 December 1997; Vol. 301, c. 176-84.]—

thus presumably expecting that employers would not raise their own salaries or those of their employees in line with inflation.

Indeed, the explanatory note on this order goes on to say:

"This Order does not impose any new costs on business. Certain contribution rates, thresholds and limits"—

will

"increase broadly in line with the rise in price inflation."

If those brackets had also risen in line with inflation, there would not be any real-terms increase for businesses.

What estimate has the Minister made of how much more businesses will pay in employers' contributions to national insurance than they would have paid if the earnings brackets had been increased in line with inflation?

7.19 pm

Mr. Simon Burns (West Chelmsford): Like last week's debate on the Child Support Agency, this debate has been interesting and intelligent by House of Commons standards. It is always a joy to listen to the Minister for Welfare Reform, the right hon. Member for Birkenhead (Mr. Field), and today was no exception. Given his knowledge of the background to the welfare state and his thinking the unthinkable, it is well worth listening to him, although I was somewhat puzzled that, when he went through his litany of anniversaries celebrated this year, he failed—perhaps for obvious reasons—to mention that this is the 67th anniversary of a Labour Prime Minister, Ramsay MacDonald, cutting benefit levels, particularly unemployment benefit, which brought back the national Government of 1931. This is a slight parallel to that, given the fear and confusion in the country at this time among disabled people about what might happen under this Government to disability living allowance and other disability benefits. I hope that, during his wind-up speech, the Minister will give a categorical assurance about that if he can.

We were extremely fortunate to have the customary thoughtful speech by the hon. Member for Croydon, North (Mr. Wicks). His contributions to these debates are always worth listening to, and we are indebted to him for what he had to say today in a perfectly calm and reasonable, rather than party political, way, which was the hallmark of this debate.

I pay tribute to my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb), who made a powerful speech on pensions and the impact of the Government's raid on pension funds in last July's Budget, by abolishing ACT credit dividends. In a relatively short time in this House, my hon. Friend has made his mark as an expert on social security matters and has done sterling work on the Social Security Select Committee. Although it is all the vogue to have coalition politics, with the Prime Minister inviting the Leader of the Liberal Democrats to be on a Cabinet Sub-Committee, I seriously began to worry on behalf of my hon. Friend when the Chairman of the Select Committee kept calling him his hon. Friend. Out of kindness to my hon. Friend, I shall ask the Conservative Whip on duty to disregard that, so that my hon. Friend's career is not blighted.

My hon. Friend the Member for Arundel and South Downs (Mr. Flight) made an interesting speech and analysis of how he felt welfare reform should move forward. He made an interesting point about the future of national insurance and said that, if one was to have a genuine and positive reform of the welfare system, the national insurance part of which has now become confused in people's minds, there is a good case for considering replacing it with an alternative system. That is not only thought provoking but worth considering further during this series of reviews.

In a fascinating and thought-provoking thesis, my hon. Friend the Member for West Dorset (Mr. Letwin) gave us the benefit of his views on where welfare reform could and should be moving and put forward the case for replacing the family credit system through earned income tax credit. It was an important contribution to this debate.

As always, we benefited from a speech by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), the Chairman of the Select Committee. Our debates on these issues would be amiss without an interesting speech from him.

As my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) said, it is ironic that, only nine months after the election of a Labour Government, one should be able to buy magazines like *The Big Issue* with the headline, "If you're poor vote Tory. They would do more for you than Blair, says Iain MacWhirter". That shows the confusion and fear—and betrayal to a point—especially on the issue of lone parents, which features in the uprating orders before us, that is felt outside. If there is ever a warning to a political party, it should be that, if it promises all things to all men before an election and then immediately does the exact opposite on election, it will cause grave disenchantment. The 48 Labour Members who failed to support their Government in the crucial vote last December showed that some of them are still prepared to keep the faith.

A number of important issues arose from the debate and I hope that the Government will deal with them. I trust that, in replying to the debate, the Minister will answer the questions that remain unanswered or need

clarification. I am afraid to have to tell him that there are a number of outstanding questions which I asked on 2 December following the uprating statement in the House. The Minister, gently and courteously, totally ignored the questions, as he used to do during debates in the Social Security Bill Committee upstairs. I know that the Minister is genuinely decent and honourable—I hope that that will not harm his prospects in a Labour Government—and I understand the difficulties that he has had to grapple with on contentious issues such as lone parent benefit, family premiums, and child benefit extra payments, but we would appreciate it today if he answered the questions that we have asked.

The Government have dug themselves into a hole over their handling of pensions, as my hon. Friend the Member for Chingford and Woodford Green said in his opening speech. The July Budget caused untold damage to the pension industry, which will not even be put partially right until at least April 1999 when the re-rating of the rebate for contracted-out pensions will come into effect. That change to the rebate was made in extremis after an emergency consultation with the Government Actuary, as my hon. Friends the Members for Chingford and Woodford Green and for Bognor Regis and Littlehampton said. Even then, the changes that the Government made were not what the Government Actuary had advised.

The damage to pensions has cost the taxpayer; and the change to the rebate system will cost the taxpayer anything up to half a billion pounds over the next five years. The Minister will no doubt say that that is all being considered in the two pension reviews currently under way, but the main review is set to report with an initial framework by 30 June and the pensions problems need to be addressed now with increasing urgency.

The uprating order shows that the basic state retirement pension has been increased in line with the inflation rate of 3.6 per cent. However, as my hon. Friend the Member for Chingford and Woodford Green said, we have heard in the press—it has now been spelt out by the Secretary of State for Health, the right hon. Member for Holborn and St. Pancras (Mr. Dobson) in his speech as part of the road show—that the Government are contemplating means testing the basic state pension. That is not only a fundamental departure from precedent and the way the state pension has operated since its introduction, but it is totally at variance with what the Labour party said before the last general election.

The Minister must clarify this issue tonight and say unequivocally whether the Government intend to means test the basic state pension. The Minister has not intervened either to confirm or indignantly refute that, so if he does not completely rule it out in his winding-up speech, we can reasonably assume that the Government are seriously considering it, and that the Secretary of State for Health has let the cat out of the bag. I urge the Minister to deal with that point.

Furthermore, I am slightly surprised that the Minister of State and the hon. Members for Birmingham, Edgbaston (Ms Stuart) and for Croydon, North did not mention VAT on fuel, because that issue is usually raised in debates on social security benefits and payments. The Under-Secretary has never responded to the point that I made during the uprating statement. Everyone will benefit from the reduction in VAT from 8 per cent. to 5 per cent. by 3p in the pound on fuel bills. That will particularly help pensioners, even if it is—I choose my words carefully so that they cannot be misconstrued—a relatively small amount of money.

If the Government had introduced this change on 1 October instead of on 1 September, pensioners would have benefited more. Inflation was 3.6 per cent. in September, and 3.7 per cent. in October. If the change had been introduced on 1 October, pensioners would have had £6 a year more in their pension, so they are now £6 a year worse off, although I accept that they benefit from the reduction in VAT.

I shall now deal with the position of lone parents, which is a prickly issue for the Government. I again want to ask a question that has still not been properly answered by the Government in previous debates or at the time of the uprating statement. What principles lie behind the Government's case for freezing lone parent benefits? We all know the reasons why the previous Government announced that they wanted to equalise the benefits system between lone parents and couples with children. The House will be relieved to know that I shall not rehearse the arguments, but that was vigorously denounced by the Secretary of State and, I suspect, by every Labour Member in the run-up to the election. Now 419 of them minus 48 have forgotten the pre-election rhetoric.

What is the principle behind the Government's decision to freeze the premium for existing lone parent claimants who will continue to receive payments after April and after the orders on child benefit have been passed? When the uprating was announced, for obvious political reasons nothing was made of the fact that the Government had frozen the premiums for lone parents. I congratulate the Under-Secretary on his deft handling of that question during the uprating statement. In the nicest possible way, he parroted an answer about the amount that the Government were making available to lone parents from April this year. He was factually 100 per cent. correct, but he avoided answering the question 100 per cent. He did not confirm that the Government had frozen premiums. I congratulate him on his impressive sleight of hand.

The Government have ensured that payments to existing lone parents in receipt of child benefit are frozen.

Mr. Gibb: Has my hon. Friend noticed the presence on the Government Front Bench of the Secretary of State? Is there any reason why she has turned up now? Why did she not attend the debate at the beginning? She is the first Secretary of State since 1978 not to attend an uprating debate.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I do not think that the hon. Member for West Chelmsford (Mr. Burns) should pursue that intervention.

Mr. Burns: I shall abide by your ruling, Mr. Deputy Speaker, although, if I am not pushing you too much, I should like genuinely to say that it is a pleasure to see the right hon. Lady.

From April, payments to lone parents with child benefit will be frozen at £17.10 a week. To the best of my knowledge, the Government have never admitted that they have narrowed the differential between what lone parents and non-lone parents receive. The differentiation was £6.05 a week, and it will now be £5.65 a week.

[Mr. Burns]

As the Under-Secretary said on 2 December, the rate for family premium will be £15.75 from April. He failed to point out that that is what lone parents were receiving last April, so it has been frozen. The differential was to be reduced from £4.95 to £4.70. The Government are not only freezing payments to existing lone parents who, by not reading the small print of the announcement, were led to believe that they would still receive the extra money. They never assumed that payments would be frozen, and that the margin between couples with children and lone parents would narrow and would wither on the vine. I have no doubt that, in the coming years, the Government will continue with this policy, so that benefits will wither into insignificance.

Mr. Rendel: Is the hon. Gentleman aware of what the current Secretary of State said in the equivalent debate this time last year? She said:

"We have said that the way in which to stop . . . the blossoming of the social security budget, and hence the increased burden on taxpayers, is not to shave the benefits of the poorest families year by year."—[*Official Report*, 19 February 1997; Vol. 290, c. 944.]

Does he agree with me that what he is describing is precisely a shaving of the benefits of the poorest families year by year?

Mr. Burns: I am grateful to the hon. Gentleman for quoting back at me a quote that I used in numerous speeches in the Committee considering the Social Security Bill, of which he was a member, and in the crucial debate on Report when we had that contentious vote.

Child care was included in the uprating orders and is also in the orders before us tonight. The Minister failed to answer the straightforward question about whether the Government intended to means-test child care costs. He did not even attempt to answer. However, I have an interesting answer that the Under-Secretary of State for Education and Employment, the hon. Member for Newport, East (Mr. Howarth), gave to a written question about whether the Government plan to means-test places for after-school clubs. He replied:

"Funding to establish new out of school childcare provision will come from the receipts of the Windfall Tax, the Out of School Childcare Initiative and the New Opportunities Fund totalling £300 million over five years from 1998 and 2003. Schemes will be free to determine their own fees. Many existing schemes already adjust fees according to the family's circumstances"—

many schemes already operate a means test—

"and we expect that new schemes will wish to consider doing the same."—[*Official Report*, 30 January 1998; Vol. 305, c. *438*.]

That means—unless I am wrong—that the Under-Secretary of State for Education and Employment is confirming what Ministers at the Department of Social Security have been reluctant to confirm: that child care costs that have been paid for with public money, through the windfall tax and so forth, will be subject to means testing. I hope that the Minister will confirm that when he winds up.

For a long time, we have been promised a Green Paper on welfare reform. The issue has featured largely during the last three hours. My hon. Friend the Member for Chingford and Woodford Green described, with some eloquence, the background and the problems that the Government have encountered since May. When the Government came to power then, they announced that they had a Minister at the Department of Social Security whose remit was to think the unthinkable in regard to welfare reform—whose reputation, indeed, was to that effect. As a consolation prize, that Minister was given the Prime Minister's telephone number, so that at any point he could telephone the Prime Minister to share his thoughts on the unthinkable. Unfortunately, however, life did not work out quite like that.

We are all aware of the tensions there have been in the Department of Social Security. We are aware of the heavy hand of the Chancellor of the Exchequer, who is far more interested in a Treasury-driven cost-cutting welfare reform than in some high-falutin' intellectual review of welfare reform. For the last six months or so, the country has had to put up with the leaking, the counter-leaking, the arguing and the scrapping, as each person fights his corner—and who are the innocent victims in that free-for-all among Ministers? The innocent victims are disabled people, who are terrified and utterly confused about what may well be happening.

Mr. Kevin Hughes (Doncaster, North): Scaremongering.

Mr. Burns: There is no point in the junior Government Whip saying that. Having been in the House for 10 years, and having listened to the scaremongering of the Labour party, I think it takes a bit of gall for him to sit there and say it.

The Minister for Welfare Reform—whom I am delighted to welcome back to the Front Bench—was given the remit of coming up with an intellectually based, wide-ranging review of the welfare state. As I said earlier, his mandate was to think the unthinkable, and to come up with radical solutions.

Mr. Field: It was to think the workable.

Mr. Burns: We hoped that even the present Government would come up with a review that was workable—as well as, possibly, unthinkable. The right hon. Gentleman tempts me to stray. Perhaps the problem was that we did not use a broad brush; we did it bit by bit.

As my hon. Friend the Member for Chingford and Woodford Green said earlier, pressing the Minister, we need to know when the Green Paper will be published. The Prime Minister has replied, unsatisfactorily, to my hon. Friend's correspondence. The hon. Member for Northavon (Mr. Webb) made the valid point that we fear that the Government will seek to squeeze it out into the public domain on the same day as the Budget in the hope that its impact will be minimised. Conservative Members hope that that is not what the Government seek to do, because we believe that such action would do a great disservice to the future of welfare reform, and would question the Government's commitment to a welfare reform programme that radically addresses the problems of welfare standing and the welfare state rather than being merely a cosmetic exercise imposed by the Chancellor for cost-cutting purposes.

The DSS is intimately involved—no doubt driven by the Treasury, in this respect for fairly valid reasons—in the question of the proposed earned income tax credit.

That is being trumpeted as a radical welfare reform, but many have suggested that it will be no more than a more expensive version of family credit that will be more difficult to administer. My hon. Friend the Member for West Dorset dealt with that very well.

Whatever the details, however, there should be a unified approach to the welfare system: I cannot impress that enough on Ministers. Individual measures such as the EITC could help, but, in an intellectually rational review, that should only be part of a package that seeks to address the problems that the Minister of State has identified so eloquently not only in the past but—as I said earlier—at the beginning of his speech today.

We do not want a cost-cutting Treasury-driven exercise. That would be a wasted opportunity, given that we now have within our grasp the chance to come up with a sensible and radical reform process.

Uprating is clearly fundamental to maintaining benefits in line with inflation, and my hon. Friends and I certainly do not oppose the orders. However, I believe that a number of questions, which I have identified, need and deserve answers. I hope that, just for once—if only to humour me—the Minister will answer the questions that we have posed.

7.46 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Keith Bradley): Let me begin by reflecting on many of the sentiments that have been expressed in today's thoughtful and wide-ranging debate. My right hon. Friend the Minister of State set the constructive and philosophical basis on which many of the speeches have been built. Clearly hon. Members on both sides of the House see the need for welfare reform, and the need for a debate both inside and outside the House. The public need to be involved in that debate, and today we have tried to take it forward. Although the immediate subject is the new benefit rates that will be introduced in April and the consequential changes to national insurance, all the issues that have been raised show the importance of the welfare debate. Labour Members welcome that.

I thank my right hon. Friend the Minister of State for his kind remarks about my enthusiasm for the delivery of social security services—what we call active modern service. I do not think enough attention has been devoted tonight to the importance of ensuring that, whatever reforms come along and whatever changes are made, customers—our constituents; the people in the country—deserve the best service possible. As the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) said, we ought to recognise and value our staff in agencies throughout the country.

Only this morning, I was speaking to staff at a conference in Brighton. They spoke of the difficulties that they experienced because of the complexities of the current system, and the lack of modern information technology and computers to allow them to do the job that we are asking them to do. I accept that part of the welfare reform agenda is to have a modern, customer-focused service that recognises people's needs.

Mr. Gibb: The Minister has been speaking for just three minutes. Does he intend to apologise for the absence of the Secretary of State during the debate? The hon. Member for Croydon, North (Mr. Wicks) apologised for the—

Mr. Deputy Speaker: Order. The hon. Gentleman raises matters that are not before the House.

Mr. Bradley: We are trying to have a sensible debate, and the hon. Gentleman is lowering the tone. I was wrong to allow the intervention, and I shall not take any more.

The hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) made an important contribution when he spoke about pensions. I shall read his comments and, in the spirit of co-operation, refer them to my fellow Under-Secretary, my hon. Friend the Member for Southampton, Itchen (Mr. Denham), who has responsibility for pensions. The hon. Gentleman alluded to my earlier comments in the House about the problems of capital and disregards. The hon. Member for Roxburgh and Berwickshirealso spoke on those matters.

I have not had a chance to look at my comments in *Hansard*, but I do not dissent from the view that there are problems with capital and disregards. In our review of benefits and the general review of the welfare state, capital and disregards will have to be considered, because they are part of the impediments, disincentives or complications in the tax and benefits system.

I commend, as I always do, the speech by my hon. Friend the Member for Croydon, North (Mr. Wicks) and his three-pronged approach to welfare reform—the attack on poverty, insurance against risk, and the needs of the family. He clearly set out the principles that we must recognise as the welfare reform programme unfolds. We welcome his major contribution.

My hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) rightly highlighted the needs of children and spoke about the importance of a child care strategy. The hon. Member for West Chelmsford (Mr. Burns) also spoke about child care and about how the new arrangements will be put in place. We have made it clear that child care clubs throughout the country can organise themselves and charge for services in many different ways. We are not trying to impose a blueprint or a set of constraints on the development of those clubs. It will be up to them to look at local circumstances and needs and see how they can best address them by the provision of quality child care within the framework of our national child care strategy. I hope that the hon. Gentleman recognises the value of such a strategy in complementing welfare reform.

The hon. Member for Newbury (Mr. Rendel) spoke about pensions and poor pensioners, and the hon. Member for Northavon (Mr. Webb) also made an important contribution to that debate. I know that, as we review pensions, my hon. Friend the Member for Itchen will read their suggestions to see how their ideas, if they are considered sensible within the overall pensions review, can be progressed. We must not forget how much the Government have already done to help poor pensioners. We have recognised that the poorest pensioners are those who are not claiming the benefits, especially income support, to which they are entitled. We shall introduce pilot projects to see how we can improve take-up.

The hon. Member for West Chelmsford spoke about VAT on fuel. In spite of Conservative opposition, we reduced VAT on fuel, and that benefits pensioners

[Mr. Bradley]

throughout the country. In addition, we gave an extra £50 and £20 to pensioner households this winter for fuel bills, and that will be followed through next winter. No one should pretend that nothing is being done to help the poorest pensioners. Such help is an important item on the Government's agenda, and it will continue to exercise our minds as the general pensions review unfolds.

The hon. Member for Newbury asked a specific question about national insurance contributions. I hope that I can give him a satisfactory reply, but if he requires further clarification I shall ensure that he gets it from my hon. Friend the Member for Itchen. No employer will pay more on existing payrolls as a result of our freezing the bands. If each band were to be increased by, say, £5, employers would pay £130 million less in contributions in 1998–99. A higher Treasury grant would have to make good that reduction in the national insurance fund income. I hope that that answers the hon. Gentleman's question, but if he wishes to write to me on the matter I shall be pleased to respond to him.

Everyone who has contributed to the debate is awaiting the Green Paper with bated breath. That is understandable because it is the next stage in the debate, in the House and outside it, on welfare reform. My right hon. Friend made it clear that the Green Paper will be published before the next uprating statement. I can confirm that. Every day is a day fewer to wait, and I am sure that the Green Paper will be welcomed by all hon. Members.

Mr. Osten: Will the Minister give way?

Mr. Bradley: I will give way, but it is for the last time.

Mr. Osten: Perhaps the Minister will at least say whether the Green Paper will be published on Budget day. A clear statement that it will not be published on that day would put our minds at ease.

Mr. Bradley: The hon. Gentleman presses too hard. I have made the position plain: it will be published before the next uprating statement.

Hon. Members spoke about disability benefits. My right hon. Friend the Secretary of State for Social Security, who I am pleased to see in her place, has already introduced extra safeguards to improve the quality of decisions that reduce or remove entitlements as part of the benefit integrity project. When my right hon. Friends the Prime Minister and the Secretary of State met disability benefits consortia, they assured them that we will continue to review the operations of the project because we want benefit payments to be right and decisions to be fair and to be seen to be fair. Groups of and for disabled people have been involved in the project from its early stages, and we shall continue to work closely with them. That exercise is completely separate from the welfare reforms that are being considered.

It must be right to ensure that, throughout the benefits system, payments are right and decisions are fair. I repeat the Prime Minister's assurance that no decisions have been made about the reform of sickness and disability benefits. When options are available for discussion we shall consult disabled people's organisations and others who have an interest in these matters.

We have had a wide-ranging and interesting debate that has shown cross-party concern for the need for welfare reform. The Green Paper will be the new focus for that debate, and I commend the orders to the House.

Question put and agreed to.

Resolved,

That the draft Social Security Benefits Up-rating Order 1998, which was laid before this House on 5th February, be approved.

Resolved,

That the draft Social Security (Contributions) (Re-rating and National Insurance Fund Payments) Order 1998, which was laid before this House on 5th February, be approved.

That the draft Guaranteed Minimum Pensions Increase Order 1998, which was laid before this House on 5th February, be approved.

That the draft Social Security (Incapacity for Work) (General) Amendment Regulations 1998, which were laid before this House on 5th February, be approved.—*[Mr. Kevin Hughes.]*

PETITION

Poole Harbour Bridge

7.59 pm

Mr. Robert Syms (Poole): I am here to present a petition requesting that Poole harbour bridge be maintained in the national roads programme. The bridge is vital for the future infrastructure of Poole. It has great public support throughout the borough and the district around Poole. It is needed for the sensible development of the port and to take traffic out of the centre and old town of Poole, so that people's quality of life is improved and the town's prosperity increases.

I do not wish to say much more on the context, as I secured an Adjournment debate at the end of last year and I am sure that the House is aware of the strong arguments in favour of the project. I briefly thank the people who organised the petition: the eight members of the bridge action team are Ann Stribley, Tony Gardner, Colin Cartwright, Bernard Ewart, Brian Leverett, Brian Ellis, Chris Bulteel and Graham Mason. I say a big "Thank you" to *The Daily Echo*, which is our main newspaper in the Bournemouth-Poole area and which gave much support to the campaign, and of course to Poole borough council, which always supported efforts to improve the prospects for the area.

The petition carries 24,536 names. It says:

To the House of Commons

The Petition of the people of Poole and District

Declares that for the future prosperity of the Town, and for the relief of traffic congestion, there is an urgent need for an additional route into the Port of Poole.

The Petitioners therefore request that the House of Commons urge the Secretary of State for Environment Transport and the Regions to retain within the National Roads Programme the proposal for the new Poole Harbour Bridge, and that its construction be scheduled as soon as may be practicable.

And the Petitioners, being residents of, traders in and visitors to the Borough of Poole, remain

Yours sincerely

Not many projects in the national roads programme would attract 24,536 names in support.

To lie upon the Table.

NHS Dentistry

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

8.2 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): I am grateful for the opportunity to raise this matter. I could be very, very grateful because the main business has finished so early but, despite the fact that my colleagues are here in great force, I shall respect the things to which we always pay verbal tribute. This is half-term week, and the Minister's family are in London, so we shall not keep him here until the end of the available time. I hope that, in return, he will be particularly nice, helpful and responsive.

Fifteen years ago next week, I was elected to this place. When I was elected, one of the places that I knew from the beginning I would be proud to be the Member of Parliament for was Guy's hospital. One of the best things about the hospital is that it has one of the greatest dental hospitals in this country, with one of the greatest research records and ratings. That is at one end of the market of dentistry, as it were, and it is important.

At the other end, I am lucky to have, within 10 minutes' walk from the front door of my home in Bermondsey on the Old Kent road, a very good dentist. I am pleased and grateful for that. In many other parts of England, however, national health service dentistry is becoming a contradiction in terms.

In many parts of England, Wales, Scotland and Northern Ireland, NHS dentists are increasingly becoming an endangered species. The message that I want above all to give to the Minister is that it is for this Government to take urgent action, because otherwise, in many regions, NHS dentistry could become a thing of the past.

We look tonight—this is the first debate on dentistry since the White Paper on the health service was published—for a demonstration of a clear commitment to dentistry as a core part of the NHS. I should like the Minister to address two large subject headings. One is inequalities in dental and oral health and the other is inequity of access to dental services.

As in many other sectors of the NHS, NHS dental services are very much a lottery—of postcode and of geography. We cannot have a national dental service if access to it depends on where people live and if, in large parts of the country, people cannot register with an NHS dentist. With your leave, Mr. Deputy Speaker, my hon. Friend the Member for Taunton (Mrs. Ballard) will, I hope, say a few words that will reflect the fact that, in rural areas, the problems are much worse than in some urban areas. Many of my colleagues, not just in the south-west but in rural areas and in Wales, have exactly that experience.

I do not lay the blame at the Government's door. The 18 years of the previous Government saw a steady erosion of access to NHS dentistry. There was a reduction in services provided on the NHS for free and in the number of people who were registered with an NHS dentist. Government figures from the Minister's Department show that, over the past two years, the number of people who are registered with an NHS dentist has dropped by 800,000, and that the number has been falling at the rate of approximately—this is worrying indeed—500,000 per

[Mr. Simon Hughes]

month so far this year. Those are frightening figures, and we need severe, urgent and effective action to start to remedy that decline.

It is even more important that we do so because the variations in the dental health of the population as a whole are unacceptably high. I entirely accept that the Government want to end inequities of health, with unequal distribution of health and welfare. Dental and oral health is just as much a part of that.

Before I elaborate on those two subject headings, I put three questions to the Minister, because this is a good opportunity to do so. First, there is little in the White Paper about dental care. Does he accept the premise that dentists should be as much involved in primary care groups as other practitioners in the health service? I should be happy if he gave me a considered answer later, but I ask him seriously to consider that issue.

Secondly—this point has been put to me by people in the service—it seems nonsense that, if people go to their dentist and an oral inspection reveals something that needs treatment by a consultant, they cannot be referred directly from the dentist to the consultant; they have to go from their dentist to their general practitioner and then to the consultant. If that is true, we could save much money, bureaucracy and delay by short-circuiting that.

Thirdly, my hon. Friend the Member for Kingston and Surbiton (Mr. Davey) has put it to me that we could open up dental services a bit. If people go to an optician, they receive a prescription for something, but they do not have, as it were, to cash it there; they may be able to have it dispensed somewhere else. If, for the foreseeable future—I shall have this debate with the Minister on another occasion—there are to be charges and different prices for any dental services, people should be able at least to shop around. They should not, as it were, be caught, being given the diagnosis and the remedy—for which they have to pay out of their own pocket—in the same place.

On inequalities in dental health, my colleagues and I in this Parliament, as in previous Parliaments, believe that the rising cost of dental care is one of the most crucial factors in deterring people from regular dental check-ups. We believe strongly—the evidence is strong—that this is a false economy as regular checks reduce the need for emergency care, which ultimately is more costly for both the individual and the state. People aged between 25 and 35 are apparently much less likely than any other section of the population to be registered with a dentist. That stores up problems for the future, because that is exactly the period during which problems can set in.

It is an anomaly—I know that the Government are reviewing those issues—that people have to pay for a consultation with their dentist, whereas they can see their GP for free. That is not logical. Charging for dental care is just as much a disincentive to good oral and dental health as charging for a visit to a GP would be a disincentive to good physical health. That is demonstrated by the fact that the over-75 age group is the only section of the population in which dental registration is not declining, because that group does not face a bill for dental care.

My friend and colleague, one of the professors at Guy's dental school, tells me that not just dental examination but oral examination is hugely important. There are as many deaths in Britain from oral cancer as there are from cervical cancer. I understand that we are talking about double the population because we are talking about men and women, but nevertheless the figures are not insubstantial.

More than 50 per cent. of people with HIV have a diagnosable, specifically recognisable lesion and many of them are spotted, before people have understood that they are afflicted by the HIV virus, by dentists and dental practitioners; and 80 per cent. of people with AIDS have a specifically recognisable lesion that dental practitioners can spot. Therefore, we are talking not just about care of the teeth but about many other things which present in the mouth as health issues first.

I hope that the case for better access is well made. The figures are there to justify it and I hope that the Minister will give a positive response.

I come now to inequity of access in terms of geography. In reality, we have a rationed dental service—rationing by post code and by local provision. In my time in the House, we have never debated whether there should be rationing, let alone that sort of rationing, and it has never been agreed as an NHS policy. If it is not an agreed NHS policy, there should not be rationing, so we would argue that we need to remedy the fact that it is.

At the moment, we effectively have not a two-tier service but a two-type service, depending on where one lives. Access to NHS dentistry is a hit-and-miss affair depending on which town or county one lives in. That means that there is not equality of access to dental care. The priority must be dental registration. According to my figures, as many as 40 per cent. of children and 50 per cent. of adults may well now not be registered with a dentist. If NHS dentists become scarcer, those figures will rise.

The British Dental Association tells me that at least 5 million people may be dropped from dental registers this year simply because they had not visited their dentists during the previous 15 months. I hope that my hon. Friend the Member for Carshalton and Wallington (Mr. Brake) will catch your eye, Mr. Deputy Speaker, to make a simple point about that.

Ms Julia Drown (South Swindon): Does the hon. Gentleman agree that we should urge all dentists in our constituencies to allow those people who have not visited their dentists in the allowable period back on to their lists, and encourage dentists to do everything that they can to keep people visiting them so that they automatically stay on their lists?

Mr. Hughes: I agree without reservation. I hope that I can persuade the Minister that, given that the 15-month watershed was not of his making but was inherited from his predecessor, that policy should be reversed so that we need no longer have such a watershed which, as the hon. Lady implied, causes so many people to drop off the list.

Many people today—perhaps millions—are deregistered without knowing it. Before Christmas, the Liberal Democrats highlighted the issue, but the Government did not respond as acutely and urgently as they could to ensure—the hon. Lady's point—that people knew what was going on and to ensure steps were taken to prevent people from falling off the list, as some now

have. Staying on the list is the only way of avoiding prohibitively high prices for dental treatment. Those not on the list do not get free or NHS-paid-for dental care.

Ms Drown *rose—*

Mr. Hughes: I would rather not give way, only because of my undertaking to the Minister, which is important. The hon. Lady can have a word with the Minister later.

There are two specific follow-on problems. Patients who want to register sometimes cannot find a dentist with whom to register, and some cannot get back on to the list where they were and cannot find anywhere else. That is a particular problem in rural areas. Those who are unregistered and need emergency treatment are in trouble, and it can cost them a fortune.

There are shortages of places to go to the dentist but there is also an increasing shortage of dentists. That is a result of the systematic and growing underfunding of dentists. Many dentists have been driven to private practice because of the difficulty that they faced in delivering high-quality treatment within the fee scales. The fee scales set three or four years ago by the Government clearly had a huge consequence of people leaving the NHS and going into private practice.

Mr. Lembit Öpik (Montgomeryshire): Is my hon. Friend aware that, in some parts of mid-Wales, dentists who were practising have closed down and left, leaving people with a choice of either going private, waiting or having no dental care at all? In effect, many people in the country now regard dentistry as being privatised through the back door.

Mr. Hughes: My hon. Friend speaks about a part of Wales which he and I know well, and people do have that perception. They think that the NHS has lost much of its dental service, which has been privatised. That was never the intention, and it should not be the intention. My hon. Friend the Member for Taunton (Mrs. Ballard) told me earlier today that she had never understood why, from the beginning of the NHS, dentistry and ophthalmology have been treated separately from core services so that people obtain them from different places rather than going to the GP or a common place of provision.

Mr. Paul Tyler (North Cornwall) *rose—*

Mr. Hughes: I shall give way for the last time, or the Minister will not have his pizza with his kids.

Mr. Tyler: Will my hon. Friend address a particular point which a number of my constituents have raised—that there is no NHS dentistry in large chunks of north Cornwall? Many of them have paid considerable national insurance contributions over many years. They thought that that was an insurance policy to enable them to take advantage of an NHS. That is simply not there. The occasional provision in a caravan of a salaried dentist, when and if they can get there, is simply not an NHS dentistry service. I hope that, in addressing that wider problem, my hon. Friend will ask the Minister to deal with the specific question of the rural areas which simply cannot now recruit new dentists to provide that service.

Mr. Hughes: My hon. Friend makes the point well, and I am sure that the Minister is seized of it. That is not an isolated example. We could, as I presume the Minister would accept, present dossiers of evidence from probably every county in England and, arguably, most counties in Wales too, making exactly that point. Often there is no dentist at all, or one only occasionally, and that is not a comprehensive health service.

Dental services are underfunded, and it is not surprising that dental practitioners have reduced the dental services that they provide. The BDA estimates that £40 million needs to be invested in NHS dentistry. I do not pretend that that figure is perfect. On 1 January 1998, when millions of people fell off the dental registers, Ministers announced an extra £10 million for the service. That is welcome money, and I heard the Prime Minister's reply to my right hon. Friend the leader of the Liberal Democrats at Question Time today.

However, investment from the war chest of money being stashed up by the Government in things such as dentists, dental training and dental health is far better than keeping it locked in the bank and paying off a bit more of our national debt. We need the money and investment to increase registration rates, retain the dentists within the NHS and guarantee the availability of emergency treatment for all non-registered patients.

We need an effective strategy for oral health promotion. That means the reintroduction of free dental checks to encourage regular visits and free treatments for all, but particularly for children, the elderly and those on low incomes. Secondly, as we have long argued, dental health must be an integral part of national and local health promotion initiatives.

Thirdly, I make the gentle suggestion of a White Paper, or a Green Paper, on dentistry. That would be welcome. It could reasonably be done and I make that as a constructive suggestion. In due course, it would be a helpful way forward. For understandable reasons, the White Paper has little in it about dentistry, and oral health was not mentioned at all in the Green Paper on public health.

Fourthly, we need incentives to attract dentists into poorly served areas and to bring them back from the private sector into the NHS. Health authorities need support in that respect. Lastly, we need an increase in the number of dentists being trained.

Core dental services must be put back in the NHS mainstream, and that means free dental services in terms of checks and provision. If the health of the nation is to be improved, the health of people's teeth and mouths is as important as the health of any other part of their anatomy. We hope that the Government will respond, because it is vital to the health of the nation as a whole.

8.19 pm

Mrs. Jackie Ballard (Taunton): I wish to talk briefly about two issues—rural access and the public health implications of the decline of NHS dentistry. Some places have suffered more deregistrations than others, and places such as Cornwall, Somerset, Gloucestershire and Hampshire appear near the top of the league tables. Access to NHS dentistry is often most difficult in rural areas, where access to other services can also be difficult.

My awareness of the difficulties of access started seven years ago when my dentist in Taunton told me that he could no longer keep me as an NHS patient. Because of

[Mrs. Jackie Ballard]

the fee structure, he felt he was unable to provide a high-quality service. When I raised the issue in the local press, I was denigrated by local Tories who said "Problem, what problem?" The Conservatives' interest in the subject is evident tonight by the empty Benches.

One dental practitioner in Taunton accepts new NHS patients. In the whole of my constituency, only two practices accept new NHS patients. In the constituency of my hon. Friend the Member for Somerton and Frome (Mr. Heath), people from Frome must travel 15 miles to Wincanton to find the nearest dentist who will take new NHS patients. Across Somerset as a county, only 10 out of 71 practitioners accept new NHS patients. More worryingly, less than half those practices will take new child registrations. There are many other problems of access to public and community services in rural areas.

I should be the first to say that those problems have not appeared in the past nine months. They are the result of 18 years of under-resourcing by the previous Conservative Government. That is why the Conservatives' new-found concern about the countryside is taken by rural dwellers with a pinch of salt. I do not blame the lack of NHS dentistry on the Government. I agree with the Prime Minister who, when Leader of the Opposition, told the then Prime Minister:

"I do not know how he dare mention dentistry in the NHS after what his Government have done to it."—[*Official Report*, 15 October 1996; Vol. 282, c. 586.]

People now want to know what the present Government are going to do about it.

I shall now refer to the public health implications of the reduced availability of NHS dentistry. Even if people can find an NHS dentist, two things put them off visiting the dentist—fear of the drill and fear of the bill. In a poll published two years ago, 50 per cent. of people said that they would go to the dentist more often if check-ups were free. The figure was even higher among young people—63 per cent. said they would go more often if check-ups were free. The implications of check-up fees deterring people from going to the dentists are that there will be a reduction in oral health.

I am told by local GPs that there has been increasing demands on their services caused by poor oral hygiene, gum disease and mouth infections which would previously be seen at an early stage and prevented by a dentist. Regular dental check-ups—as my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) said earlier—help the early detection of other illnesses.

The *British Dental Journal* said this year that there was increasing evidence that dental health—especially gum disease—may be linked to coronary heart disease. I am not a biologist, and I do not understand the link, but I am sure that the scientists could explain it. The link is especially obvious in men aged between 40 and 50. That could put poor oral health alongside smoking and fatty diet as a significant factor in the development of heart disease.

We heard earlier that as many people die from oral cancer as from cervical cancer, and the figure is about the same as for those who die from skin cancer, which is not gender specific. In a survey of Members of Parliament in 1997, 90 per cent. of Labour Members said that they wanted to see a reduction in oral cancer as a public health target. The incidence of oral cancer is increasing, and yet dental check-ups could detect it at an early stage. As we know, early detection greatly improves the survival rate for any cancer.

Two weeks ago, in a response to my hon. Friend the Member for Torbay (Mr. Sanders), the Prime Minister said that the Government

"want as much NHS dentistry as possible".—[*Official Report*, 4 February 1998; Vol. 305, c. 1039.]

Liberal Democrats also want that as soon as possible—but we want it sooner rather than later.

8.25 pm

Mr. Tom Brake (Carshalton and Wallington): I shall refer to one aspect of NHS dentistry—the deregistration of patients. This is a subject of some seriousness, which *The Times* and *The Sun* have highlighted in recent days, giving rise to headlines like "Tooth of the Matter" and "MP Knows the Drill." It is an issue of national concern.

The British Dental Association has estimated that up to 8,500 patients per constituency will fall off the lists as a result of the change from 24 months to 15 months. As my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) has said, that is equivalent to up to 5 million patients in 12 months. The British Dental Trade Association said that, far from enabling preventive care, "deregistration hinders accessible dentistry". It also pointed out that the NHS White Paper mentions dentistry only twice.

Ms Drown: The hon. Gentleman points out that the trade associations say that there is a great danger to dental health as a result of deregistration. Is it not the case that all that a dentist needs to do is to say that he will accept patients back on to his books, and then there would be no problem? Is it not the responsibility of dentists, as much as anyone else, to solve the problem?

Mr. Brake: The hon. Lady makes a valid point. However, there are already enormous difficulties in getting on to an NHS dentist's list, and I suspect that people who lose their place will find it difficult to get back in future. In a letter to me on the subject, a private individual said that he welcomed the

"efforts to publicise the true state of affairs that exists here and doubtless across the country."

Those examples highlight the seriousness of the issue. I hope that the Minister will seriously consider the restoration of the 24-month period.

8.27 pm

The Minister of State, Department of Health (Mr. Alan Milburn): I congratulate the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) on securing the debate, and I thank him for honouring the commitment that he gave to me in private. He will allow me to get home and, I hope, to see the kids, which will be refreshing in the middle of the week.

It has been a good, well-tempered debate. I hate to break that trend, but it is important to recognise the scale of the problem. We should do what we can to address it, but we must not create a crisis out of a problem and,

in his early remarks, the hon. Gentleman was in danger of doing so. I shall reply in some detail to the points that he made.

That is not to say that the hon. Gentleman and his colleagues have not managed to raise some important issues. I have noted with a great deal of interest that they have been expending considerable effort and not a little ingenuity on raising one particular issue: the registration of patients. I understand, for example, that the hon. Member for Carshalton and Wallington (Mr. Brake) is even offering photo opportunities of himself with his mouth wide open. That is always extremely dangerous for a politician. I would ask him to take heed of the age-old adage that all politicians should bear in mind: before opening mouth, make sure that brain is engaged. I am sure that in his case that will be perfectly true.

I shall deal with the issue of the registration period in a moment, but I shall first set out why NHS dentistry is not about single-issue slogans. The issues that we must address are extremely complex. Anybody who pretends that there is an immediate solution to some of the difficulties we all face has simply got it wrong.

The Government value the important contribution to public health that dentists make through their work. Since the NHS dental service was established almost 50 years ago, there have been major improvements in the oral health of the population, especially among children. It is important that we recognise that, for all the problems, we have taken great strides forward. Our generation, and those that will follow, are in a far better position than the generations that have gone before.

Much of that is due to the success of the NHS and the considerable contribution that dentists have made to it. However, we should not rest on our laurels. The Government are committed to NHS dentistry. Dentistry has achieved much in the past, but we want it to achieve even more in the future. We want it to improve further, both to reduce inequalities in oral health and to improve the population's access to NHS services—two of the points made by the hon. Member for Southwark, North and Bermondsey.

I should like to make one very important point, to which the hon. Gentleman alluded. Improvements in oral health depend not just on the availability of dental treatment. Prevention has a key role to play, too. For example, there is overwhelming evidence that fluoridation of the water supply reduces tooth decay in children.

At the moment, legislation leaves the water industry, which was privatised by the previous Government, in the position to decide whether to agree to local health authority requests for new fluoridation schemes. Therefore, a health decision has been taken by privatised water companies. That seems to me and to the Government to be anomalous. The Government believe that the position needs to be reviewed, but we of course acknowledge that hon. Members on both sides of the House hold extremely strong views on fluoridation. That is why the public health Green Paper, "Our Healthier Nation", which we recently published, seeks to take account of those views and—I hope—find a way forward.

It is also important to acknowledge the contribution that dentists can make to prevention through oral health promotion and education and through screening. We also took that into account in preparing the Green paper. There is an important role for dentists in the early detection of pre-malignancies and cancers of the mouth—an issue raised by the hon. Members for Taunton (Mrs. Ballard) and for Carshalton and Wallington. For the future, further work needs to be done on how best to diagnose and manage such conditions. We are looking at those issues. To coin another old adage, prevention is better than cure. We are exploring ways of making that come to life in oral health.

The hon. Member for Southwark, North and Bermondsey referred to dental checks and his party's manifesto promise, on which it fought the election, to restore free dental checks. He is well aware that there is help to protect the most vulnerable groups, but that the Government are considering such issues, particularly dental health checks, in the comprehensive spending review. I remind him that the comprehensive spending review is being conducted in the context of our election manifesto commitment that, if someone is ill or injured, there will be an NHS service to help, and that access will be based on need and need alone. We are exploring those issues.

Mr. Simon Hughes: If, as I hope, the Government are persuaded by the argument and the preventive health care case, which the Minister has endorsed, on restoring free dental checks, they will be unreservedly supported by my party, and applauded for doing so.

Mr. Milburn: I thank the hon. Gentleman for that. In due course, the results of the comprehensive spending review will become known. Although prevention is important, treatment has a an equally vital role in tackling oral health problems.

Mr. Tyler: Before the Minister leaves the subject of prevention, will he comment on the previous Government's abolition of the school dental service, which did hugely valuable work and in which prevention was very much the order of the day? I know that there are arguments both ways, but will he at least give an undertaking to examine the particular role performed by the service? It was extremely valuable in deprived rural areas—and no doubt in deprived urban areas—where going to a dentist was not a normal family habit, as it was in better-off areas.

Mr. Milburn: We must have in mind the outcome that we want. We all want improvements in the population's oral health and, particularly, we want guarantees that children's oral health is safeguarded. There are a variety of ways of doing that. The school dental service was one way; ensuring access to an NHS dentist is another. When I address the way in which we are trying to improve access, perhaps I shall be able to offer the hon. Gentleman assurances that we are determined to tackle the access problems that he and his hon. Friends have raised.

It is vital that NHS dental services are properly planned, to address the differing health needs of different parts of the country. As the hon. Member for Southwark, North and Bermondsey is aware, we set out in our White Paper, "The New NHS", how every health authority will work with NHS trusts, primary care groups, other primary care professionals, the public and other partner organisations to develop a health improvement programme for each area.

I shall give the hon. Gentleman two assurances. First, in response to the direct question that the hon. Gentleman asked, we expect primary care groups to engage with

[Mr. Milburn]

dentists in their area. That is extremely important. It is important that primary care groups are not just the sole preserve of family doctors. We want other primary care professionals, dentists and community nurses equally to be engaged.

Secondly, and equally important, as the health improvement programme for an area is the local strategy for providing health and health care, it is extremely important that dentists are involved in the process of drawing it up. Indeed, I would expect oral health to feature in health improvement programmes generally. I hope that that helps to satisfy the hon. Gentleman's concerns on that issue. I am determined that, as part of the new NHS, general dental services should contribute increasingly to the improvements in public health that we seek. We are thinking how best to use the resources available to meet those objectives and improve the responsiveness, efficiency and fairness of the service.

So far, so good. I think that there is unanimity across the Floor of the House. [HON. MEMBERS: "Stop now."] I cannot stop now, because it is important that we nail a couple of accusations that have been levelled, and put the issue in perspective.

The hon. Gentleman said that NHS dentists are becoming an endangered species. I have heard others say that, nowadays, no one can find an NHS dentist. That is an absolute myth. Most of the population find NHS dentistry accessible. The tens of millions of people registered with dentists prove that. So does the record number of dentists on health authority lists—more than 19,500 at the end of December last year. In other words, the vast majority of patients in the vast majority of places for the vast majority of the time are able to get access to an NHS dentist. That said, it is obvious that the running down of NHS dentistry by the previous Government has left certain parts of the country with acute and, in a few cases, long-term problems of access to general dental services. Where that happens, it is unacceptable, and we are determined to take action.

I remind the House that, from the inception of the NHS, dentists have been free-standing, independent contractors. Where they decide to locate their businesses—for that is what they are—is a matter for them. Tragically, in the view of some, they choose to locate their businesses in the leafy shires rather than in hard-pressed rural areas or the inner cities, where oral health problems are arguably greatest. If anyone pretends that he has a simple answer to that complex problem, I should be delighted to hear it. I do not believe that there is a simple answer. We need to plan incrementally to make improvements year by year. That is precisely what we want to do, but the hon. Member for North Cornwall (Mr. Tyler) has a big idea.

Mr. Tyler: I wish I had. I want to go back to the point that the Minister made about the severity of the situation. Will he confirm that a dentist who reduces the NHS participation in his list from 90 per cent. to 10 per cent. is still included on the list of NHS dentists? Will he confirm that as a result of that, the number of dentists taking NHS patients can increase, but the number of patients on anyone's list can fall dramatically? As my hon. Friends have said, in several parts of the country that appears to be the case.

I endorse what the Minister has said about the way in which that has happened and the role of the previous regime, but the situation is serious in many parts of the country. As he correctly said a few moments ago, they happen to be parts of the country in which people can least afford to pay for dentistry. That is why there is such a crisis in those areas. I accept that it is not everywhere, but where it is an issue, it is a serious one.

Mr. Milburn: I agree. This debate is in danger of becoming almost too consensual. I want to reassure the hon. Gentleman that the Government not only recognise the problem but are taking positive steps to solve it. The investing in dentistry initiative was launched in September to, may I say, an almost universally warm welcome from, among others, the British Dental Association. It is an extremely important initiative. It will improve the availability of general dental services and extend the benefits of good oral health, by focusing help on the areas with the most serious problems.

Among a range of possibilities, grants may be made available to dentists to expand existing practices or set up new ones in return for long-term commitment to the NHS. Schemes may be able to help newly qualified dentists and those with domestic commitments who want to return to work part time. Up to £9 million has been made available for 1997–98.

The hon. Member for Taunton (Mrs. Ballard) raised local concerns, which I well understand. I can tell her that of the 200 applications that we have so far received from dentists wanting to expand their commitment to NHS dentistry as a result of the Government's initiative, some 73 have come from the South and West region of the national health service. I recognise that there are particular problems in her area. She may be pleased to know that 13 proposals for investing in dentistry schemes were recently received from Somerset health authority. Of those, one was for an orthodontic clinic in Taunton and one was for improvements to a surgery in Taunton. All those proposals are currently under consideration.

We are extremely encouraged by the positive response that we have had to the investing in dentistry initiative. We are giving dentists incentives to come back into NHS dentistry. We are providing meaningful opportunities for them to re-engage with their NHS patients. On 1 January this year, I was able to announce £10 million for next year to maintain the Government's drive to improve access to NHS dentistry and to tackle oral health inequalities through the initiative.

Ms Drown: I am grateful to my hon. Friend for agreeing to a bid to the initial investing in dentistry fund, which will mean that next summer in South Swindon we shall have for the first time in a long time a dentist accepting NHS patients. However, that is only a step. Will my hon. Friend assure me that the new bids from South Swindon will continue to be considered until we have a satisfactory NHS dental service in my constituency?

Mr. Milburn: I can assure my hon. Friend that I expect to see many more bids come in over the course of the next few months and beyond and that all the bids we receive will be looked at seriously. I am aware of the problems in Swindon and in the Wiltshire health authority area generally in respect of access to NHS dentists. We have made a start on addressing those problems, and

we shall continue to tackle them. It is important that we target resources on the areas where there are most problems, such as that of my hon. Friend and of the hon. Member for Taunton.

Mrs. Ballard: I am delighted that the Minister recognises that there is a problem in the south-west, in Somerset and in Taunton in particular. Earlier he referred to dentists preferring to work in the leafy shires, but by many people's definition, the county town of Somerset might have appeared to be just such a place. I hope that the bids that the Minister gets from Taunton and Somerset will receive a favourable response.

Mr. Milburn: They will be properly and fully evaluated, but, as the hon. Lady is well aware, whether they receive a favourable response is a different matter. In due course, a decision will be made.

Mr. Simon Hughes: The Minister has made a perfectly good point about the history of independent contractors and the resulting anomalies and huge differences—for example, my area is well served, but that of my hon. Friend the Member for Taunton (Mrs. Ballard) is badly served. We would encourage him to act in a way that is consistent with the White Paper and require health authorities to plan for the necessary provision of dentists in their area; and to continue both incentive and disincentive schemes to make sure that gaps are filled and that, if someone wants to be a dentist in a place where there is no need for one, that person will not be greatly supported by the public funds of the NHS.

Mr. Milburn: Overall, the Government currently spend about £1,000 million, net of patient charge revenue, on general dental services in England, but that expenditure is wholly dependent on the level of activity of NHS dentists—it is demand-led. It is affected by a range of factors, including changing treatment patterns and a continuing shift to part-time working, especially as there are now more women dentists, which is a good thing, in my view.

Moving on to the points raised by hon. Members and by the BDA about some patients finding it difficult to get dental care under the NHS in future, apparently as a result of changes to the registration period for continuing dental care, I want to say loudly and clearly that that is simply not the case. Let me explain why.

From 1 April 1996, the previous Government made changes to the registration period for adults and children. Those changes were agreed with negotiators from the BDA. The registration period for both adult continuing care patients and children in capitation was harmonised to provide a period of continuing dental care for 15 months following each course of treatment. It had previously been 24 months for adults. Dentists receive a monthly fee for each child and adult registered with them under the NHS. That fee, which is to ensure that the patient receives a period of continuing care from the dentist with whom he or she is registered, is paid whether or not the patient attends the dentist again during the registration period.

Some recent publicity has given the incorrect impression that a new policy has been introduced with the intention of deregistering patients from the end of December last year. Not only is that untrue; it is nonsense. Patients lapse from dentists' lists if they have not seen their dentist since registering. Before that change, each year, an average of 4.5 million patients lapsed from dentists' continuing care patient lists in England alone, indicating that they had not returned to their dentist in two years. That means that the dentist had been paid, but no continuing care had been provided.

The hon. Gentleman and his colleagues may think that that is a useful way in which to spend public money on NHS dentistry, but the Government and I do not. We want NHS dental moneys to be made increasingly available to encourage the active care of patients, because we are serious about improving the oral health of the population. That means that treatment must be targeted where it is most effective.

Patients who attend the dentist regularly will be unaffected by the change, as their registration period will roll forward, but much has been made of the implications for patients whose registration will lapse as a result of the shorter registration period.

The hon. Gentleman, his colleagues and the BDA have implied that patients subject to the shorter registration period will lose access to an NHS dentist. As my hon. Friend the Member for South Swindon (Ms Drown) rightly said, however, that will happen only if individual dentists refuse to re-register lapsed patients. It is for dentists to decide. If they decide not to re-register patients who were previously on their lists, their overall NHS work load, and therefore their income, will decline from previous levels. Evidence gathered in recent months shows that that is not happening to any significant extent. Indeed, many dentists seem to have been most anxious to encourage patients back to register again.

In case anyone is worried, the Government have made it absolutely clear that the money previously paid to dentists over the longer registration period, which has now been released, will not be lost from NHS dentistry. Any savings will be reinvested in the general dental service and targeted at achieving better oral health among the population. The shorter registration period already means that payments to dentists are now focused on patients who receive active care from them. That is the right priority, which will ensure real oral health gains.

The Government are moving the agenda for dentistry forward. As the hon. Gentleman is aware, a range of initiatives have already been taken, including the piloting of personal dental services, which will allow greater flexibility in the delivery of local dental care. I am aware that a bid from his area is currently being considered.

We inherited problems connected with the availability of NHS dental services and the considerable variations in oral health across the country. By the careful use of the resources available to us, and by seeking greater efficiency, flexibility and fairness, we shall tackle those inequalities in oral health status and improve access to NHS dental services. When we do so, I hope that we shall have the support of the hon. Gentleman and his party.

Question put and agreed to.

Adjourned accordingly at eight minutes to Nine o'clock.

House of Commons

Thursday 19 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

The Minister was asked—

Certified Herd Scheme

1. **Lorna Fitzsimons:** What progress has been made on the adoption of the export certified herd scheme. [28746]

The Minister of Agriculture, Fisheries and Food (Dr. John Cunningham): The Commission presented a proposal for the export certified herd scheme to the Standing Veterinary Committee on 21 January. I expect the committee to vote on the proposal soon. If it is not adopted by the committee, it will be referred to the Agriculture Council for a decision.

Lorna Fitzsimons: I thank my right hon. Friend for his answer. Like many of my colleagues, he may not know that Rochdale has a substantial interest in the issue. I have been lobbied by farmers—I grew up with several farmers—who are proud to be the providers of some of the finest and safest beef in this country and, indeed, the world. They want to know what support the European Commission got for the export certified herd scheme, and what my right hon. Friend expects the Standing Veterinary Committee's view to be. They want to know whether we stand a chance this time of getting enough support from the Commission to ensure that they can export their beef, because it is the best beef.

Dr. Cunningham: I certainly agree with my hon. Friend that British beef is safe to eat. The important aspect of the Commission decision was that the Commission itself accepted implicitly, in unanimously backing the scheme, that British beef is safe. There are no good reasons for the Standing Veterinary Committee not to reach the same conclusion.

Mr. Walter: To implement the scheme in Great Britain, we need a computerised system. Yesterday, in answer to a debate in the House, the Minister of State said that no decisions had yet been taken on charging for the scheme, and that no decisions had been taken on passing on the costs of setting up the scheme—the previous Government made a public spending commitment not to pass on those costs. Can the Minister reassure farmers that, as in Northern Ireland, there will be no charge for the scheme?

Dr. Cunningham: I can tell the House that I shall be meeting farmers' leaders with my right hon. Friend the Prime Minister later today.

Mrs. Betty Williams: What steps have the Government taken since May 1997 to implement the Florence agreement, and may we be told why the European Union is still refusing to reopen the beef export market?

Dr. Cunningham: We have fulfilled all the terms and conditions placed on us by the Florence agreement and, I repeat, there is now no good scientific or veterinary reason why British beef should not be allowed back into international markets.

Farmers (Suicides)

2. **Mr. Gill:** How many farmers have committed suicide in each of the past five years. [28745]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): The high rate of farmers committing suicide is of particular concern to the Government, and we are adopting policies to reduce the rate. MAFF is represented on the rural stress information network, the purpose of which is to alleviate rural stress.

Mr. Gill: I thank the Minister for that reply. Is there sufficient realisation in his Department of the severe stress and strain that is placed on farmers by all the bureaucracy that has been implemented as a result of the BSE scare and other happenings in the industry? Given that his Ministry has decided to impose a ban on the sale of bone-in beef, which will cost the industry this year £77 million in recurring costs and £20 million in non-recurring costs, what price does he put on the life of a farmer?

Mr. Morley: Rural stress and suicide rates among farmers are very serious issues. They are connected with many factors—not least isolation. When visiting farmers in Weardale recently, I discussed the support networks that farmers are organising. As I said, the Ministry has been supporting them. I would need to examine the hon. Gentleman's figures on the bone-in beef ban before I could support them, but I should tell him that that ban affects 3 per cent. of the beef market.

Mr. Gill: On a point of order, Madam Speaker. Am I in order in pointing out to the Minister that the figures are—

Madam Speaker: Order. The hon. Gentleman is in order doing only one thing—which he is not doing at the moment.

Mr. Edwards: I am sure that my hon. Friend agrees that every suicide in the farming community is a great tragedy. He will understand that there is a crisis in British

farming. I know of farmers in my constituency who feel some despair. What measures are being taken to introduce an early retirement scheme to help farmers?

Mr. Morley: We are discussing that issue with farmers' representatives.

Mr. Tyler: Is the Minister aware of the very considerable number of suicides that appear to be linked to organophosphate poisoning? Is he aware of the work of Dr. Robert Davies, consultant psychiatrist at the Taunton clinic, which demonstrates that the proportion of suicides is completely inexplicable except in terms of the effects of OP poisoning? Is he in a position to give any more information about the Ministry's work in that regard?

Mr. Morley: We are aware of all the research in that area, and of course take the issues seriously. The Ministry has committed £500,000 to a research programme. It is too early for it to have reached conclusions.

Dr. Ladyman: One of the things that farmers in my constituency tell me leads them to despair is the fact that they are told by supermarkets that they must produce goods to very high standards, but find that those same supermarkets stock cheap imports which are not produced to the same high standards. Does the Minister get as cheesed off as I do with the Opposition's hypocrisy, since one of their number, the vice-chairman of the Conservative party, through his day job with the Asda supermarket chain, is in a position to do something practical?

Mr. Morley: There is no doubt that the supermarkets insist on high standards from British producers, and British producers match those high standards. It is therefore not unreasonable to expect big retailers to recognise that there is a responsibility for their meat and food supply.

Beef Imports

3. **Mr. Thompson:** If he will make a statement on how much beef by tonnage and value has come into the United Kingdom from outside the EU in 1997. [28747]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): Provisional figures for United Kingdom imports of fresh, chilled and frozen beef from non-European Community countries from January to the end of November 1997 indicate that some 53,000 tonnes were imported to the approximate value of £135 million.

Mr. Thompson: I thank the Minister for his reply. Is there any truth in the rumour that some of the beef is fed to the armed forces? If that is so, will the Minister contact the Minister for the Armed Forces and advise him that British beef should be fed to British forces? Furthermore, will there be a traceability system so that we can trace where the beef goes and from where it came?

Mr. Rooker: I should imagine that the beef will be covered by the forthcoming beef labelling scheme. Consumption of British beef by the armed forces is much higher under this Government than the previous one.

Mr. Gareth Thomas: Will my hon. Friend confirm that labelling has a part to play in improving confidence in domestic beef? Will he confirm also that steps will be taken to improve the labelling system so that consumers will be sure that they are consuming quality British beef?

Mr. Rooker: Yes. From April, the beef labelling scheme will come into force. At present it is voluntary. We have encouraged all producers to become accredited. There must be independent certification before the product can be sold as British beef. In the meantime, farmers, supermarket owners and customers could ask whether the beef that they buy has a hygiene assessment score. The only beef to which that system applies is British beef.

Mr. Paice: Will the Minister confirm that hygiene assessment scores do not involve any microbiological testing of the product? I hope that he will take that up in response to a question that I have already tabled.

Will the Minister accept, without bringing in the absurd political points that have been introduced by his hon. Friends, that there are many farmers and consumers who believe that there is much imported meat available in this country that has not been produced to the standards that we require, including standards of hygiene, of microbiology, of abattoir practice and, importantly, of animal welfare? Are not virtually the only checks that are made on entry documentary checks?

Is it not time that the Minister emphasised and accelerated the Government's ability to make proper checks on imports of meat to ensure that the ever-rising standards of British production are matched for farmer and consumer by the ever-increasing volume of meat that is being imported?

Mr. Rooker: Last year we imported about 2 per cent. less non-EC beef than was imported during the previous year. Less non-EC beef has been imported under this Government than under the previous Administration. In other words, there has been a decline. At the same time, there has been more activity in making checks at the ports and raising standards.

No one has ever said that hygiene assessment scores involve testing the meat. It is a process of testing the quality of the abattoir and that of the cutting-plant premises. We are talking of a hygiene score for the premises in which the killing and cutting takes place. It is right that that information is made available to the public.

Mr. Todd: On the question of non-EU products, will my hon. Friend address the World Trade Organisation at the next round of negotiations to ensure that the same high standards that we insist on for our beef products are also insisted on in other states that are seeking to export into the United Kingdom, especially in the areas of animal welfare and environmental care, along with many of the other quality issues which were referred to by the Opposition spokesman, the hon. Member for Sout-East Cambridgeshire (Mr. Paice)?

Mr. Rooker: The points that my hon. Friend raises are not ignored by the Government. Even from non-EU countries, there must be conformity with the standards that apply within the European Union—a single market of which we are a part of under legislation introduced by the previous Government. Checks are made in third countries to ensure that their products conform with the standards required by the single market.

Green-top Milk

4. **Mr. Peter Atkinson:** What representations he has received about the future of green top milk; and if he will make a statement. [28748]

Mr. Rooker: We have received about 800 responses from a wide range of interested parties. I expect to be receiving more before the close of consultation on 24 February.

Mr. Atkinson: I hope that the Minister will take careful account of all the responses, including those from some of my constituents who have been drinking green-top milk all their lives with no ill effects, and who believe that the decision to drink traditional farm milk should be left to the individual.

If the Minister does ban green-top milk, is he aware that he will face the same angry reaction as the Government did over their ludicrous decision over beef on the bone?

Mr. Rooker: As some of my hon. Friends have said, just up the road from the hon. Gentleman's constituency there are citizens who are not allowed to purchase green-top milk. We are consulting on the issue and this is not the appropriate day on which to make an announcement. We will not make a decision until after the consultation process. We are operating on the precautionary principle. The hon. Gentleman may say that hon. Members have admitted that they were brought up on green-top milk, but some of the bugs that have been discovered in raw milk, such as E. coli 0157 and campylobacter, were not known about 20 years ago.

Dr. George Turner: Does my hon. Friend share the concern that I felt on reading the documentary evidence that more than half the samples tested had faecal contamination? If less parliamentary language was used to describe the source of the contamination, the public would share my horror that, as some seem to imply, we need to have dead bodies before we act.

Mr. Rooker: My hon. Friend puts it in the same graphic terms that were put to the Government—that we should act only after dead bodies are available. That is not what we normally do, although every hon. Member who has ever campaigned for, say, a zebra crossing to be placed at an accident black spot will have been annoyed at the unwritten message that, until there are five dead bodies and a cartload of limbs, they cannot have a zebra crossing.

National Minimum Wage

5. **Mr. Hammond:** What representations he has made to the President of the Board of Trade with regard to the minimum wage. [28749]

Mr. Morley: As is the case with the formulation of Government policies, the national minimum wage has been the subject of internal discussions between Ministers.

Mr. Hammond: Is the Minister aware of the National Farmers Union estimate that a minimum wage, if introduced at half male median male earnings, would add about £250 million per annum to the costs of agriculture, and that those costs would fall disproportionately on the sectors that employ a large number of casual workers? What studies has he commissioned to assess the impact on agriculture of the minimum wage, and in particular employment in, and survival of, horticultural businesses?

Mr. Morley: The rate for the minimum wage has not yet been set, so the hon. Gentleman's comments are pure speculation. The NFU sided with the Labour party when the previous Government tried to abolish the only minimum wage board left—the agricultural wages board.

Mr. Hanson: Does my hon. Friend agree that the Labour party, the trade unions and the NFU all supported the retention of the agricultural wages board because they recognised that there needed to be a minimum below which wages would not fall, and that, contrary to the assertions of Opposition Members, that is also the policy of the Government?

Mr. Morley: My hon. Friend is absolutely right. The agricultural wages board sets a benchmark that goes far beyond the agriculture sector and is important within the whole rural economy. That is why it was supported by rural interests and the Labour party, and was opposed by the Conservative party.

Mr. Livsey: From the latest farm management survey figures for Wales I have calculated that, on the basis of a 40-hour week, farmers earn £2.50 an hour? In his discussions with the President of the Board of Trade, will he take that into consideration, as clearly farmers will not be able to afford to employ anybody.

Mr. Morley: We have already taken into account the pressure on farmers in Wales and, indeed, in other sectors. That is why my hon. Friend the Minister of State recently announced a package of £85 million-worth of extra aid, which is targeted at the most vulnerable groups.

Quarantine

6. **Mr. Canavan:** What plans he has to amend the law and regulations regarding quarantine. [28750]

Dr. John Cunningham: The advisory group on quarantine is expected to report by late spring, after which I plan to hold a full public consultation on its report.

Mr. Canavan: Although I agree that the first priority should be to prevent the importation of rabies, will my right hon. Friend confirm that Professor Kennedy's group is giving serious consideration to the option of vaccination, with appropriate documentation and the insertion of a microchip for identification, so that animals with a pet's passport can be brought into this country without the need to spend months in quarantine?

Dr. Cunningham: Yes. I can confirm that vaccination is one of the options that will be considered.

Mr. Soames: Does the right hon. Gentleman agree that, provided that he and his Department are satisfied with

the science referred to by the hon. Member for Falkirk, West (Mr. Canavan), and provided that the arrangements are satisfactory in this country for monitoring incoming animals, there is no reason whatever that we should not be able to abandon the quarantine arrangements?

Dr. Cunningham: The hon. Gentleman is persuasive, but I shall not pre-empt the outcome of the scientific risk analysis. I can assure him that I believe that the time is right to re-examine the quarantine laws. That is why I have taken this initiative. There will be a full opportunity to consider all the aspects of the report when it is available.

Feedstuffs

7. **Mr. Austin:** When he will implement the recommendations of the Lamming committee on animal feedstuffs. [28751]

Mr. Morley: Most recommendations have been acted on since 1992. The principal one, on the establishment of an advisory committee on animal feedstuffs, is only now being implemented by the Government.

Mr. Austin: I welcome the announcement that there is to be an independent advisory committee on animal feedstuffs. It is an old adage that we are what we eat. Does not the Minister find it extraordinary that the previous Government did nothing to implement the recommendations of the Lamming committee in 1992? Is it not good news for the consumer that we now have a force for change in agriculture and in British politics?

Mr. Morley: My hon. Friend is right. It is good news for the consumer and for the producer, as many producers also want to be assured of the quality of their animals' feedstuffs. The committee is a step forward which will be welcome on all sides of the industry.

Food Standards Agency

9. **Mr. Timms:** How many representations he has received in response to the Food Standards Agency White Paper. [28753]

Mr. Rooker: Public consultation on the White Paper ends on 16 March. As of yesterday, 52 written formal responses have been made to the Department. My right hon. Friend and I have also met a number of interested organisations to discuss the White Paper.

Mr. Timms: Are not the Government's proposals good news for all those producers and consumers who suffered so grievously from the series of regulatory failures followed by cover-ups which characterised the stewardship of the Conservative party? What assurances can my hon. Friend give on two specific aspects of the proposals—first, on the independence of the agency and, secondly, on public access to its data and conclusions?

Mr. Rooker: The independence of the agency will be enshrined in legislation which will be approved by the House. The commissioners who will govern the agency will be appointed under full Nolan principles, they will not be representative of any vested interest groups and they will be appointed for their individual expertise. There can be no greater signal that the agency will be open than that it will publish its advice to Ministers.

Mr. Clifton-Brown: Will the Minister confirm that the Food Standards Agency will negotiate on behalf of the Government in Europe and elsewhere? Will he also confirm that the agency will draft secondary legislation for the Ministry of Agriculture?

Mr. Rooker: Yes and yes.

Mr. Sheerman: Does my hon. Friend agree that only an effective Food Standards Agency will put behind us the tragedy for British agriculture that was caused by the former Government, and that the sooner such an effective agency is up and running, the sooner British consumers can be assured of the quality of the food that they eat and producers can be assured of a good market for good produce?

Mr. Rooker: Yes, but British consumers do not have to wait until the agency is up and running. The Government's policy is to make consumer safety and food safety a top priority. That is where the change of policy started in May last year.

Mr. Jack: The Minister may recall that he was supposed to have been in Harrogate on Tuesday afternoon to discuss the Food Standards Agency at the Hortex exhibition, which I opened. Can he explain to the House why, at the last minute, he gave a slap in the face to horticulture by cancelling his attendance at that meeting? Can he further explain why no other Minister was put up to speak in his place and why, if that was not possible, an official was not sent? He disappointed and upset many people who wanted to know about the agency, and showed disdain to the horticulture industry.

Mr. Rooker: I had urgent diary commitments in London.

Mrs. Humble: I was pleased to hear my hon. Friend refer a moment ago to the importance of consumer safety. Does he agree that one of the key tasks for the new Food Standards Agency is to deal with E. coli poisoning so that other parents do not suffer, as two parents in my constituency have, the sad, sorry, unnecessary premature death of a child?

Mr. Rooker: My hon. Friend is right. Maintaining healthy living in this dirty world requires constant vigilance of some of the bugs that are around, especially those that were not around or known in this country two decades ago.

Farm Incomes

10. **Mr. Webb:** What assessment he has made of trends in farming incomes over the next three years. [28754]

Mr. Morley: It is difficult to predict the trend in farm incomes because of the many factors involved. I am kept informed by my officials on how specific market developments could impact on farm incomes.

Mr. Webb: Does the Minister accept that independent forecasts, such as those by Barclays bank, suggest a

further significant fall in farming incomes next year? Farmers in my constituency have overdrafts that would make my eyes water. Does he accept that they cannot wait two years for an upturn, and does he agree that the crisis in farming incomes needs to be tackled urgently?

Mr. Morley: There is no doubt that this is a difficult year for farming incomes, although the hon. Gentleman may have misinterpreted the report slightly: Barclays suggests a downturn in 1998 and an upturn in 1999.

Mr. Pike: Does my hon. Friend accept that many hill farmers, particularly in the Pennines and similar areas, already farm on a non-viable basis and that, if something does not happen to give them a better return and standard of living, they will get out of farming?

Mr. Morley: Yes, I accept that. It is one reason why we are discussing the idea of early retirement with farmers' representatives and considering schemes such as hill livestock compensatory allowance. Hill farmers have always been in the lowest quartile of income. Perhaps the time has come to look at the support mechanisms as part of the restructuring of the CAP and the year 2000 proposals.

Mr. Curry: How much has been taken out of farm incomes by the rise in interest rates since last May, and how much more would be taken out by a further rise, as canvassed by the Governor of the Bank of England?

Mr. Morley: A rise in interest rates would affect farmers in the same way as any other business.

Mr. Flynn: The Government are to be congratulated on their courage in dealing with the extremely difficult and painful, albeit inevitable, changes that have taken place in the farming industry. Could farmers hope for a more secure future in the long term if they were to change farming practices and carry out more organic farming, or move into areas for which there will be a secure market in the future, such as the cultivation of flax?

Mr. Morley: Farmers are certainly going through a period of change, not least because of the pressures on the CAP. There are tremendous premiums for organic products, but nearly 70 per cent. of the organic market is taken by imports. We are doing our best to encourage farmers to convert to organic methods and take the opportunity of that market. We shall announce further proposals in the very near future.

Mr. Beggs: Does the Minister agree that, as soon as the ban on the export of beef from the United Kingdom comes about, farming incomes will start to increase again? May I take this opportunity to thank the Minister of State for attending the animal health computer presentation by the Northern Ireland Department of Agriculture today, and urge other hon. Members to attend the presentation at 4 pm in Room 21 so that their regions can benefit from the facilities that we have in Northern Ireland?

Mr. Morley: The computerised scheme in Northern Ireland is excellent and has helped in terms of the Commission's recommendation that the ban should be lifted in Northern Ireland. We are extending such a scheme, through the cattle passport scheme, throughout the country. It is a great shame that the previous Government did not implement that scheme in 1989 when they were pressed to do so by those on the Labour Front Bench.

Mr. Jack: The Minister will understand that the agrimonetary regime has a profound effect on farmers' incomes. A document produced by Mr. Lebrecht, a senior official in MAFF, has come into my possession. It waxes lyrical about the stability of the current arrangements and the contribution to farm incomes, and talks about the generous compensation schemes available to farmers in the context of post-euro agrimonetary arrangements.

If the Minister's officials feel so enthusiastic about the arrangements to help farmers, why does he not feel the same?

Mr. Morley: It is a shame that the shadow Minister did not see a document that I have seen, which points out that in 1995 the then Conservative Government voted against the agrimonetary scheme—the very scheme that the Conservatives are now pressing us to implement.

EU Banana Regime

11. **Ms Abbott:** If he will visit the World Trade Organisation in Geneva to discuss the European Union's banana regime; and if he will make a statement. [28755]

Dr. John Cunningham: Negotiation in the WTO is a matter for the European Commission. I have made clear my determination to secure an outcome that both conforms to WTO rules and honours our long-standing commitments to Caribbean producers.

Ms Abbott: Does my right hon. Friend agree that the WTO ruling on the banana regime caused consternation and upset throughout the Caribbean? Many eastern Caribbean countries are wholly dependent on banana exports for their foreign exchange. The ruling also has serious social implications, because the banana industry is still a big employer in Jamaica and the eastern Caribbean. Can my right hon. Friend assure me that, during its presidency of the European Union, the United Kingdom will do all that it can to bring about an outcome that will preserve the living standards and social structures of the eastern Caribbean?

Dr. Cunningham: My hon. Friend is absolutely right. The Windward Islands, Belize and some other Caribbean islands depend hugely on banana production. Only this week, at the Agriculture Council in Brussels, we discussed progress on a new proposal to replace the one that was ruled out by the WTO decision—which, like my hon. Friend, I found very disappointing. We are determined to secure a new agreement for Caribbean banana producers.

Sir Peter Tapsell: Does the Minister recall that, at the time when Britain signed the treaty of Rome, the most solemn undertakings were given to our friends in the Caribbean—with whom we have historic links stretching over centuries—that their banana exports, on which their

whole lives depend, would be protected? Must those undertakings be subordinated to the German wish to eat large numbers of continental American bananas?

Dr. Cunningham: The hon. Gentleman is absolutely right. We have historic obligations to those tiny Caribbean democracies, and the Government are determined to fulfil our obligations, for all the reasons that he gave. I cannot see for the life of me why the complainants to the WTO made such a fuss. The tiny Caribbean countries produce only about 8 per cent. of the European banana market.

Beef Ban

12. **Mr. Loughton:** How many prosecutions have taken place with regard to the sale of beef on the bone to the final consumer. [28756]

Mr. Rooker: None so far, but we are aware that two are pending, and that warnings about non-compliance have been given by local authorities.

Mr. Loughton: I am sure that the House is glad that the Minister has dragged himself away from the health hazards of the Smoking Room to reply to questions.

The Minister will know as well as me that beef on the bone is still widely available in this country, given the right nudge or wink. Does he agree that the complete absence of any prosecutions to date demonstrates that the ban is unmanageable, unfair and unenforceable?

Mr. Rooker: The issue of prosecution is a matter for the independent prosecuting authorities. As hon. Members will have read in today's *Evening Standard*, someone is to be summoned before the magistrates in Rother, whose district council is run by a coalition between Liberal Democrats and Tories.

Mr. Martyn Jones: Is it not the case that there would be no need for prosecutions, or for the regulations banning beef on the bone, if the Tories had acted quickly when in government to quell the BSE crisis instead of dragging their feet?

Mr. Rooker: Yes. It is a matter of public health and of taking precautions. We can say as a Government that we are not allowing BSE infectivity into the food chain, and we will maintain that position.

Mr. Charles Kennedy: Will the Minister acknowledge that, in a democratic society, prosecution is always more difficult when there is no basic public consent to enthusiasm for or acceptance of the law itself? In that context, did he see the Teletext poll last weekend, when 94 per cent. of respondents expressed no confidence in or support for the Government's measures?

If the course of prosecution is so clear, why is it that the first test case in Scotland, in Selkirk sheriff court next month, concerns a beef-on-the-bone case where there was no commercial transaction, the one to which he has just referred concerns a case where there was a commercial transaction, and his recent written answer said that there could be no prosecution against a farmer who slaughters beef on his farm and consumes it? If the element in the ban is risk, surely the ban should be comprehensive and there should not be three different categories in three different parts of the country.

Mr. Rooker: As most hon. Members appreciate, different rules apply to private kills, but the administration of justice in this country is not conducted by opinion polls.

Mr. Corbett: May I tell the Minister that I have not had a single complaint about the temporary non-availability of T-bone steaks and oxtails in my constituency, I suspect because of their relatively high price? Does he agree that it is offensive for Opposition Members whose hands are dirty from BSE and CJD to take risks with public health over this temporary ban?

Mr. Rooker: I agree entirely with the honest, fair and robust way in which my hon. Friend has put his point.

Mr. Alasdair Morgan: How many prosecutions have taken place or are pending in relation to breaches of the import regulations that were introduced on 1 January?

Mr. Rooker: I am not able to answer that now without notice.

Mr. Alan W. Williams: Did the Minister hear the item on this morning's "Today" programme, where a butcher who had been selling beef on the bone, when tipped off by the environmental health department that it was about to call on him, and when warned that there could be a fine of anything up to £20,000, decided immediately to stop selling beef on the bone? He was willing to be interviewed to that effect on that programme. Is that not what our local authorities throughout the country should be doing, so that we can guarantee all consumers that all possible steps have been taken to ensure that our beef is the safest in the world?

Mr. Rooker: My hon. Friend is right, but I am not surprised that the butcher concerned was willing to be interviewed on the "Today" programme: it is clear that he is a publicity seeker.

13. **Mr. Gibb:** If he will issue guidance to individuals who have beef on the bone in their freezers, bought for their own consumption, before 16 December 1997. [28757]

Mr. Rooker: Such guidance was included in the question-and-answer material provided on the MAFF internet BSE site immediately after the announcement by my right hon. Friend the Minister of Agriculture, Fisheries and Food about the Spongiform Encephalopathy Advisory Committee advice on dorsal root ganglia on 3 December 1997.

Mr. Gibb: Which advice is correct? Is it the advice on the internet that it is up to the consumer to decide whether to consume beef in deep freeze, or is it the advice given on television on Sunday by the Minister of Agriculture, Fisheries and Food that such consumption would represent an unnecessary risk?

Mr. Rooker: People who already had frozen T-bones or ribs of beef in their freezers at home should, frankly,

be treated as adults. *[Interruption.]* Those citizens owned that beef; it was in their home. We gave them the advice. They already owned that beef. It was not a question of making a commercial transaction—that had already been done.

Mr. Dawson: Has the Minister ever pondered whether the Opposition parties are really serious about getting the beef ban lifted, as they are obviously not willing to take the vital steps that are necessary to assure the world of the safety and quality of British beef?

Mr. Rooker: The plain fact is that the Opposition are asking us knowingly to allow, for the first time, BSE infectivity into the food chain. We will not do it now, and we will not do it in future.

Brogdale Trust

14. **Mr. Rowe:** What representations he has received about the future of the Brogdale Trust; and if he will make a statement. [28758]

Mr. Morley: In recent months, Ministry of Agriculture, Fisheries and Food officials have had a number of discussions with Brogdale horticultural trust and its representatives about their proposed sale of the Brogdale site. The Ministry's interest is in the national fruit collection at Brogdale, which is located on land that we lease from the trust.

Mr. Rowe: Does the Minister agree that one of the difficulties facing the trust is MAFF's requirement for a sizeable pay-back if the land is sold? Can he assure the House that that enormously valuable collection will not be put at risk by unreasonable demands by his Department?

Mr. Morley: The national fruit collection is obviously of national importance and consists of more than 4,000 top fruit trees. Our priority is to ensure its existence and the lease arrangements, to which the hon. Gentleman refers, are part of the guarantee.

BSE

15. **Mr. Whittingdale:** What progress has been made in eradicating BSE from the United Kingdom herd; and if he will make a statement. [28759]

Dr. John Cunningham: As a result of the control measures already in place, the BSE epidemic is forecast to be close to extinction by the year 2001. That forecast was reiterated recently by Professor Sir John Pattison, chairman of the Spongiform Encephalopathy Advisory Committee, in his address to the annual meeting of the National Farmers Union.

Mr. Whittingdale: Can the Minister confirm that the requirements that were agreed at Florence for the lifting of the beef export ban have been met? In view of that, and in the light of the evidence that he has just given to the House that the measures are succeeding, what is he doing to get the ban lifted not just from Northern Ireland but from the United Kingdom as a whole?

Dr. Cunningham: I responded to the House on an earlier occasion on this issue. Two schemes for the lifting of the ban are being considered by the Commission in Brussels. The first of those, which is the export certified herd scheme, was submitted by the previous Administration. That was unanimously approved by the Commission and awaits a decision by the standing veterinary committee. As I said earlier, I cannot see any good reason why that committee should not reach the same conclusion as the Commission on that scheme.

The date-based export scheme, which will cover all animals, will be universal, and the hon. Gentleman is right to say that we need such a scheme. It was submitted by me in October, and has so far received favourable responses, but is being further considered. I assure the hon. Gentleman and the House that we are doing everything possible. Literally on a weekly basis, we are making representations in Brussels, as I did again earlier this week, to ensure that progress on both those schemes is as good as it can possibly be.

ATTORNEY-GENERAL

The Attorney-General was asked—

Crown Prosecution Service

30. **Mr. Gareth Thomas:** When he expects to receive the Glidewell report on the future of the Crown Prosecution Service. [28775]

The Attorney-General (Mr. John Morris): I expect to receive the report in March.

Mr. Thomas: I am grateful to my right hon. and learned Friend for that concise response. Does he agree that the move towards a more localised and less bureaucratic system of prosecution is long overdue?

The Attorney-General: Yes, and that is why we have already decided to reorganise the Crown Prosecution Service into 42 areas. We wish to continue with that and to improve liaison between the police and the CPS. The broad concept is of a localised, national service with as much devolution as practicable to each locality.

31. **Mr. Baker:** What progress he is making with his review of the Crown Prosecution Service. [28776]

The Attorney-General: I refer the hon. Gentleman to my answer a few moments ago to my hon. Friend the Member for Clwyd West (Mr. Thomas).

Mr. Baker: I recently visited the CPS office in Eastbourne which serves my constituency, and was surprised by the tight financial constraints under which it operates. Is that why a whole class of minor offences such as vandalism and so on are apparently not being pursued for prosecution? My constituents are worried about the fact that minor crimes do not result in prosecutions. Will the right hon. and learned Gentleman consider that in his review?

The Attorney-General: I am very pleased that the hon. Gentleman visited the Eastbourne office on 8 February. He raised a number of issues and there was a fruitful discussion.

The hon. Gentleman asks about minor offences. Sir Iain Glidewell will consider that issue as part of his review of the CPS. I will need to consider the findings of that review and any implications that his recommendations may have for the exercise of prosecutable functions.

Mr. Cranston: May I ask my right hon. and learned Friend about one aspect of the Glidewell inquiry—the role of child witnesses? Is the inquiry addressing that important issue, particularly the way in which the Crown Prosecution Service handles child witnesses?

The Attorney-General: Before I answer my hon. Friend's question, I must congratulate him on being elevated to a bencher of my own Inn.

I can only speak for the Crown Prosecution Service. I am pleased to say that the CPS published a review of the subject on 28 January, which considered cases involving child witnesses. It found good-quality advice and review, improved processing times, increased use of transfer proceedings to ensure the swift progression of cases, a good working relationship between agencies and motivated and committed staff. It also identified some areas for improvement and the CPS will work to bring that about.

I am reasonably confident that that comes well within the purview of the Glidewell review. I am sure that those carrying out the review will share my hon. Friend's concern and the concern that I feel, having appeared in some such cases. My experience is that the system does its best. There may be room for improvement to ensure that vulnerable witnesses are protected.

Sir Nicholas Lyell: Since the Attorney-General has linked the two questions, would it be fair to assume that he is not making any progress with his review of the Crown Prosecution Service pending delivery of Sir Iain Glidewell's report? Can he tell the House, pending receipt of that report, what the 42 Crown prosecutors that he appointed for each area last May, are doing? On a specific matter, will he bring the House up to date about the steps he is taking to implement the Government's policy on fasttracking for cases of young offenders?

The Attorney-General: As the right hon. and learned Gentleman knows, the decision was taken fairly soon after the Government took office to set up the 42 areas. It had been hoped to make progress with formal appointments by the end of the year. Sir Iain Glidewell indicated during the autumn that, such was the nature of his inquiry, he thought it would be wrong to go ahead with appointments at that stage before his full report had been published. He was most anxious in his interim discussions to ensure that there were persons of the right calibre to carry the kind of local decisions that he regarded as important to devolve from headquarters. That is why that happened. In the meantime, those units are working in close liaison with the police areas. I hope that we will be able to make progress during the year and that there will be further progress after the publication of the Glidewell report.

Sir Nicholas Lyell: Will the Attorney-General answer the second part of my question about fasttracking for young offenders?

The Attorney-General: I am sorry about that. There were a number of points in the right hon. and learned Gentleman's question.

On fasttracking, we have adopted in substance the Narey report and many of the proposals are in the Crime and Disorder Bill, which I am sure that the right hon. and learned Gentleman has been burning the midnight oil while studying. That will be a major factor in ensuring the speedier appearance before our courts of persons generally and youngsters in particular. There have been innovations in many parts of the country where the time taken to bring young offenders to court has been substantially shortened during the past few months.

Mr. Sheerman: Will my right hon. and learned Friend ensure that, when we have a Crown Prosecution Service that is closer to the community, it will stop prosecuting and criminalising children accused of prostitution? Those under the age of consent are brought before the law and sentenced, giving them a criminal record when they are still children, while the pimps who run them and the punters who hire their services are not prosecuted. When will my right hon. and learned Friend stop the nonsense of prosecuting children and criminalising them when they are not even old enough to give assent to sex?

The Attorney-General: I am aware of my hon. Friend's concern. Individual decisions on prosecuting must be taken by the Crown Prosecution Service. The responsibility of the CPS is to consider the evidential test—whether the evidence is there—and to examine with great care in each case the public interest test on whether a prosecution should be continued. If my hon. Friend has a particular case to bring to my attention, I shall ensure that the CPS is made aware of it.

32. **Mr. Burnett:** What plans he has to increase the number of lawyers in the Crown Prosecution Service. [28777]

The Attorney-General: I have asked Sir Iain Glidewell to examine the organisation and structure of the CPS and to make recommendations that take account of the need to operate within existing provision. He will no doubt consider whether a redistribution of resources is necessary.

Mr. Burnett: In the light of evidence recently given by the Director of Public Prosecutions to the Public Accounts Committee that many barristers return briefs to the CPS at the last minute, at the outset of the trial, causing chaos to the criminal justice system, will the Attorney-General or the DPP review the policy on the appointment of barristers to do Crown work? If so, when will that review be completed and published?

The Attorney-General: The hon. Gentleman has rightly alerted the House to a matter that is causing concern to the CPS. Mechanisms were set up in 1996. Since then, because of continued dissatisfaction, there has been an agreement with the Bar that there should be a monitoring service to examine the situation in each set of chambers, month by month. That came into effect on 2 February this year. Every six months there will be discussions between branches and the heads of chambers to see what can be done about the late return of briefs.

As the hon. Gentleman well knows, the Bar and solicitors are frequently at the mercy of the timetabling of the courts. One cannot anticipate with any precision, to

put it mildly, when the case in front will finish. Those are some of the problems. Having said that, no doubt there is considerable room for improvement.

Mr. Kidney: Before the CPS considers taking on more lawyers, should we not examine how to make best use of the lawyers that it already has? Could we not do that by rationalising the rights of audience? Does my right hon. and learned Friend really support a situation in which briefs go out to private barristers, often to be returned very late, while there are solicitors in the CPS with limited rights of audience in the Crown court and barristers with none?

The Attorney-General: I am grateful to my hon. Friend for that question. It is essential that the rights of audience be resolved. I remind the House that my right hon. and noble Friend the Lord Chancellor is committed to a full examination of the rights of audience. I hope that there will be some expedition on that.

Mr. Hawkins: Will the Attorney-General bear in mind the fact that the work load of many Crown Prosecution Service lawyers is already very heavy? Last Friday, I visited the Guildford headquarters of the south-east branch of the CPS and spoke to the chief crown prosecutor there, Christopher Nicholls, who said that, certainly in Surrey, Sussex, Kent and Hampshire, CPS lawyers were already fully committed. I also spoke to several CPS lawyers when they came back from court late that afternoon, and it was clear that their work load was extremely heavy.

Will the Attorney-General encourage Sir Iain Glidewell to consider their work load in his report and in particular the problem caused by the routing of cases? Will he liaise with his colleagues in the Lord Chancellor's Department to ensure that cases from Surrey are not transferred on a regular basis to the Old Bailey?

The Attorney-General: I will ensure that the Lord Chancellor is made aware of the last part of the hon. Gentleman's question. As for the first part of his question, having been a practitioner up to 1 May, I am conscious of the great pressures on CPS lawyers and of how hard they work. The problem is in ensuring that a distinction can be made between their managerial and their legal functions. It is one matter that Sir Iain Glidewell will be examining closely. It will certainly be within his terms of reference to consider the impression that too much lawyers' time is taken up in management. If lawyers could be freed from that, they would have more time better to do their work in the courts.

Age of Consent

33. **Dr. Harris:** What guidance he has issued on prosecutions under the age of consent legislation for homosexual males; and if he will make a statement. [28778]

The Attorney-General: The guidance issued to all Crown prosecutors is that contained in the code for Crown prosecutors issued under section 10 of the Prosecution of Offences Act 1985, which is applied to all cases.

Dr. Harris: I am grateful to the Attorney-General for that answer. Does he accept that, as indicated by the number of signatories from all parts of the House to early-day motion 717, there is widespread concern about the continuing prosecution of people under the age of consent legislation, domestic legislation which the Government have accepted in the European courts needs to come before Parliament again urgently? In the light of the sentencing tomorrow of the Bolton Seven, will he consider offering specific guidance to the CPS on how we can prevent people's lives being ruined in the interim, until the House has an opportunity to pronounce its view on this outdated legislation?

The Attorney-General: The matter of the Bolton Seven is sub judice, and it would be wrong for me to comment on it. As for the anticipation of any possible change to the legislation, it is not for me to issue guidance on that. The CPS has to operate within and take account of each case on its merits and according to the usual criteria. It cannot anticipate any change in the legislation. As I understand it, the Government are committed to a free vote on that matter in due course following the Strasbourg decision, but one cannot expect the CPS to operate other than in accordance with the law as it stands today.

Business of the House

3.32 pm

Mrs. Gillian Shephard (South-West Norfolk): May I ask the Leader of the House to make a statement on the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): The business for next week will be as follows:

MONDAY 23 FEBRUARY—Consideration in Committee of the Scotland Bill (Fifth Day).

TUESDAY 24 FEBRUARY—Consideration in Committee of the European Parliamentary Elections Bill (First Day).

WEDNESDAY 25 FEBRUARY—Until 2 pm, there will be debates on a motion for the Adjournment of the House.

Consideration in Committee of the Government of Wales Bill (Sixth Day).

THURSDAY 26 FEBRUARY—Consideration in Committee of the European Parliamentary Elections Bill (Second Day).

FRIDAY 27 FEBRUARY—Debate on the Government's priorities for women, on a motion for the Adjournment of the House.

The provisional business for the following week is as follows:

MONDAY 2 MARCH—Completion of consideration in Committee of the Government of Wales Bill.

TUESDAY 3 MARCH—Opposition day [8th allotted day]. There will be a debate or debates on an Opposition motion—subject or subjects to be announced.

WEDNESDAY 4 MARCH—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Consideration in Committee of the Scotland Bill (Sixth Day).

THURSDAY 5 MARCH—Remaining stages of the European Parliamentary Elections Bill.

FRIDAY 6 MARCH—Private Members' Bills.

Mrs. Shephard: May I thank the Leader of the House for that reply and for continuing to give the House two weeks' business where she can, which is helpful? She will recall that I have asked several times for a debate on the national health service in Government time. I say "Government time" because the only debate on the NHS in the life of this Parliament has been in Opposition time. With today's waiting list figures exposing the Government's pre-election promises on the health service as a deception of the British people, we all see why the Government have refused further exposure of their failure in the House. As the Secretary of State for Health has admitted his embarrassment about the figures, should we not expect a debate in the interests of open government?

Last week, I asked the right hon. Lady whether she would ensure that before the costly launch by the Prime Minister and the Minister for domes of the proposed content of the millennium dome—planned, I think, for next Tuesday—there would be a statement to the House. In reply to a subsequent point of order, Madam Speaker, you gave your view on the need for the House to be informed of policy developments before the media and outside bodies. Those of us who heard you express your view were left in doubt about it. Will the right hon. Lady reassure the House that there will be such a statement before Tuesday?

Will the right hon. Lady arrange for a full debate on the cost to the taxpayer of the Lord Chancellor? She will have noticed that there is disquiet among Labour Members about the £650,000 that, it has emerged, is to be spent on refurbishing his accommodation. He may, as a spokesman for the Prime Minister said, have given up a very nice house in north London, but that surely should not be advanced as a justification for the taxpayer to give the self-styled Cardinal Wolsey an even nicer one near the river; we might call it Hampton Court.

Before she seeks to dismiss the question as trivial, as all Government spokesmen are programmed to do by pager, I remind the right hon. Lady that the Lord Chancellor's opinion of himself is anything but trivial. It is becoming a serious matter that his actions have made his functions and office into a national joke. I think that both Government and Opposition Members regard that with some concern.

Can the right hon. Lady explain the implications for the passage of the National Lottery Bill of delays to it in the other place? Can she assure us that its Committee stage in this House will not be guillotined? I realise that that may cause her some difficulty because the delay occurred only today. She may not be able to give us an assurance today, but I flag the matter up.

Given the strong encouragement that the Government are giving the Local Government (Experimental Arrangements) Bill, a private Member's Bill in another place, will the right hon. Lady say how they propose to handle it when it gets to this House?

Some weeks ago, the right hon. Lady was able to give an idea of her thinking on the dates of the Easter recess. That was very helpful and welcomed by all hon. Members who wished to be able to plan ahead. I see from this week's notes, the blue pages, in *The House Magazine* that her early thinking seems to have been firmly translated into a start date for the Easter recess. I understand her difficulties, but I wonder whether *The House Magazine* knows something that we all should.

Mrs. Taylor: I am grateful to the right hon. Lady for acknowledging that we are still able to give two weeks of business. As Bills progress this Session, it may become more difficult to stick to the second week with any certainty because, on some occasions, we anticipate the progress of legislation, and there may be variations. However, we will endeavour to give two weeks whenever possible.

The right hon. Lady asked again about the need for a health debate, and I remind her that my right hon. Friend the Secretary of State for Health has come to the House on seven occasions for major statements, when he has been questioned on health matters. Of course, it is Health Question Time on Tuesday. My right hon. Friend made it clear when he was first appointed that the Government's most immediate priority was to prevent a winter crisis such as we had last year. The extra money that we have put into the health service has been used to good effect to ensure that, this winter, we have not seen the appalling picture of so many people on hospital trolleys that we saw under the previous Government, who neglected the health service for so long.

The right hon. Lady asked about a statement on the contents of the dome. I cannot guarantee such a statement. However, my hon. Friend the Minister without Portfolio intends to ensure that the House is informed first about the announcements to be made next week. He has answered a written question this week, pointing out that he will be guided by the relevant section of the ministerial code.

As for the Lord Chancellor, I really think that Conservative Members should by now have been able to find something more significant to go at than the cost of that refurbishment—an issue for which the House has no responsibility whatsoever. The right hon. Lady said that we are programmed by pagers to give the right answers, but I have noticed an increasing number of pagers on the Opposition side of the House, so Conservative central office must now be programming people by pager to raise exactly the same concern. I am sure that my right hon. and learned Friend the Lord Chancellor will be touched by her concern for his reputation.

As to progress with the National Lottery Bill, the right hon. Lady is right to say that I cannot answer now, but I will look into that. The Local Government (Experimental Arrangements) Bill to which she referred will be treated the same as any other private Member's Bill. As to the Easter recess, I, too, should read *The House Magazine*, because, at this stage, I have nothing to add to what I said earlier.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my right hon. Friend find time next week for a debate on various National Audit Office reports about the cost of the sale of various state assets by the previous Government? It would be useful if the taxpayer could be told exactly how much was wasted in the sale of Army houses and if we were able to explore carefully the cost of the sale of Her Majesty's Stationery Office at way below what it was worth. Finally, what of the contracts that London and Continental Railways entered into, which the taxpayer will have to carry for some considerable time to come? Would it not be helpful for the House to have the total cost of the previous Government spelled out in clear detail?

Mrs. Taylor: My hon. Friend makes a powerful case and gives but three of the long list of examples that she could have given had we been in a position to have a debate and had time been available. I will look into the issue. The Modernisation Committee is considering our problem with discussing such issues. In due course, I hope that we may be able to make some recommendations to the House.

Mr. Paul Tyler (North Cornwall): In contrast to the jokes from the Conservative Front-Bench spokesman, may I put two serious matters to the Leader of the House? First, on Iraq, the whole House appreciated the opportunity to have a debate on a substantive motion in a full House; it was a good debate as a result. If the situation changes and, in particular, if the Secretary-General of the United Nations comes back from Baghdad with a substantial change in the situation, whether good or bad, can the right hon. Lady undertake that there will not merely be a full statement, but a full debate so that the House can understand the situation that may have developed?

Secondly, the Leader of the House may have witnessed the considerable support on both sides of the House for the point made by my hon. Friend the Member for Richmond Park (Dr. Tonge) at Prime Minister's Question Time yesterday about the European Union code of conduct for arms sales.

Hon. Members on both sides are determined that there should not be a repeat of the arms for Iraq scandal. The Government have given some undertakings in that regard. Can we be sure that the draft in circulation, which has been discussed at a European Union meeting this week, will fully meet the concerns of all hon. Members in the light of the Scott report? I hope that the right hon. Lady will recognise that there is all-party concern on this matter. The last thing we want is to find British service people again facing British arms when they are undertaking responsibilities on behalf of this nation.

Mrs. Taylor: On the hon. Gentleman's second question, I am aware of the concerns and the points that have been raised. The Government are still looking at the issue. We may want to consult further, and there may be a White Paper—the House will be kept informed.

The hon. Gentleman asked me about the situation in Iraq and what will happen if there are developments that should be reported to the House. My right hon. Friend the Foreign Secretary has made it clear that he wants to keep the House as fully informed as possible. As the hon. Gentleman said, the debate was important. We shall keep under review the possibility of any future debates, because we are very conscious of the need to keep the House fully informed and to test the opinion of hon. Members.

Mr. Jim Marshall (Leicester, South): May I press my right hon. Friend further on Iraq? She knows, as the House knows, that we had a good debate earlier this week, but I hope that she will accept that the Government should not regard that as the final word on the views of the House on further attacks on Iraq. I hope that she will bear in mind the points that the hon. Member for North Cornwall (Mr. Tyler) made. If there is significant change and the situation improves or deteriorates, will she ensure that the Government allow an urgent debate? I do not want Britain to be involved in an attack on Iraq—I am sure that many Labour Members share my view—until the House has made a firm decision.

Mrs. Taylor: I think that we all hope that things will not come to that; we are all watching developments extremely carefully. As I said to the hon. Member for North Cornwall, we are very conscious of our responsibilities to the House. The situation is changing, and we cannot be sure of the time scale of any developments, but the Government have so far shown that they want to keep the House informed and to consult it whenever possible.

Mr. Peter Brooke (Cities of London and Westminster): Pursuant to a question asked by my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard), if patients are confronted by a choice between remaining in their own home in pain waiting for an operation of uncertain date, and being in a hospital, albeit on a trolley, where people are trying to help them, does the Leader of the House believe that they would automatically opt for the former?

Mrs. Taylor: I really think that the problems are far more serious than the right hon. Gentleman acknowledges. He should remember the crisis in the

[Mrs. Taylor]

health service last winter; Labour Members certainly do. The steps that we have taken to avoid such a crisis this year have been very important.

Mr. Jim Cousins (Newcastle upon Tyne, Central): Does my right hon. Friend recollect that I have drawn to her attention the fact that the Standing Orders of the House contain provision for a Committee of the English regions? It last met on 16 July 1978, but it is entirely within the Government's power to ask it to meet at any time. Has she considered the matter? Is it under review?

Mrs. Taylor: My hon. Friend has spoken to me about that matter. So far, I have not detected a consensus in the House for a move in that direction.

Mr. John Wilkinson (Ruislip-Northwood): The Leader of the House will remember that, 10 months ago, Labour spokesmen committed a Labour Government to urgent modernisation of the London underground. Since then, nothing has happened, except that fares have gone up and the situation has worsened to such an extent that, on 27 January, we had a half-day debate on the matter. Will the right hon. Lady ensure that the Secretary of State for the Environment, Transport and the Regions comes to the House to say exactly what Her Majesty Government's plans are, or will the people of London have to wait until 2000, when the Greater London authority is convened and appoints a board of London Transport to do something about the matter?

Mrs. Taylor: My right hon. Friend the Deputy Prime Minister is actively looking at ways to alleviate the problems caused by the legacy that we inherited from the previous Administration. He will keep the House informed of any proposals he has to make, but I cannot promise a debate in the near future.

Mr. Dennis Skinner (Bolsover): Is the Leader of the House aware that if she decided to arrange a debate or statement on the expenditure on the Lord Chancellor's apartment, it might well be revealed that, as I found out this week, the Committee that is making the decision to spend all the money is in fact a Committee in another place that is dominated by the Tories? I find it odd that the right hon. Member for South-West Norfolk (Mrs. Shephard) comes to the House every Thursday, mouthing about the subject, when it is her friends down the other end who are taking the decision. That leaves me with only one thing to say: let's abolish the Lords.

Mrs. Taylor: My hon. Friend has made some significant points and, as I said earlier, the matter of the refurbishment of the Lord Chancellor's accommodation is not a matter for this House.

Mr. Andrew Stunell (Hazel Grove): May I draw the attention of the Leader of the House to the difficulties created by the extended waiting lists? May I particularly draw her attention to the situation of a constituent of mine, who is facing the fourth consecutive monthly delay in vital heart surgery? May I urge her to bring the Secretary of State for Health to the House to explain not only what has happened, but what is going to happen to put that situation right?

Mrs. Taylor: I have every sympathy with the constituent who has been waiting in that way, but the hon. Gentleman will acknowledge that it would have been a serious situation if the record number of emergencies that have had to be treated this winter had been ignored. That would have been far more difficult for him and his constituents. I do not have to bring my right hon. Friend to the House to defend that policy, as he will be answering questions on Tuesday.

Mr. Tom Levitt (High Peak): Has my right hon. Friend had the opportunity to glance at early-day motion 761?

[*That this House notes that a number of boys under 13 years old were recently called to give evidence in court as victims of sexual abuse, that over a year had elapsed between the offences and the court appearances, a time of great distress and trauma for the victims and their families and that during this time normal family relationships were effectively suspended because of the need for adults to be seen to be exerting no influence on the nature or presentation of evidence by their sons; is concerned that in cases like this, especially if they go to appeal, children may be subjected to many days of re-living their abuse in court when what they most need is a period of counselling, rest and recovery; and calls for early reforms in the treatment of young and vulnerable witnesses so as to minimise the trauma of court and avoid the perception that the legal process is more of a punishment for some victims of crime than for some perpetrators.*]

Is there a possibility of arranging a debate on the treatment of vulnerable victims? I am particularly concerned about three of my constituents, all boys aged under 12, who waited for 15 months between the time at which they were victims of sexual abuse and the case coming to court. The court sittings were traumatic for them, and their family was denied the possibility of counselling and rebuilding the family during that time. We must bring that situation to an end and give dignity to all victims of crime. Is there a possibility of a debate on that issue in the near future?

Mrs. Taylor: I am sure that the whole House will have sympathy with my hon. Friend's point. We are determined to ensure that children are able to give evidence with the minimum of distress and my hon. Friend may know that my right hon. Friend the Home Secretary is looking at the way in which vulnerable or intimidated witnesses can get assistance. I do not think that a debate is possible at the moment, but perhaps my hon. Friend will make the Home Secretary aware of his concerns. I shall also draw them to my right hon. Friend's attention.

Mr. Nicholas Soames (Mid-Sussex): Will the Leader of the House please consider in whichever Committee is appropriate setting a limit on the length of time granted to Government Departments when they issue holding answers to written questions? Does she agree that it is an impertinence to the House for Departments to abuse holding answers? That is happening far too often, and I hope that she will look into it. Secondly, will she, in the interest of good manners in her Government, ensure that

Ministers sign correspondence between themselves and Members of Parliament writing on behalf of their constituents? Some Ministers are exemplary in doing it, but others are lamentable, and it is only good manners that prevent me from naming the lady who is the worst.

Mrs. Taylor: The hon. Gentleman has raised issues which are important, but which can be abused both by the people who are asking questions and by those who are trying to delay answers. Holding answers play an important role if Members want full answers, but I agree that they should not be abused and that, where possible, the time between a holding answer and a substantive answer should be as short as possible. However, as a former Minister, the hon. Gentleman will know that that is not always possible if full information is to be obtained. I have to say that sometimes the quality of the answer has something to do with the quality of the question asked.

On Ministers signing letters, I believe that the hon. Gentleman knows that the pressure on different Ministers varies. Sometimes, Ministers are not available in London; some Ministers are abroad. I believe that Ministers do, by and large, sign as many letters as possible. It is not a new practice that Ministers' letters are signed on their behalf when they have approved the answer, and I think that hon. Members want replies as quickly as possible.

Mr. Vernon Coaker (Gedling): In the light of the publication yesterday of Lord Justice Stuart-Smith's report about the Hillsborough disaster, will it be possible for time to be found in the House for hon. Members to discuss that report? My right hon. Friend must be aware of the continuing disquiet, upset, anxiety, worry and concern, and I would ask that time be found so that we may discuss the report.

Mrs. Taylor: I can well understand my hon. Friend's concern. I know that many families, who are still extremely upset by the events, were disappointed with the outcome of the very thorough inquiry and would like to take the matter further. Yesterday, my right hon. Friend the Home Secretary made a comprehensive statement to the House, and I know that there is a feeling in some quarters that a debate might help.

Regardless of how sympathetic I am to the issue, I think that it would be raising false hopes if I suggested to my hon. Friend that it was likely that we could find Government time for a debate in the very near future. However, there may be other ways in which he or his colleagues can raise the issue.

Mr. Eric Forth (Bromley and Chislehurst): May I reassure the Leader of the House that some Conservative Members are still pager-free, and therefore still able to express the odd personal opinion? [HON. MEMBERS: "Very odd."] I hope that, in my case, they are always odd. I would be letting hon. Members down if they were not.

I congratulate the Lord Chancellor on his openness in giving us details of the amount of public money that has been spent on his residence and in that area, but would the Leader of the House have a word with the Prime Minister, who, to date, has been remarkably secretive, and unwilling to answer similar questions to those answered by the Lord Chancellor about similar expenditures in No. 10 and No. 11 Downing street? Perhaps the Leader of the House could organise a debate, so that we might explore the difference between the attitude to open government of the Lord Chancellor and the Prime Minister.

Mrs. Taylor: I am not surprised that the right hon. Gentleman is pager-free. I have listened to his odd personal opinions for many years, and I am sure that he will remain pager-free and way off-message, which is probably why he is sitting on the Opposition Back Benches and not the Front Bench. Regarding his comments about the Prime Minister and the amounts of money that have been spent, it might be helpful if I reminded him and the House that, whether we are talking about the refurbishment of Government properties or about Government hospitality, the amounts spent by the present Government are less than those spent by the previous Government.

Mr. Christopher Leslie (Shipley): May we have a debate next week on the issue of green-field sites in built-up areas, which are very valuable to their local communities, but are threatened with housing development, despite highways and sewerage constraints? I have two such sites in my constituency, at Warren lane in Gilstead and Jenny lane in Baildon. Housing development should not go ahead on those two sites, and I want to be able to raise that matter on the Floor of the House.

Mrs. Taylor: My hon. Friend will know that work is going on to try to ensure that the Government's record of protecting green-field sites will be better than that of the previous Government. My right hon. Friend the Deputy Prime Minister will make a statement in the not too distant future.

Mr. Bernard Jenkin (North Essex): May I remind the right hon. Lady that the Government are due to be involved in some momentous decisions up to 2 May this year, regarding who shall participate in economic and monetary union in Europe? Will she undertake that the House will be given information at least on how the Government intend to vote on who will participate? Better still, and with justice, will she allocate a full day for a debate on the matter? Surely, whether or not we participate in monetary union, this is hugely significant and should be addressed by the House. The Government ought to be answerable to the House on those matters.

Mrs. Taylor: I listened carefully to what the hon. Gentleman said. It is extremely tempting to hold such a debate, not least to expose the divisions among Opposition Members on this issue. I shall bear his point in mind.

Mr. John Hutton (Barrow and Furness): May we have an early opportunity, perhaps in the next fortnight, to discuss Britain's relationships with the Federal Republic of Germany? Would not such a debate provide an excellent opportunity for the right hon. Member for Wokingham (Mr. Redwood) to apologise to the House for the offensive remarks that he made about Chancellor Kohl yesterday?

Mrs. Taylor: That is also a tempting proposition. The simple explanation may be that the right hon.

[Mrs. Taylor]

Member for Wokingham does not have a pager, either, and that is why he is not on message. There are problems in the Conservative party on Europe, which makes a debate tempting, but I am afraid that I cannot promise one in the next week or two.

Rev. Martin Smyth (Belfast, South): Our local papers tell us that the Public Processions (Northern Ireland) Act 1998 continuation order is to come before the House, but there was no mention of it in the announcement of business for the next two weeks. Is it possible for the right hon. Lady to tell us when the order may be taken on the Floor of the House?

Mrs. Taylor: We have a lot of business, which we are trying to work into the programme. The business that I have announced for the week after next is, of course, provisional, although I hope that it will stay as it is fixed. I shall bear in mind the hon. Gentleman's need for early notice of such debates.

Mr. Andrew Mackinlay (Thurrock): May I press the Leader of the House to reconsider the request made by my hon. Friend the Member for Barrow and Furness (Mr. Hutton)? Politics is not a kid-gloves affair. We read in the newspapers this morning the revelation that the Leader of the Opposition has been substantially embarrassed on Europe by a member of the shadow Cabinet—a Member who coveted his job. It is reasonable for a Labour Member to ask for a debate so that the Leader of the Opposition can explain his position, the right hon. Member for Wokingham (Mr. Redwood) can apologise or decide to stand firm, and some of us can explore more fully the fact that Conservative Members are raising money in the United Kingdom to influence the outcome of the Denmark referendum.

When the Conservatives cannot command a majority in the House to scupper the Amsterdam treaty, they use the people of Denmark on a surrogate basis, and interfere in their affairs by raising money in the UK. It is time that we exposed the Conservative party's cant and hypocrisy on Europe.

Mrs. Taylor: I am not sure that my hon. Friend needs a debate to do that, as he has been exposing such matters quite well today. Fortunately, I am not responsible for any apologies that the right hon. Member for Wokingham may have to make. I remind the House that the next day for tabling questions to the Foreign and Commonwealth Office is Tuesday.

Mrs. Cheryl Gillan (Chesham and Amersham): Is the Leader of the House aware that there is growing concern both inside and outside the House over the Government's progress in tackling the year 2000 computer problem? For example, is she aware that the health service does not know either the extent of the problem or the full cost of the programme? In a written answer, the Prime Minister told me that all Departments and agencies have to find the cost of solving the problem out of their existing budgets. As that will run into millions of pounds, the House needs to know where cuts will fall in hospitals, schools, local authorities and even defence.

On 27 November, the Chancellor of the Duchy of Lancaster promised the House regular reports. Twelve weeks have passed and there has not been a murmur from him. Will the Leader of the House look on the matter with great urgency, and allow time for a debate or a statement on the subject, which greatly concerns us all?

Mrs. Taylor: It is a bit rich for a member of the previous Government to complain that not enough has been done, when the previous Administration did so little. My right hon. Friend made a comprehensive statement in November. My right hon. Friend the Prime Minister has been keeping a careful watch on progress. The Government have acted as swiftly as is necessary. I do not think that it is appropriate to have a debate in the immediate future.

Mr. Paul Flynn (Newport, West): Does my right hon. Friend agree that today's crisis involving 5,000 people who have had artificial hip implants was entirely predictable and inevitable, and was described in some detail in an Adjournment debate on 14 July 1993, when a plea was made to the previous Government to stop the introduction of literally dozens of new implants that were no better than the existing, available and reliable Charnley replacement? New implants were being manufactured to produce new patents, so as to make a great deal of money for the 60 firms that were producing the implants. They were dangerous then, unreliable and untested.

Is it not important that we have a debate to illustrate the great difference between the two sides of the House? The Conservatives pursued health, through their long years in office, as a way of making money for the market. In contrast, the philosophy of Labour Members is to emphasise quality of treatment, of prostheses, of drugs and of the skills of surgeons—in other words, measuring the quality of the health service, not quantity.

Mrs. Taylor: I am sure that many people who have had hip replacements will be extremely concerned at the prospect of a further operation, and will be angry that warnings given previously were not fully heeded. The Department of Health and my right hon. Friends have acted extremely quickly, given the information that has come to them. Hospitals are contacting all the relevant patients. A minority of those who have had hip replacements are involved, so I do not think that we should alarm too many people. However, it is a serious matter for those who are involved, and the previous Government bear some responsibility for not heeding other warnings that were given.

Mr. Norman Baker (Lewes): I draw to the attention of the Leader of the House early-day motion 802.

[That this House is concerned that non-human primates transported to United Kingdom research laboratories suffer greatly as a result of the journey from their country of origin; notes that journey times of up to 58 hours from countries such as the Philippines, Indonesia, Mauritius and China are commonplace; further notes that the primates travel packed in small wooden crates in aeroplane holds; considers that such practices cause undue stress and suffering; is aware that it is Home Office policy to take into account adverse effects which may occur to animals during transport to the United Kingdom when deciding whether to allow their use in experiments;

and therefore calls upon the Home Office not to grant licences to experiment on primates when the adverse effects endured by them during transport are too severe to be outweighed by the benefit of research.]

Is it possible for a Home Office Minister to make a statement to the House? Is the right hon. Lady aware that monkeys used for experiments are being transported to this country for up to 58 hours, in crates in which they are unable to stand? The matter is under the control of the Home Office, which is at liberty to refuse licences. Will the right hon. Lady arrange for a Home Office Minister to explain why the process is being allowed to take place?

Mrs. Taylor: Home Office Ministers have taken action on some issues involving animal welfare, and that should be welcomed by the House. I shall bring the hon. Gentleman's points to the attention of my colleagues, but I would point out to him that Home Office questions will be taken a week on Monday.

Mr. John Cryer (Hornchurch): May we have a debate on the shortage of speech therapists within the national health service, which is one of the major gaps in the NHS, especially in the area which I represent? The shortage was undoubtedly the responsibility of the Conservative Government.

Mr. Forth: Of course.

Mr. Cryer: May we have a debate, or a statement from the Department of Health, in the near future?

Mrs. Taylor: I am glad that the right hon. Member for Bromley and Chislehurst (Mr. Forth) recognised the validity of what my hon. Friend was saying in terms of the problem being the responsibility of the previous Administration.

Over the past 20 years, we have seen a diminution in the number of speech therapists and an increase in the problems that exist. I shall bring my hon. Friend's remarks to the attention of my right hon. Friend, but I cannot promise an early debate. My hon. Friend may seek other opportunities to raise the issue. It is clearly a serious matter, because speech therapy can make a great deal of difference, especially to children.

Mr. Patrick Nicholls (Teignbridge): May I ask the Leader of the House to consider a debate—if not next week, certainly in the near future—about support for school transport, especially transport for denominational schools? Is the right hon. Lady aware that the issue has particular topicality in that Liberal Democrat-controlled Devon county council is threatening to break an arrangement that has existed for more than 50 years—since 1944—by withdrawing denominational schools' transport?

The county council may or may not respond to pressure from parents to make it change its mind. Governments of both complexions—I pay credit to previous Labour Governments as well as Conservative Administrations—have always made it clear that both national and local government should try to support transport for denominational schools. We need a debate so that we can examine what was done in Devon to try to ensure that, whatever happens in the end—

Mrs. Gillian Shephard (South-West Norfolk): And Norfolk.

Mr. Nicholls: Indeed, Norfolk as well.

We must try to ensure that Liberal Democrat-controlled councils can never cause such heartache again.

Mrs. Taylor: I cannot promise a debate, but we shall have Education Question Time on Thursday.

Mr. Ian Bruce (South Dorset): I have previously raised with the Leader of the House the possibility of a debate on the blind trusts that brought the Prime Minister and various of his Ministers to office. Has she seen the preferment that has been given to the trustees of the blind trust? We can judge whether that is justified, but we still do not know who else gave money to it, or whether the Lord Chancellor or the Paymaster General donated. Surely we should know.

While I am on my feet, will the Leader of the House answer my letters about the time it takes for Ministers to answer letters?

Mrs. Taylor: The hon. Gentleman is right to say that he has raised the issue of blind trusts before. I have nothing further to say in response to that.

In respect of the letter that the hon. Gentleman wrote last week, I am looking at all the examples that he gave of where problems have arisen and why.

Mr. Paul Burstow (Sutton and Cheam): Can the right hon. Lady find time next week for a statement or debate on the operation of the benefits integrity project? To date, more than 40,000 disabled people receiving disability living allowance have been interviewed or had questionnaires sent to them about their entitlement to benefit. Many have had their benefit stopped or reduced, but have been successful on appeal and had their benefits reinstated. Many others have received questionnaires when they should not have been included in the programme. The programme is clearly in a mess. We need to know what the Government are doing to ensure that the project has integrity. Please may we have a statement or debate?

Mrs. Taylor: We shall have Social Security Question Time on Monday. I am sure that the hon. Gentleman will be here to pursue the matter. I am also sure that all hon. Members think it right that we should ensure that people claim the right benefit, and that only those who are fully entitled to it get it.

Local Government Finance (Scotland)

4.11 pm

The Secretary of State for Scotland (Mr. Donald Dewar): I beg to move,

That the Local Government Finance (Scotland) Order 1998, dated 4th February 1998, a copy of which was laid before this House on 5th February, be approved.

—We are also discussing the following motions:

That the Revenue Support Grant (Scotland) Order 1998, dated 4th February 1998, a copy of which was laid before this House on 5th February, be approved.

That the Special Grant Report (98/1) (Scotland): Local Taxation Collection Grant Scheme 1997–99 (HC 530), which was laid before this House on 5th February, be approved.

That the Special Grant Report (98/2) (Scotland): Grant in Aid of Local Authority Revenue Costs and Reinstatement Works at Dunblane Cemetery Resulting from the Dunblane Tragedy (HC 531), which was laid before this House on 5th February, be approved.

That the draft Housing Support Grant (Scotland) Variation Order 1998, which was laid before this House on 29th January, be approved.

That the draft Housing Support Grant (Scotland) Order 1998, which was laid before this House on 29th January, be approved.

I am putting before the House a comprehensive package of legislation that sets the framework for local authority funding for the year ahead. It is an important package. I do not pretend that it makes exciting material for debate—the possibility of flashing wit is somewhat limited—but it is the stuff of politics. It is the basis of the framework within which local government must operate, and it deserves thoughtful consideration. I do not know whether there can or should be a wide-ranging debate, but I hope that the debate is relevant and specific to the issues of real substance. Before I briefly introduce each of the orders and reports, I shall say a few words about the general background to the measures.

The prospects for local government next year were bound to be extremely tight given the public expenditure plans that we inherited from the previous Administration. As every hon. Member knows—unless they have cut themselves off completely from political debate over the past nine or 10 months—we committed ourselves, if returned as an Administration, to stick by the inherited totals. I make no apologies for that, as there were obviously good and sound reasons for it. I occasionally meet someone who says, "I know the present Chancellor said it, but I didn't believe he meant it." Well, as they say, they know now. I can assure the House that this is not some conversion to masochism. It is not hair-shirt politics for the sake of it. Because we believe that there are sound, long-term economic reasons for holding hard to the public expenditure figures in the first two years of Administration, we have done so.

It is obviously important that we hold inflation in check and borrowing is a matter for concern. We want to ensure that we have growth in the economy but at a level that can be sustained over a period and be a proper basis for our social and other plans in the future. We do not want, as has too often happened under many Governments in the past, a retreat to boom-and-bust conditions.

Mr. James Wallace (Orkney and Shetland): The Secretary of State has made something of sticking by the previous Government's spending plans. He may recall that the previous Government said that they were prepared to commute the housing debt of Shetland Islands council—and that of the Western Isles council and Highland council—yet the Government will no longer do that. Can the Secretary of State give an explanation for that and, in particular, give the housing policy considerations underlying that decision, which were referred to in a letter from his Department to Shetland Islands council on 9 December 1997?

Mr. Dewar: This is a subject on which the hon. and learned Gentleman is probably well informed. I do not remember in detail what the Conservative Government said on the matter, but I am aware of the issue. It is one on which, in principle, we have some sympathy with the council. The immediate problem was divergence of interest rates, which shifted the balance and costs considerably, but that is no doubt something that can be discussed again when the circumstances are right. I thought that the hon. and learned Gentleman was about to write that down, in which case I might begin to feel that I had gone too far. But there we are; we all live with our mistakes.

During Scottish questions, an hon. Gentleman whose name I know—but not his constituency—rose to ask a question. His opening shot was to ask how I explained the fact that there was not more fuss from local government about what the Labour Government are doing. I have a lot of sympathy with the hon. Gentleman, because he was obviously looking at a local government structure and a financial system about which he knows little. I can understand that, because his constituency is far from Scotland and I suspect that he was protected simply by a rather flimsy brief from the Whips Office. It was a good feed line, because it reminded us just how severe and draconian the settlement would have been if Conservative Members had held on to power. It is worth reminding the House of that because it is the background against which what is happening now will be judged.

Mr. John Swinney (North Tayside): The Secretary of State talks of the lack of fuss about the local government settlement. I might agree with him to some extent on some aspects of the debate, but the Labour group on Perth and Kinross council supported a motion put forward by the Scottish National party administration expressing its dismay and disappointment at the new Labour Government's decision to continue with the former Conservative Government's spending targets for local authorities. Would that constitute a fuss in the right hon. Gentleman's eyes?

Mr. Dewar: I was quoting a Conservative Member, not endorsing what he said. I was making the simple point that we have held the settlement in broad terms, but within the context in which we are operating we have tried to introduce elements of genuine flexibility to help local government. We have tried to understand its priorities and preserve them and weight the settlement in favour of them. We have, with the co-operation of local government, been able to produce a well-ordered settlement. I have always recognised that councils face tough decisions, but they are decisions that most councils are addressing sensibly and responsibly against the background of a recognition of some of the financial and economic reasons why this policy is being followed.

I do not object to the SNP majority on Angus council taking a line hostile to the Government. I would be surprised if it did not, and I suspect that the local Member of Parliament would be even more surprised. I cannot remember what part the wife of the hon. Member for Angus (Mr. Welsh) presently plays in local government in Angus, but I am sure that he is well able to put in his tuppenceworth of advice and guidance on the matter. We give those expressions the weight that they deserve.

Mr. Swinney: The right hon. Gentleman may not have heard fully what I said. The motion, which was before Perth and Kinross council, of which the wife of my hon. Friend the Member for Angus (Mr. Welsh) is not a member, was supported by the Labour group on the council, expressing its concern at the Labour Government's commitment to the previous Administration's spending targets, a point which has concerned many hon. Members on both sides of the House.

Mr. Dewar: I apologise. I misheard the hon. Gentleman. I should have realised that he is not responsible for affairs in Angus. The hon. Member for Angus (Mr. Welsh) is ubiquitous on those matters. I shall not be distracted further; let me return to the thrust of this debate.

In the plans set by the previous Administration, central Government grant to local authorities—aggregate external finance—was set to fall in cash terms by more than 1 per cent. and expenditure was to rise by only 0.7 per cent. in cash terms, even taking account of the various and significant new spending pressures facing councils. I am thinking, for example, of care in the community, for which this Government have included £24.5 million in the settlement, and of the impact of the Children Act (Scotland) 1995, for which £11 million has been put into the settlement. Given the threats that were in store, many people will look with realism at what the Government have managed.

Mr. Michael Ancram (Devizes): The Secretary of State keeps referring to the figures that were put forward by the previous Government. Does he agree that those were the figures in the public expenditure survey for year two, that they were therefore provisional and, given the nature of the public expenditure survey, that they would have been revised when they dropped into the slot where they become year 1 figures?

Mr. Dewar: The diffident way in which that possibility was inserted into the debate was touching. I know that the right hon. Gentleman has ambitions to be classed as a wet, but the suggestion that the figures would have been changed radically is over-optimistic.

Mr. Ancram: Is the Secretary of State saying that year two in Labour's public expenditure survey will be cast in tablets of stone and not open to revision?

Mr. Dewar: I do not know what the right hon. Gentleman's speech will contain, but I have always taken seriously the Conservatives' claims to wish to cut public spending. I do not imagine for a moment that he would have wanted me to take them less than seriously. Let me take the argument on a little and follow up what I said to the hon. Member Perth and Kinross—

Mr. Swinney: North Tayside.

Mr. Dewar: I am sorry, I meant the hon. Member for North Tayside (Mr. Swinney).

Mr. Swinney: The Secretary of State's geography is terrible.

Mr. Dewar: I know; it is like my counting.

It is important to look at how the settlement has been deployed, which is within comparatively tight parameters. We have tried to ensure that certain areas are given priority—areas that we think are of social importance, which we featured in our general election campaign and which we believe reflect the priorities that people in Scotland voted for. We were able to provide an additional Government grant of more than £90 million for education and to allow local authorities additional spending power of £150 million over and above the inherited plans.

Mr. Andrew Welsh (Angus): Will the extra money for education be an on-going or a one-off allocation? When the Local Government Commission meets, will it be allowed also to consider finance, which is important?

Mr. Dewar: I can only point to our priorities, which we intend to reinforce in the coming years. Spending plans are clearly open to adjustment—I concede that much to the right hon. Member for Devizes (Mr. Ancram). We are trying to ensure that education is given priority, which is as it should be.

Mr. Welsh: So the allocation is a one-off.

Mr. Dewar: I did not say that it is a one-off allocation; I said that it is a priority that we intend to continue to favour, but how we do that and to what extent, and how we can improve and build on it, we shall have to see as the economy develops.

Not just the £90 million was in the settlement; we have also inherited plans for £3 million for early learning initiatives and for numeracy and literacy. That rose to £7 million. We have a school-building programme of £27 million for next year and additional money—some £9 million—was found to allow local authorities to implement the pledge on nursery places for all four-year-olds whose parents wish to take advantage of them. As I am sure the hon. Gentleman will recognise, there is a degree of weighting in that sense, which I hope he will feel able to support as a principle.

We have given particular weighting to certain matters that have involved a good deal of controversy. To be fair, that is true of the last Administration as well. I am thinking of, for example, law and order and the police in particular. There has been some controversy over the police allocation, which I have tackled head on. In 1998–99, police grant-aided expenditure will be 3.8 per cent. above the budget for this year. In 1996–97, it was 7.7 per cent. up on the previous year and in 1997–98 it was 9.7 per cent. up on the previous year.

[Mr. Dewar]

There has been a cumulative effort to ensure that funding is adequate. That is in sharp contrast with what was managed in the overall local government settlement, in which increases in GAE averaged around 2 per cent., or just over 2 per cent. That does not mean that there are not problems. I am merely pointing out that law and order is another issue on which we have delivered on our pledges. We have tried to reflect what I think ordinary citizens in Scotland going about their business consider important.

Several hon. Members *rose—*

Mr. Dewar: I am not going to deal with every point of information that comes up, although I see that there are some enthusiastic runners. I shall, however, give way to the hon. Member for Woodspring (Dr. Fox) as he is a Front Bencher.

Dr. Liam Fox (Woodspring): The Secretary of State throws percentages around, but the simple fact is that the Scottish chief constables said that the police needed an extra £28 million this year for a standstill budget and they are getting £11 million. How on earth does that square with the Government's manifesto promise to be tough on crime?

Mr. Dewar: I accept that figures must sometimes be looked at carefully, but if the hon. Gentleman looks at the figures he will see that I have represented the position correctly. I think that the base line on which the claims were made was a rather optimistic starting point. If the hon. Gentleman examines what has happened to the budget year on year, I think he will see that I am being very reasonable and that what I am saying has been well borne out.

Sir Robert Smith (West Aberdeenshire and Kincardine): Will the Secretary of State give way?

Mr. Dewar: I shall give way to the hon. Gentleman; then I must push on for a few minutes.

Sir Robert Smith: The Secretary of State might like to look at the history of the funding of the police. The last Government altered the ground rules when they introduced capping on the cash available for the police-specific grant. In the past, it had been possible for local authorities to draw down additional funds for the police by going over the capping level of the GAE. The right hon. Gentleman should compare like with like. What looked like an increase in 1996–97 was artificial: in the case of several authorities, there was no real increase in Government cash for the police, because in the past they had been able to spend over GAE.

Mr. Dewar: All I can say is that provision in the settlement has gone up steadily in comparative terms, as against the settlement as a whole. I would not for a moment deny that there have been problems with police spending. Some authorities, under pressure, have spent significantly below GAE for certain joint police boards. I am merely saying that, if we are looking for priorities, the fire service and the police are among the services that have been protected to some extent against the hard times with which most departments, and most other areas of council activity, have had to struggle in recent settlements. I will not retreat from that position for a moment.

Aggregate external finance is now set to increase in the coming financial year by over £33 million, or 0.6 per cent., and Government-supported expenditure by £133 million, or 2.2 per cent. The provisional capping principles that I also announced on 3 December allow Scottish local authorities to increase their capped expenditure by more than 3.4 per cent., a total of £191 million. Let me point out for the last time that those who look back at what was planned will see that that is a significant improvement.

I have carefully considered the available capping options and concluded that the fairest approach to all was the tiered regime that allows councils spending closer to GAE a greater general increase than those spending well above GAE. Those capping principles are in every respect more generous than those allowed in the previous year, as I think hon. Members will recognise.

I recognise the tough choices that all local authorities will face in setting their budgets for 1998–99. They will have to focus resources on our agreed priorities and cope with some inescapable pressures, such as the increase in the costs of their pension contributions arising from the abolition of advance corporation tax credits. I recognise that that is a matter of concern to local authorities and that it will put pressure on their budgets.

Mr. Donald Gorrie (Edinburgh, West): The £36 million that is required by councils to pay the advance corporation tax on pensions was not inherited from the Conservatives, so the Government cannot blame them for that. That change in the law has brought in a huge amount of money to the Treasury. Is it not reasonable that the Secretary of State should ask his colleague in the Treasury to give back that sort of amount? It affects only Scottish councils this year—it will affect English councils later—but it is a major issue. There is a simple way of finding what must be a large pot of gold to help pay for this.

Mr. Dewar: The hon. Gentleman makes a point that local government has, understandably, made forcibly. This is a pressure that it will have to cope with. I do not for a moment pretend that there are not substantial pressures. In the coming year, public sector pay will be a pressure, for example, on local government budgets, but it is right that we hold to the policy that we announced.

Of course, in some ways, there have been other unusual factors this year, as the hon. Gentleman, a long-standing and long-serving councillor, will know. For example, the pattern of debt repayment has changed, which means that, this year, getting on for £70 million is available to local government which would not otherwise have been there. That is not new money in the sense that it is additional spending power, but it allows councils to take up any room for expenditure without putting an enormous burden on their council tax payers. That, for example, is an important factor in this year's settlement.

However, I have never hidden the fact—I keep making this point; I will did so for the last time—that difficult and tough decisions must be taken. I have considerable respect for the way in which most councils, at least, are trying to face up to some of the problems.

We have had a helpful dialogue with local authorities, both bilaterally and through the Convention of Scottish Local Authorities. At the most recent meeting with the convention, it was made clear to me that local authorities would welcome in particular the flexibility to convert a small amount of their capital spending power into revenue expenditure, to relieve some of the pressures on their revenue budgets next year. That would help, in particular, those councils that were able to set very low council tax increases next year.

Following consideration of those representations, I announced on 13 February that I was prepared to allow all councils the opportunity to increase their budgeted revenue expenditure for next year by up to 0.25 per cent. of base budget, on top of their existing capping limit, provided they keep the increase in their band D council tax below the likely Scottish average.

It is right to try to introduce that element of flexibility. I willingly concede that it is not a major addition to the room for manoeuvre of local government. It is probably worth about £10 million, but it will allow that transfer and a little welcome, I hope, additional flexibility.

Sir Robert Smith *rose—*

Mr. Dewar: I do not regard it as a major matter and, with respect to the hon. Gentleman, I would like to make a little more progress.

It is worth stressing that the scheme is an example of the close working relationship that we have developed with COSLA. I pay tribute to its efforts. After 18 years, Scottish local government representatives welcomed the opportunity to discuss, in what I hope was a constructive and progressive way, the harsh choices that local government faces over the next few years. There have been substantial benefits to both sides from that dialogue and from that ability to co-operate.

The Local Government Finance (Scotland) Order 1998 is the first order before us today. It sets out the amounts of revenue support grant and non-domestic rate income that will be payable to each authority in 1998–99. It also redetermines the amounts of revenue support grant that are payable for 1997–98.

Hon. Members who have studied the papers will be aware of the fact that the order is accompanied by a report that sets out in detail the background to the figures in it. The detailed calculations have been the subject of consultation with the Convention of Scottish Local Authorities, with which we have had a good working relationship, and they deal with matters of distribution. The distribution formula was reached by agreement between the parties.

I am particularly pleased that this year we have been able to agree with COSLA to introduce a measure of stability into the grant distribution arrangements. They looked as if they might produce some rough weather for some councils as a result of no action by those councils. The stability arrangement limits the extent to which changes in grant distribution can cause hugely uneven pressures on council tax in different parts of the country. To some extent, they arise from the redistribution of the social work GAE figures and the phasing out of the mismatch finance which dealt on a transitional basis with the problems and costs of reorganisation.

If there had not been a co-operative effort by COSLA to spread the load and phase the change, there would have been a dramatic difference. For example, in the City of Glasgow those two items alone would have resulted in an additional £166 on band D council tax. The figure for Dundee would have been more than £86. I am grateful to local government generally and to COSLA for its mediation for enabling us to formulate a sensible scheme that limits the impact arising from the changes to a maximum of £40. That was a genuine contribution to good order in our local government finance system.

The Revenue Support Grant (Scotland) Order 1998 is also accompanied by an explanatory report. The order makes what we expect to be the last set of adjustments under the AEF guarantee. No one is allowed to ask me any questions about that. It relates to payments in respect of 1992–93 and is worth, in total and at the limit, £200,000. It is of almost theological interest to experts in my Department, but I am not a true believer. It is obviously an important part of the mechanism, but I do not think that any hon. Member will be interested in pursuing it. If anyone does, I warn him now that I shall write to him later.

I shall now deal with the local taxation collection scheme special grant report. It relates to a special grant of £3 million to councils in the hope that it will go some way towards enabling them to put in place measures to tackle the significant burden of unpaid local taxes on their balance sheets. I appreciate the difficulty of doing that and it may be impossible to recover debts from the poll tax days. However, there is a chance of recovering debts from more recent times if proper steps are taken and this modest sum, if distributed on the basis of the amount of debt outstanding, might assist in bringing returns.

I say to any of my hon. Friends who are concerned about the matter that it is important for people to meet their obligations. If they do not, the burden falls increasingly on those who have and that is inequitable and unsatisfactory. Perhaps the limited funds will be used to improve IT records, issue reminders and engage in general chasing. It is a reasonable investment and I understand that it has been well received by local government.

The Dunblane special grant report enables a payment of only £1 million. It is a small but necessary contribution to Stirling council to help it to deal with the unusual and rather sensitive expenses that followed the tragedy in Dunblane primary school. It relates largely to the costs of counselling and to certain expenditure on education that was required in the aftermath of the tragedy. I do not think that anyone would begrudge or question the wisdom of that.

I shall deal now with the housing support grant orders that are also before the House. The first is the draft variation order. It is normal practice to bring forward a variation order if, during the year, there has been a change in the pool interest rate used in the calculation of the loan charges element of the housing support grant settlement. In the current year there has been a slight increase in the pool interest rate and the variation order provides for a consequent increase in housing support grant payable in 1997–98 from £15.2 million to £15.6 million. It is entirely a reflection of interest rate fluctuations and it is comparatively on the margin.

There is also the Housing Support Grant (Scotland) Order 1998, which provides for a total amount payable in 1998–99 of £12.7 million. That comprises £9.3 million payable to Highland, Shetland Islands and Western Isles

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in respect of their mainstream housing costs and £3.4 million payable to 20 authorities as a contribution towards the running costs of their hostels for the homeless.

The grant calculations are based on an assumed rental income of £40.56 per house per week and assumed management and maintenance expenditure of £859 per house per annum, an increase of 3 per cent. over the equivalent figures used last year. I should emphasise that the figures are neither guidelines nor recommendations but are used for the purpose of housing support grant formula only. They are uprated annually. It is a formula calculation that has been accepted and well established for some time.

Housing support grant—there is no need for me to discuss this in detail—has declined greatly over the years. At its height it was running at about £240 million but, as rents have increased, some of that has transferred to the housing benefit totals and, as housing support grant has fallen, they have risen. It goes back to an argument that is as old as me—if that is possible—about whether to subsidise the house or the person. No doubt the Government will wrestle with that as certainly as did the previous Government.

We are dealing now with a comparatively small part of the sweep of housing finance. I remind colleagues that we have managed to find about an additional £50 million for housing in the public sector, £35 million of which is for housing partnerships, which we hope will be a way of levering in private finance to provide accommodation, and £7 million for the empty homes initiative as well as other sums such as £5 million for energy efficiency and so on. I would be the last to suggest that that represented a revolution, but it is at least a first attempt to do something about the acute problems facing the housing sector, particularly the public sector. It may be that people will want to comment on those matters.

Mr. Welsh *rose—*

Mr. Dewar: I see one person who wants to comment now. Let us hear him.

Mr. Welsh: Will the Secretary of State admit that those figures come against a backcloth of a drop of £484 million in the housing budget over the past two years? Therefore, any increases, although welcome, have to be taken in the context of a rapidly falling commitment to housing by the Government.

Mr. Dewar: I should thank the hon. Gentleman for welcoming what has been done in the initiatives I have mentioned. It will be very difficult for any Government, based on any unit within the United Kingdom, to solve the housing problem simply by straight subvention from the public purse. I freely concede that levering in private finance and housing partnerships and so on will be an increasingly important part of the process.

I take the view—I think it is sensible—that I want my constituents and the constituents of the hon. Member for Angus (Mr. Welsh) to live in housing that is sound, dry and adequate and which is the type of housing that they want to live in. My job as Secretary of State and the job of my Department is to use every possible endeavour to achieve that end. I believe that the way in which that burden is shared will alter in the time ahead, but that is a challenge to which we should rise and which we should welcome. I want to leave it at that now. We will have many other opportunities to discuss these matters in the future.

I recognise that there are problems. I recognise some of the frustrations and difficulties, many of which are put to me forcibly by friends and colleagues of many years. I also recognise and give a heartfelt welcome to the realism with which local government is going about its task. I recognise the determination to find a way forward which is represented in the co-operation over best value and the determination to increase efficiency and to make the delivery of services more effective. If we can achieve great things in that way and move forward, and if we can put the public finances on a sound footing, we will be well placed to achieve targets and to meet our priorities in the years ahead.

4.45 pm

Mr. Michael Ancram (Devizes): It is somewhat nostalgic for me to participate in this debate today. It is 11 years since I was last involved in what was then a debate on rate support grant in the House and I was sitting behind the Government Dispatch Box. I have some sympathy with the Secretary of State. I have wonderful recollections of grant variation orders and pool interest rates. Whenever they arose, I hoped that I could leave it to another Minister to answer the questions later or that I could write to hon. Members.

It is rather sad to think that this is probably one of the last two such debates in the House. After the inception of the Scottish Parliament, presumably these debates will be transferred, at least in their detail, to that Parliament. We will no longer be able to enjoy these wonderful celebrations of clear formulaic thinking on the part of Scottish Office Ministers and officials.

Mr. John McAllion (Dundee, East): May I assure the right hon. Gentleman that he is probably alone in the House in thinking that it is sad that these matters will no longer be debated here? I am delighted that, in two years' time, they will be debated in Scotland.

Mr. Ancram: The hon. Gentleman's sense of humour is not in line with mine. If he thinks that these debates will be enjoyed any more in a Scottish Parliament—or be any better attended there—he may be indulging in a little wishful thinking.

These debates are minefields. It is much easier to be speaking for the Opposition than for the Government, because I can ask the questions and the Under-Secretary of State for Scotland, the hon. Member for Western Isles (Mr. Macdonald), who is responsible for local government, will have to answer them.

I remember being told that the formulas are very exclusive. They are understood by three people—one is dead, one is mad and one advises the Secretary of State. *[Interruption.]* I am glad that the Secretary of State seems to be confirming that that is still the situation in the Scottish Office.

On housing, we accept both the formula and the principle behind what is proposed. I have always taken the view that it is better to subsidise people than bricks

and mortar, and I welcome the fact that that is what the Secretary of State is pursuing. His hon. Friend the Member for Dundee, East (Mr. McAllion) is shaking his head—so whether that will last into a Scottish Parliament is perhaps another matter.

I always enjoy the Secretary of State's performance. Today's was a feat of gentle ingenuity in which he tried to portray the settlement as some sort of triumph. He called it a well-ordered settlement and justified that by saying, that if there is anything wrong with it, it is the fault of those who have gone before, and that if there is anything good about it, that is entirely for him. I thought that that was his argument. It avoids one fundamental political fact, which, after nine months, I am surprised has not impressed itself on the Secretary of State.

The settlement is not down to the last Government but is totally in the hands of his Government. We are talking about a new financial year on the back of a Budget that was struck by the Chancellor last July—I will come back to that—and it will take place after a further Budget from the Chancellor in March. He cannot do other than take full responsibility for what is in the orders. He cannot shelter behind the phrase "inherited plans". One Government do not bind another and he knows that. If he wanted to abandon what he calls the inherited plans, he was entitled to do so. He is adopting a cop-out position that does not fool anyone.

I asked the Secretary of State whether the public expenditure surveys for years two and three were provisional. Although he chided me for asking, he effectively admitted that they were. He said that provisional spending plans are revisited—I think that I am quoting him correctly—as the economic situation develops. That is why the Government have provisional spending plans. They cannot see two or three years ahead, but they have to give some idea of the likely levels of spending. They set provisional spending plans and consider the economic situation when the time arrives.

I am sure that Labour Members appreciate that the economic situation has developed considerably over the past year, not least with the extraordinary windfall—if I may use the word—of tax revenue that allowed the Chancellor to make a £10.4 billion repayment of borrowing two days ago. He could make that record repayment because there was more tax coming in than anyone expected, partly from growth and partly from self-assessment.

The figures that the Secretary of State is dealing with today were put forward on the basis of a different economic situation. They cannot be justified in today's circumstances. It is for the Secretary of State and the Chancellor to decide whether to use that unexpected £10.4 billion windfall to fill a war chest to try to buy the next general election or to look after people who need looking after now.

Given the problems facing local government, I suspect that many people in local authorities throughout Scotland would like some of the extra cash that is available. The Government had the opportunity to give them some of it. The Secretary of State has no credibility sheltering behind historic figures and wringing his hands because the settlement is not as good as he would like. He cannot keep hiding behind the previous Government's figures. He must face up to his own.

Important questions need to be asked about the settlement. On Tuesday, at Scottish Office questions, the Secretary of State said:

"The increase in cash terms is 3.4 per cent."—[*Official Report*, 17 February 1998; Vol. 306, c. 880.]

That is above the current rate of inflation. He told us today that the settlement is better than it would have been had the previous Government still been in office. The Convention of Scottish Local Authorities has provided a useful briefing that says:

"Next year's settlement shows a cash standstill on inherited plans."

Taking away some of the specific and exceptional increases, it says that there is not a great increase, but a cash standstill. That does not tally with what the Secretary of State said on Tuesday.

On 30 November last year, the Secretary of State wrote to Councillor Geddes, describing the settlement as

"a real terms reduction in support of local authorities."

That means that the council will be able to buy less this year than last.

We have an enormous number of different sets of weasel words, all of which seem contradictory.

Mr. Dewar: The 3.4 per cent. is the increase in spending limits. The amount that the authorities are able to spend has risen by 3.4 per cent. That is the figure in which people are interested.

Mr. Ancram: I was careful to quote the Secretary of State's comment on Tuesday correctly. He said that it was a 3.4 per cent. increase in cash terms. Perhaps he would like to write to me about that. My understanding of cash terms corresponds with COSLA's statement that there will be a cash standstill on inherited plans. One of those statements is wrong. I should like to know the answer.

Mr. Wallace: I am interested to know where the right hon. Gentleman's argument is going. He rightly says that the Secretary of State has a free hand. During our debates on funding for the Scottish Parliament, most, if not all, Conservative Members have said that Scotland gets too much per head. Is he saying that we are getting too much and the Secretary of State should give us more, or is he saying that we are getting too much and the Secretary of State should give us less?

Mr. Ancram: I am trying to find out what the Secretary of State is saying. He seems to be contradicting what he said in his letter to Councillor Geddes in November and what COSLA has said. Is the settlement, which rests heavily on inherited plans, to be described as "rotten", as Labour Members described last year's settlement, or is it a tight but fair settlement, as the hon. Member for Western Isles has said? It is either rotten or tight but fair. It cannot be both. If it is the latter, it cannot be said to rely on last year's spending plans. The Government must decide why they rest their defence for this year's settlement on the basis that they are dealing with last year's figures, which they so vehemently opposed at the time.

Mr. Dewar: The right hon. Gentleman must be aware that I said that we started with those plans and have improved on them. That is the important point. I repeat

[Mr. Dewar]

that the cap limit is up by an average of 3.4 per cent. That is the amount that local authorities will be allowed to spend. That is a considerable increase. I accept that the right hon. Gentleman may claim that the Conservatives would not have held to their plans. If he wants to say that definitively, that might be of interest to us. Our settlement is a considerable improvement on the plans that we inherited.

I am not sheltering behind the right hon. Gentleman or anyone else. That would be a flimsy shelter. We have said from the beginning that there are good economic arguments for putting the public finances on a sound and stable footing to achieve a sustainable growth rate in the economy. Local authority expenditure must play its part.

Mr. Ancram: That does not answer the question that I asked earlier. Perhaps we shall have an answer in the winding-up speech. I understand that the £10.4 billion windfall was £4 billion more than the Chancellor had predicted in the autumn. The Secretary of State should have considered using some of that money to provide for the problems that he has outlined. He decided not to. In my book, a real-terms reduction is not an improvement and a cash standstill is not an increase. If that is his defence, everyone in local government in Scotland will know it.

In the debate on the Welsh revenue support grant last week, the Secretary of State for Wales made it clear that he would examine capping. It is Government policy to try to remove capping in England. Is that the policy in Scotland? If the cap goes, who will make up the shortfall between what can be provided by central Government and what will have to be raised by council tax? Will there be an increase in the revenue support grant to make up for the removal of capping, or will it be left to council tax payers?

I join the Secretary of State in welcoming the grant in aid orders for Dunblane. We all shared the grief of that community and we share a desire to provide help, even if it is, of necessity, limited. However, there is not much else in the settlement that is welcome. It is a sorry picture for local government and a cruel picture for council tax payers.

Mr. Gorrie: If there is so much wrong with the settlement, will the right hon. Gentleman and his hon. Friends join me and my hon. Friends in the Lobby to vote against it?

Mr. Ancram: I should like to hear what the hon. Gentleman has to say before committing myself to supporting him. It would be unwise to give an undertaking on the basis of an argument that I have not yet heard.

Some councils have done better than others in the settlement. I shall not go into the details of that. However, I should like a brief explanation of the formula for the individual distribution of the revenue support grant to councils. In particular, what criteria, if any, have changed in the formula since last year? I remember changes being made in the formula from year to year. I should also like to know whether any of those changes were made on the basis of representations and what those representations were.

I should like to raise some more general points. The Secretary of State was almost apologetic about some of the problems facing local government at the moment. He referred to several extra costs that local authorities face. The reason why I was surprised by his apology, if it was an apology, was that all these costs have arisen because of a deliberate decision taken by the Labour Government.

The hon. Member for Edinburgh, West (Mr. Gorrie) asked about advance corporation tax, or what I prefer to call the pension tax. When it was introduced in July, we were told that we were wrong to suggest that it would have a deleterious effect on councils or individuals. We are now being told, understandably, that it will have a significant effect on councils in Scotland.

The hon. Member for Edinburgh, West mentioned £36 million, which is the figure that COSLA says in its brief will be the cost to it. That cost arises only because of a decision taken by the Chancellor last year. There is no way that the Secretary of State, as a member of the same Cabinet and bound by collective responsibility, can somehow dissociate himself from that decision. It is a cost that will be borne by Scottish councils because of a deliberate act of the Chancellor—new Labour, higher costs.

Interest rates have risen five times, or 1.25 per cent., since 1 May—new Labour, higher interest rates. People may ask, "What do interest rates matter to local government?" I can tell those not in local government that they matter very much, especially with regard to debts. In 1996–97, the debt stood at £5.6 billion. That is up £377 million on the previous year. I understand that it costs £793 million to service that debt. That is a substantial sum, and we need more information about it because the cost of servicing the debt is four and a half times greater per head than in England—£151 per head in Scotland as opposed to £33 in England.

I have cited the figure for the previous year, but what is the current debt figure? What is the increased cost of servicing that debt, and how much of that this year will be due to the increases in interest rates that have occurred under this Government? The costs caused by the increases in interest rates will be borne by the council tax payer, either through increased council taxes or reductions in services.

We also need to know about the impact of the minimum wage. The trade unions and local authorities in Scotland have agreed a minimum wage of £4 an hour. I understand that that represents an increase of 2.8 per cent., or some £20 million on wage bills. Clearly, it is part of the Government's policy, even if the Government have not yet struck their minimum wage limit. What provision, if any, has been made in the settlement for this increase? Will the money be found through cuts in services, or through increases in the council tax? If the Government are to set a minimum wage in the coming months, what provision has been made for it in the settlement to ensure that it will not adversely affect jobs or council tax payers?

We note that there are some strange reductions. The Secretary of State spoke about police funding. He was asked a question by my hon. Friend the Member for Woodspring (Dr. Fox), and his answer was surprising. Was my hon. Friend right to say that the £11 million that is being given this year is less than half what the chief constables asked for? If so, were the chief constables wrong to say that they needed £28 million in order to achieve a standstill? If that is not the case, how can the Secretary of State explain the chief constables' dissatisfaction with the provision that has been made?

I deal now with uncollected taxes. There is nearly £900 million worth of uncollected tax relating to local authorities in Scotland. That is up £150 million on last year. It is surprising that there has been such an enormous jump over the past 12 months. As we know, where there are uncollected taxes, the council tax payers who do pay end up subsidising those who do not.

A grant was made last year, and a grant is being made this year, to enable local authorities to collect the uncollected tax. Given the increase in the sum of uncollected tax this year, what happened to the grant that was given last year? Has there been an audit to see whether the grant is an effective way to proceed? In the light of the deteriorating situation, what proposals do the Government have to improve the rate of collection?

All this means higher council taxes for Scottish council tax payers. Once again, we see that, under a Labour Government, local taxes go up. This year there will be an average increase of 7 per cent. in Scotland, which is double the rate of inflation. Each council tax payer will pay £55 extra, all because of the reasons that I have outlined. The solution lies with the Government. Whatever else it may be, the settlement hardly matches the description given by the hon. Member for Western Isles, who said that it was fair.

The Government cannot duck responsibility. It all comes back to the grant and how it is distributed, and that is a matter for the Government alone. Council tax payers will have to bear the cost, and Labour councils will continue to have to struggle with debts and the difficulties involved in collecting taxes. Against that background, the Labour Government are increasing the costs imposed on local government. In the end, it is a cynical exercise by the Labour Government to make sure that, when the general election comes, they have money with which to buy the support of voters.

The settlement is a blow to Scottish council tax payers:

"once more, Council Tax payers will be paying more for fewer services and possibly facing higher charges."

Those are not my words, but those of the president of COSLA, Councillor Geddes, on 3 December last year. He was right then, and is right now. The settlement is one of which the Secretary of State and his colleagues should be roundly ashamed.

5.5 pm

Mr. Donald Gorrie (Edinburgh, West): In our view, the settlement is deceitful, mean, destructive and unnecessary.

Mr. Welsh: He does not like it.

Mr. Gorrie: No, I do not like it.

Scottish local government is in the position of a school pupil being unjustly belted by a series of head teachers. The Tory teacher used to belt local government and say, "I'm not really belting you. This does not hurt at all, and there is no cut." There has now been a change to a Labour teacher who belts local government while weeping bitterly and saying, "This hurts me more than it hurts you"—but it still hurts. The cuts continue.

Why is the settlement deceitful? The Government are keeping in the settlement the idea that £40 million will be saved by local authorities because of the reorganisation of a couple of years ago. However, they know that that is not happening. I received an answer from the hon. Member for Edinburgh, North and Leith (Mr. Chisholm) who has now honourably returned to the Back Benches. When I asked about the Government's estimates, he said:

"The Government do not endorse those assumptions"—

about the £40 million saving—

"but we are committed to live within the existing public expenditure control totals for this year and next."—[*Official Report*, 23 July 1997; Vol. 298, c. *610*.]

Therefore, the Government concede that the £40 million is a chimera, a mirage, or one of those things that does not exist, yet they keep it in the figures. What sort of honesty is that?

The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald): We do not keep it in the figures, in the sense that we do not base future grant allocations on those figures. We recognise that they were wrong, but it is not possible to unpick them, go back and re-do them all over again. If we did, some councils would gain, but others would lose.

Mr. Gorrie: I am still not clear whether the £40 million exists or not. I am advised by the director of finance in Edinburgh that his capping limit is based on the idea that Edinburgh's share of the £40 million exists, but it does not exist, so Edinburgh is penalised by having a lower capping limit than it should have.

Mr. Swinney: Would not the £40 million gap in the assumptions be tackled if the Government allocated £40 million to local authorities? They have the power and, as we have heard in the past few days, the money, to do it.

Mr. Gorrie: I agree.

The next issue is the landfill tax, which the Government accept will cost local authorities £18.5 million in the coming year. They allow no money for that; it will have to be found magically. There is nothing in the settlement for the Children (Scotland) Act 1995, which it is accepted will cost £11 million in the coming year. The budget is based on a series of false assumptions whose cost local authorities must bear.

Mr. Macdonald: On the Children (Scotland) Act, the money is perhaps not as much as the authorities were requesting. Their analysis of the cost of implementation differs from ours. We included it in the settlement. We have not included anything for the landfill tax because it is a tax that has to be borne by all sectors of government, as it is by all sectors of the economy.

Mr. Gorrie: I am obliged to the Minister for his explanation. I should rephrase my remark about the Children (Scotland) Act. There is a gap of £11 million between what the Government are allowing and what the Convention of Scottish Local Authorities and local authorities think is needed.

The settlement is mean because—as with my previous point—there is money in the budget for care in the community but another £12 million at least is needed to cope properly. The Government seem to be refusing to make any allowance for the £36 million needed to top up

[Mr. Gorrie]

pensions. There must be £36 million in the Treasury for that because councils have paid that money in. It must exist and could easily be used. It is a £36 million penalty on councils.

The Secretary of State declined to say whether the £59 million extra on education will continue. The £30 million for spend to save, buildings and other such things is a one-off, but if councils knew that they would continue to get the £59 million, they could use it sensibly by hiring more teachers. Councils will not take on more teachers if the £59 million will disappear next year, forcing them to sack them all again.

The settlement is mean because, for the fifth year running, the Government are allowing nothing for pay awards. Cumulatively over five years, that has cost councils £450 million. There is a myth that that money can be saved by productivity. There are obviously some areas in which councils could improve performance, and they are trying to do that, but in many cases they cannot. The £450 million cut can only mean more job losses. There have been 11,000 in recent years and there will be thousands more this year.

The settlement is destructive because, if allowance is made for the pension money and the specific educational grants are taken out, the increase is only 0.7 per cent., when inflation is much higher than that. The increase in Government money, despite the extra, is only 0.6 per cent. That means considerable cuts. The Government are forcing up the council tax by an average of 7 per cent. and linking it with severe cuts. I accept that the right hon. Member for Devizes (Mr. Ancram) made play of that while the previous Government did exactly the same, deliberately forcing up council tax to gain credit for reducing income tax. That fact that they did a bad thing is no reason for the Labour party to do a bad thing.

It is destroys people's respect for democracy if councils raise council tax well above inflation and have to inflict devastating cuts. The man or woman in the street does not accept that there is not enough money from Government; they just blame the council and think that the whole system is rubbish. The Government are destroying belief in local democracy.

The Government are destroying our housing by not investing enough. There is a £50 million reduction this year, and again next year, in housing capital. Many of our fellow citizens live in intolerable circumstances. The Government are failing to do things that they could do about that.

To take one council in the middle range of the increases, Edinburgh is trying not to make cuts in school education, police and fire services and, as a result, is having to cut 9 per cent. from all other budgets. That means a 9 per cent. cut in grants to voluntary organisations. The Labour Government are presiding over a massacre of voluntary organisations. The changes in urban aid, the ending of it for some organisations and the reduction in grants to others, mean that many important voluntary organisations—many of which help in deprived areas to do exactly the sort of things that the Government are keen on—are disappearing. The Government are destroying large swathes of the voluntary sector.

Mr. Macdonald: The voluntary sector is an important issue. I acknowledge that the money available for the urban programme has declined in the past few years. The hon. Gentleman will acknowledge that the funding available for voluntary sector projects was never designed to be long-term; it was to be phased out after three years. That must be so, or the same voluntary sector projects would always get the money. There has to be a transition between phasing out some projects and new ones coming in. We expect that more new ones will come in over the next year than are being phased out.

Mr. Gorrie: Metaphors about pump priming and seed money should be banned. I know that the Minister did not use them, but that was the thought process involved. The idea is that, if a little money is put into something for a few years, it will pay for itself ever after. That is rubbish, and a major cause of problems in our society. He should address that. *[Interruption.]* If the hon. Member for Glasgow, Pollok (Mr. Davidson) has a solution, he is welcome to intervene.

Mr. Ian Davidson (Glasgow, Pollok): Is the hon. Gentleman aware that, ever since the beginning of the urban aid programme, some projects have lost funding? It has never been the case that every urban aid project is mainlined by local authorities after losing its urban aid funding. It was a recurrent problem throughout the years of the Conservative Government. Urban aid was intended to provide the opportunity for experimentation which would then allow local authorities to determine whether to make projects mainline or to take the lessons and spread them across the service.

Mr. Gorrie: The difference is that in the past councils had enough money to continue many projects that deserved to be continued with. Now they do not, because of the savage cuts imposed by the Labour Government and the previous Tory Government.

The system is destructive of good management in local government. All hon. Members want local government to be as efficient as possible, as do people in local government. Finance and other important officials spend sixth months of the year preparing budgets, seeking cuts and then implementing them. For half the year, they are not making positive management decisions at all. That is harmful to local government and prevents it from improving.

Mrs. Eleanor Laing (Epping Forest): Does the hon. Gentleman agree that, if some local government officials stopped doing the work that he described and set their minds to gathering some of the debts owed in the great cities of Scotland, there would be less need for cuts?

Mr. Gorrie: I could not disagree more strongly. The hon. Lady's party imposed an uncollectable tax and then moaned that councils found it difficult to collect. Having been involved in local government, I assure her that councils tried hard, and are continuing to try, to collect it.

Mr. Desmond Swayne (New Forest, West): Which one is that?

Mr. Gorrie: The poll tax and the council tax—two taxes.

Why did people vote Labour at the last general election and why did Labour Members who are genuinely honourable and care about society seek election? I do not

think that they sought election—or that people voted for them—to end hot school meals, to cut library books, home helps and road maintenance, to cause major destruction in our community education, to have fewer local government workers delivering worse services, to widen the gap between the richer and poorer areas, to reduce the opportunities available in deprived areas and to deliver the worst local government services known for 23 years.

If we measure back to the start of the regional and district system that is roughly similar to the present system, we find that the level of services proposed in this budget will be the worst ever. The housing budget will be the worst funded. That is not what people voted for and it is not what the honourable people on the Labour Benches stood for. The Government are persisting in a foolish and unnecessary policy—the self-imposed policy of adopting Tory spending plans. They have chosen to wrap themselves in Tory Treasury rules.

Mr. Macdonald: I must set some of the facts straight. It is not the lowest housing budget. We have provided an additional £50 million for housing for the coming year, which we are spending on priority areas such as the rough sleepers and empty homes initiatives and on the new housing partnerships. We acknowledge that the settlement is tight, but the hon. Gentleman greatly exaggerates the position.

Mr. Gorrie: I cannot remember exactly what I said and the Minister is correct in saying that there is a small increase, but it is after two years of severe decreases. What I intended to say but did not, for which I apologise, is that the Government will preside over housing in Scotland being in a worse state than ever because they are providing inadequate money and housing is getting steadily worse.

Mr. Welsh: The hon. Gentleman should stick to his point, as he is correct. An additional £27 million may have been allocated by the Government, but it is against a backcloth of a £484 million deficit in the past two years. It is a vastly reduced housing budget, quite apart from the disaster caused by the 75 per cent. claw back rule, which has taken hundreds of millions of pounds out of Scotland's housing.

Mr. Gorrie: I am obliged to the hon. Gentleman for his excellent support.

The policies of the Conservative Government have been adopted unnecessarily by the Labour Government, who have stuck to the Treasury rules devised by the Conservatives. For example, local authority self-financed expenditure—LASFE—is counted within the control total. If Edinburgh, Aberdeenshire or any other council should decide to raise its tax by £1 million and spend that money locally, some other organisation somewhere else in the public sector in Scotland would have to spend £1 million less. There is no logic behind that: it is idiotic.

If local people vote to pay a little more in tax to have more teachers, better roads or whatever, they should get those. The Labour party is espousing an anti-democratic system that was foisted on us by the Conservatives.

There is widespread support for changing that rule and for not counting LASFE within the control total. There is also widespread support for taking expenditure on housing, water and drainage and other capital items of that sort out of the public sector borrowing requirement and using another calculation, such as the general Government financial deficit, which would allow them not to be counted. Therefore, much more investment would be possible without rocking the boat financially. Those systems are used by our continental neighbours and if we used them we would approximate more to their systems should we wish to enter the single currency.

Finally, there has been much talk about what we will achieve in a Scottish Parliament. We want to co-operate, be consensual and do good things together. If Labour policy in a Scottish Parliament is to make such cuts in local government, there is no way in which the Liberal Democrats will co-operate with them in those cuts. We will not support cuts of this sort in local government expenditure.

5.24 pm

Mr. Andrew Welsh (Angus): Even the Secretary of State's undoubted mastery of the understatement and his always impressive powers of euphemism cannot hide the attack that this settlement represents on Scotland's local authorities and the daily services that they provide. Clearly, the new Labour Government are continuing the old Tory policy of cutback and closure and for the same reasons. They are giving the people of Scotland a continuing diet of cuts, closures and job losses in local government. The settlements are a double disaster. They will affect services and, in particular, the housing sector.

Next year, there will be a cash standstill on inherited plans. The capping increase is 0.7 per cent., but inflation is 3.3 per cent. and the capping flexibility is very limited indeed. Council tax will rise dramatically. There have been about 11,000 job losses in the past two years, but those will be multiplied by the new Labour settlement.

In addition to increased charges for local government services and hefty council tax increases, housing will be hit even harder. The present year is the lowest point in decades, and the hon. Member for Edinburgh, West (Mr. Gorrie) was right: the first two Labour years have brought about a 35 per cent. cut in resources compared with the previous two Tory years.

Mr. Swayne: Does the hon. Gentleman acknowledge that the public sector borrowing requirement has improved significantly—an improvement that the previous Administration did not enjoy but laid the foundations for? It is all very well for him to complain about the continuation of Conservative policy, but the circumstances have changed, as would Tory policies have done, I am sure.

Mr. Welsh: If the hon. Gentleman's wants to justify the misery caused by Tory policies with that explanation, he is welcome to it.

In real terms under the settlement, housing support grant will now be worth 36 times less than it was in 1979. Individuals and families will pay the price for all this in ill health and poor housing—the very things that Labour Members used to argue against when they were in

[Mr. Welsh]

opposition. In the Scottish Grand Committee, when the Secretary of State announced the importance of

"the Government's policy of maintaining a tight control over public expenditure",—[*Official Report, Scottish Grand Committee*, 3 December 1997; c. 4.]

no one could have predicted the true cost of that pragmatic policy for Scotland's local authorities. They face their most serious financial crisis in memory. Even the most prudent financial authorities are down to the bone and having to consider seriously massive cuts in services. Those will be a direct consequence of central Government policy and will inevitably lead to more cuts in services and jobs and a rise in council taxes.

New Labour is simply continuing to implement Tory spending plans to slash £150 million from Scottish local government services this year—an average cut of 3 per cent. The knock-on effect will be damaging cuts to vital core services. Once again, there will be bad news for council tax payers with an average rise of 7 per cent. to achieve fewer services, because this Government continue to tie the hands of Scotland's local authorities.

The new Labour Government have made no allowance for pay awards, forcing councils to self-finance any pay rise for their employees. For example, a rise of only 2 per cent. will burden local authorities with an additional £75 million without any financial support from central Government. Self-financing public sector pay awards have been a time bomb under local authority services, and that is directly a Tory policy that is being continued by new Labour.

The Government have allowed for a capping increase of only 0.7 per cent. compared with inflation of about 3.3 per cent., which will place a tight limit on local authority budgets. My local council, Angus—a very financially prudent authority by any measurement—has had to face its worst capping restriction. It can spend only 1.12 per cent. above grant-aided expenditure for 1998–99, in comparison with Dundee with 11.48 per cent., Glasgow, 10.88 per cent. and West Dumbartonshire, 10.73 per cent. Does the Minister agree that such wide variations are inequitable and that strenuous efforts should be made to achieve greater flexibility in capping?

The effects of the £300 million cuts can be seen in the devastation of services and the loss of the equivalent of more than 11,000 full-time jobs over the past two years. Already, 760 jobs in Edinburgh and 50 in Stirling have been lost. Aberdeen council is closing residential homes and even considering transferring its housing stock.

Local authorities are dependent on Scottish Office finance, as they have the power to raise only 15 per cent. of their revenue and there is arbitrary capping. Central Government now run local government. Local government does not even control its expanding work load, which is a result of central Government statute. More than 75 per cent. of local authority expenditure is on statutory services that are determined by central Government, who have imposed additional burdens without providing the funds to meet them.

The Convention of Scottish Local Authorities has identified some £180 million of new burdens that central Government have imposed through, for example, care in the community, the Children (Scotland) Act 1995 and the Disability Discrimination Act 1995. The Children (Scotland) Act is a particularly interesting case study: extra spending of £11 million has been earmarked for next year, but no additional funds have been made available to finance it.

Mrs. Maria Fyfe (Glasgow, Maryhill): The hon. Gentleman will notice that the Children (Scotland) Act was enacted in 1995; it has been in operation for some time. I recollect that the Conservative Government would not make available any extra money for local authorities.

The hon. Gentleman is wrong to say that no money has been allocated this year for the implementation of measures under the Children (Scotland) Act, although I accept that the full £11 million has not been made available—I am not sure what the exact figure is. As the Minister said, this year, unlike in previous years, some money has been made available.

Mr. Welsh: The point is that there are extra burdens on local authorities, which depend on central Government for finance. If that money is not forthcoming, local authorities will have to cut services or sack people. The same problem arises with self-financing pay awards. Local councillors now face horrendous decisions—I am sure that the hon. Lady, with her vast knowledge of local government, knows exactly what I mean—because central Government have imposed burdens but not the money to pay for them.

Mrs. Fyfe: I thank the hon. Gentleman for his generosity in giving way again. He is doing what the Scottish National party always does—it pretends that there is no difference between the Conservative and Labour parties. He heard my right hon. Friend the Secretary of State make it clear that things will be very different in the near future for local authority services and for housing in particular. He cannot pretend that the Labour Government have the same attitude as the previous Government—that is quite dishonest.

Mr. Welsh: I am not pretending anything; the reality is there for everyone to see. I have given many examples of ways in which the new Labour Government are no different from the old Tory Government. There may be a slight difference in emphasis, but the problems that local authorities face because of under-resourcing are the same.

When people voted massively for new Labour at the general election, they expected something better than what the Government are delivering. The hon. Lady and other Labour Members will be answerable to the electorate for the Government's failure to make a difference. The Government have created a deficit in housing, as their cuts are greater than those in the last two years of the Conservative Government. I regret having to say that, but it is the reality.

Mr. Macdonald: Let me settle this question. The money that we inherited for local authority capital investment in housing this year was £222 million—that includes the grant and the money that local authorities have been able to raise—to which we added an additional £15 million. Next year, we are planning to spend £230 million—again, adding together the grant and local authority money—to which we shall add £50.7 million.

It is simply not correct to say that the Government are spending less money on local authority housing this year than was spent last year.

Mr. Welsh: I had the same problem with the former Conservative Secretary of State, who juggled money between budget headings. The truth is that total expenditure on housing during Labour's first two years in government will be one third less than the Tories spent in their last two years in government. The £27 million that the Government are allocating is negligible against the background of the £484 million that was cut over the past two years. That £484 million could have provided 11,000 new houses or insulated homes for 200,000 families, pensioners and other groups at risk. My view is straightforward: I want more money to be allocated to meet Scotland's needs, as Labour Members argued when they were in opposition.

Dr. Fox: In fairness, there are differences between the Labour Government and the former Conservative Government, as I am sure the hon. Gentleman will accept. For example, the tax on pensions—and the £36 million extra that will have to be raised as a result—is the Labour Government's innovation; it did not exist under the Conservatives.

Mr. Welsh: I am grateful to the hon. Gentleman, as I was about to make that point myself. The major difference between old Tory and new Labour is that the old Tory party is out of office and new Labour is in office.

Mr. Ernie Ross (Dundee, West): Old Tory, old SNP.

Mr. Welsh: As the hon. Gentleman comes from Dundee, which has an atrocious local government record, he should have very little to say on this subject.

In the July Budget statement, the Chancellor announced that pension funds would no longer be able to reclaim advance corporation tax credits attaching to dividend income.

Mr. McAllion: Will the hon. Gentleman clarify what he meant by his disgraceful smear against the local authority in Dundee? Dundee has a tremendous record of fighting Tory cuts, which is more than can be said for Angus. Dundee has direct labour organisations, with workers working directly for the council, whereas Angus local authority privatised the whole lot.

Mr. Welsh: If the hon. Gentleman has not got the message, the electorate certainly have. I invite him to discuss these matters with the people of Monifieth, who were never so glad in their lives to escape Dundee local authority with its high council charges and low-quality services, and be put under the control of Angus, where there are low council charges and high-quality services. I well remember the black propaganda that Labour councillors produced about the boundary changes, all of which has been proven totally false. I hope that the hon. Gentleman will encourage the Dundee Labour council to do its job better and provide better services to its people—that would be a better use of his time.

The Government do not want to discuss advance corporation tax, as their proposals will result in an extra bill for local authorities in 1998-99 of some £36 million. Will the Minister meet the additional costs by increasing the grant, or does he agree that a capping disregard is essential? I hope that he will give some comfort to local councils by announcing, when he winds up the debate, that the Government will offer some assistance.

I welcome the additional £89 million for education this year. I asked the Secretary of State whether additional money would continue to be granted, but because I did not receive much of an answer, I ask again. As the hon. Member for Edinburgh, West said, local authorities will be very wary of taking on long-term commitments unless they secure from central Government long-term agreements on funding.

Local government has become merely an enabling administration rather than a service provider. I know that that subject is dear to the Minister's heart. He made a disgraceful speech in which he said, more or less, that he wanted to destroy local government—perhaps he could amplify those remarks. The Conservative Government wanted local government to become an enabling administration, but I want local authorities to be service providers, which can assess and address the needs of their local populations.

We now have local administration rather than local government—the old cliché is now, sadly, true. They have no scope to raise their own finance, either revenue or capital; and 75 per cent. of their services are statutory and imposed by central Government. That is not local government in a flourishing democracy—it is heavy centralisation. Local authorities should be key players in the provision of top-quality, low-cost and democratically accountable local services. We should be playing to the strengths of local expertise, professional skills and the traditions of local government, not destroying them in this fashion.

Nowhere is the problem more acute than in the provision of desperately needed housing. A new Labour Government means no change from the old Tory Government in terms of housing finance or policy—there may be a little tweaking at the edges, but there is no change in fundamental policy. The recent Scottish housing conditions survey confirmed that Scotland has some of the poorest housing conditions, with high levels of dampness and condensation and poor energy efficiency. In addition, homelessness is spiralling: there were almost half a million homeless applicants between 1979 and 1995, but such applications rose 72 per cent. between 1985 and 1995. I see nothing in the Government's plans that will address or provide redress for that problem.

All that is storing up major problems and misery both for homeless individuals and families in the present and for the whole system in the future. The Minister might argue that there is an additional £29 million allocated for housing this year, but that is a drop in the ocean compared with the £484 million that has been cut from the housing budget in the past two years alone. That could have provided all the new houses or additional insulation that I described. It could have been spent on services to meet real need. New Labour has continued the Tory policy of cutting the housing support grant and it is now a mere £12.7 million. If the grant had kept pace with inflation, it would now be worth £457 million—36 times more than Labour's allocation.

New Labour should be ashamed of itself, and I know plenty of Labour councillors and grass-roots Labour supporters who already are. In the last two years of the

[Mr. Welsh]

Tory Government, the then Secretary of State for Scotland, Michael Forsyth, implemented an increasing clawback of 75 per cent. of the money raised by councils through council house sales. That measure removed an estimated £170 million from housing capital budgets in 1997–98, which represents around 35 per cent. of last year's housing budget.

The irony is that Labour's manifesto committed a Labour Government to a

"review of the newly imposed requirement in relation to the retention of 75 per cent. of housing receipts."

However, the 75 per cent. rule still exists and will continue to deny councils one of the scarce resources available to them to provide capital for investment in housing stock. That is especially worrying given that one in three council houses is still in need of urgent major repair.

That is not scaremongering by the Opposition, but a realistic picture of the current plight facing our local authorities. They will make do with the resources allocated to them, but Scotland's local authorities should not be asked to shoulder the blame for central Government's pursuit of on-going Tory policy. People voted en masse for new Labour last May and they expected a change in policy—a new hope for the future. What they have is new Labour, same old Tories.

Asking more for less is one thing, but asking for the impossible for less is a different matter. The impossible is precisely what local authorities are being asked to do because of the settlement. When will the Labour Government accept that the previous Administration failed to recognise the damage to local government and that that damages the whole Scottish economy? The sooner they realise the potential of local authorities, the better it will be for those who are reliant on services provided by local authorities, which are best placed to assess need and to provide low-cost, high-quality public services in the public good. That is in the finest tradition of local government, but local authorities have to be properly resourced to be able to do it.

We simply cannot wait for the advent of a Scottish Parliament to right all the wrongs of 18 years' mismanagement by the previous Government. The Scottish Parliament offers hope for an improved relationship between central and local government, but we need action now, before the damage becomes permanent and irreversible. Whether the new Parliament will be able to provide extra resources is questionable: the devolved Parliament will suffer as a result of a cut of £1.6 billion from the existing Scottish Office block grant and may well be strapped for cash. The trouble is that the Scottish Parliament will be the paymaster for Scottish local authorities and many of the current problems will persist because of the system of financing whereby both the Scottish Parliament and local authorities will be financed by this Parliament.

New Labour is sowing the seeds of its downfall by sticking to its predecessors' spending plans. Ministers may have faced tough choices, but by saving money for tax cuts and pre-election sweeteners, they are showing their true blue colours and forgetting their roots. What their present boss thinks will suit middle England will not go down well in Scotland and, like their predecessors, this Government's time will come at the ballot box.

New Labour in office means no improvement in the housing-related problems of homelessness, dampness, overcrowding and ill health. Those problems—which, when in opposition, Labour Members talked about and blamed the Tory Government for—still remain and, in some cases, they will worsen under the Labour Government.

Blair's new Government offers nothing new. Their lack of commitment to housing is as great as the Tory failure and their policies are almost indistinguishable from those of the Tories. This year's paltry increase hardly merits the description of window dressing, especially when allied to the continuation of the cuts in the housing support grant. Housing needs exist and are worsening. New Labour should be ashamed of itself, and I know that many of its councillors and grass-roots supports are.

5.46 pm

Mr. Ian Davidson (Glasgow, Pollok): I rise as one who, in the past, has not been a great enthusiast for links with the Liberals having believed that they have led us down many false roads. However, I was greatly heartened by the speech of the hon. Member for Edinburgh, West (Mr. Gorrie) and his defence of public expenditure and public services. It may well be that, in the Scottish Parliament, the Liberals will find themselves much closer than they expect to the Co-operative party block there.

It would be inappropriate to allow the debate to pass without making it clear that many of us believe that the state of rented housing in Scotland is a disgrace. Far too many of our people live in accommodation that is unsatisfactory, unsanitary and not waterproof or windproof. Concern about this matter is not restricted to Opposition Members; at our surgeries, many Labour Members are inundated by the results of years of underspending. What makes that particularly unpalatable is the way in which, at present, because of the possibility of military action against Iraq, we see all the hi-tech wizardry displayed, while our hi-tech and scientifically advanced society is apparently unable to provide windproof and watertight homes for substantial numbers of our people. Surely there is a mis-spend somewhere?

Why are the problems of so many of our people, who have to live in rented housing, ignored? I believe that it is because few opinion-formers live in rented housing and few of those who live as tenants ever appear in focus groups. The needs of that minority are under-represented in the political dialogue of this country. That is inappropriate and it is up to those of us who represent such people to make sure that their voices are heard on occasions like this.

Today's debate is the first of this sort under the Labour Government and the lack of adverse comment from COSLA and local authorities has been remarked upon. We should not mistake silence for acquiesence—it arises from the gut loyalty felt by Labour local authorities to a Labour Government, after years of Tory Government. I hope that my right hon. and hon. Friends on the Treasury Bench will not abuse that loyalty and will recognise that something has to be delivered relatively soon to local authorities. Loyalty has to be rewarded by jam tomorrow and the sooner we can make commitments about jam tomorrow, the happier I, the vast majority of Labour Members and our supporters, will be.

5.49 pm

Sir Robert Smith (West Aberdeenshire and Kincardine): Following on from the point that the hon. Member for Glasgow, Pollok (Mr. Davidson) made about jam tomorrow and the reaction of the Convention of Scottish Local Authorities, I believe that it is important for the Government to recognise that they should be considering more than the reaction of COSLA. The Government should be considering the reaction of all the parents on school boards; all the parents of children whose schools will be affected by the cuts; all the people in housing suffering from poor repairs; all the people affected by the problems of getting care in the community to work; and all the people facing additional charges for their care in the community. Although COSLA might be co-operating in terms of language, the settlement that the Government are persuading us to accept today will be damaging to individuals.

I repeat what I said in the Scottish Grand Committee. It is welcome to have a Government who at least allow the debate to take place to a certain extent, by recognising that local authorities are in trouble, are facing a financial squeeze and have very tough decisions to take. The real waste of the past two years, after reorganisation, was the farcical situation where central Government tried to pretend that there was no financial problem for local communities to address. If local communities do not know that there is a problem, how can they confront setting priorities and taking decisions within what is a poor or tight settlement? On those points, Liberal Democrat Members have welcomed the Government's more open language.

I tried to intervene on the Secretary of State regarding the capping flexibility announcement. When he replies, will the Minister say how many councils are likely to be able to take advantage of that announcement? There was a sense of deja vu. One felt that, yet again, a Government, on a Friday afternoon, were making an announcement that got one or two headlines about some interesting figures—an announcement which even the Secretary of State did not appear to be interested in debating at any length, and which, when one unteased it, was not of great substance. In any case, it was nearing the time to set budgets again.

I hope that—unless the Minister is planning any great largesse or great change of heart in the Scottish Grand Committee—councils will not be placed in the farcical situation that they were placed in two years ago, when, on the day that they were setting their budget, faxes arrived to say that the Government were changing the capping limit again. Some stability is essential if we are to plan how to spend whatever money is available.

I want to reinforce what my hon. Friend the Member for Edinburgh, West (Mr. Gorrie) and other hon. Members have said about the fact that, although the Government have recognised that reorganisation will not make savings of £40 million, they have not adjusted the figure to take account of that. Although they have recognised that they have introduced a pension tax that imposes a burden of £36 million, they have done nothing to take account of that. Those are the Government's decisions—their recognitions—taken post the previous Government's Budget plans, and the Government must start taking responsibility for them.

I hoped that the Government would have recognised that, although the £40 million is a figure to do with reorganisation, far, far more serious damage than that was done in the dislocation of services and the confusion and chaos of that reorganisation, affecting sensible budget reduction planning. If local authorities had to cut services and facilities, it would have been far better to have a level playing field in the early years and then warn of the cuts to come. To try to impose cuts on an organisation that is not up and running is not the best way to achieve efficiency savings.

Yesterday, when the Accounts Commission for Scotland held a reception in the House, it conveyed an important message that puts in perspective some of the debates about local authority funding. It emphasised the probity of Scottish local government and the lack of fraud. It is important to remember that, although local government may be a whipping boy in many ways, it is still a major part of the structure of our society, and an important provider of services for our society.

Therefore, it is disappointing that the Government have stuck to the fine print of their manifesto, instead of the principles that were probably more at stake in the electorate's mind at the general election. When the Prime Minister's economic adviser says that there is scope for additional public spending, there is a worry that we are facing damage now that will have to be repaired, instead of surviving this period of the economy in order to expand services later.

The Prime Minister says that we do not want boom-bust economics. Everyone acknowledges the need to inject some stability into our economic finances, but the concept of bust-boom is equally disastrous. As my hon. Friend the Member for Edinburgh, West said, it is pointless for councils to reduce the number of teachers only to have to increase it again. It would be far more efficient and effective if councils could see their way through this period before they build their war chest and take it into the run-up to the next general election.

The right hon. Member for Devizes (Mr. Ancram) said that eventually this debate would take place in the Scottish Parliament. However, I hope that we do not have a decision like this or a debate under the same ground rules as this one.

The Government are conducting a review, which is to report to the Scottish Parliament, on the relationship between local government and the Scottish Parliament. It seems depressing that the Minister wants to exclude financial arrangements from that review, because, as we have seen today, at the heart of the problems of local government and the setting of priorities is the fact that decisions are being taken, not by the people in the communities, but in this fairly empty Chamber, without a great amount of debate. Local priorities should not be decided in this place; the local communities should decide.

I hope that the Government will recognise that the Scottish Parliament will not want to sit around and decide the spending plans of every community in the country. The point of local democracy is that local people have a say. We argue that they should have a say through proportional representation, so that they elect a council that reflects their community. If they do so, the community should decide its spending priorities and resourcing priorities. The Government must recognise the need to change the system.

[Sir Robert Smith]

We want to vote against the settlement today because we feel that it is inadequate, and to send a warning shot across the Government's bows to say that this is not the way to run local government. We hope that they do not continue this method of setting priorities into the future Parliament.

5.55 pm

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): I shall be brief, because I understand that hon. Members are experiencing a magnetic attraction to the polar hubs at Heathrow and Euston. I do not want to address the detail of the figures in the settlement. I should like to spend a little time discussing the philosophy underlying the issue of what a local council's task should be.

The Government say that they are committed to the Tory Budget and the Tory spending plans. I do not agree with them on that, but I accept that that is their position. However, do they accept the Conservative philosophy that underlay the budget that these figures comprise? I refer to the speech made by the Minister at the John Wheatley centre. Referring to the duties of a local council, he said:

"it is not the direct provision of services which is fundamental".

He said that councils should become

"strategic planners and enablers, rather than being necessarily direct providers of services."

He said that the

"days are past when it was necessary for councils to deliver services directly".

How far down that road does the Minister wish to travel? Does he wish to apply that approach to the direct labour organisation in Dundee, of which the hon. Member for Dundee, East (Mr. McAllion) is so proud? Does he envisage it happening to education in Scotland?

The Government appear to have accepted that the privatisation of local social services is here to stay in terms of "externalisation", as it is called, of old folk's homes. The Minister seems to have accepted that philosophy with regard to the provision of local authority housing; hardly a local council in the land can build a new house. Is the Minister prepared to draw a line there? Is he prepared to give a commitment tonight that public education in Scotland will not go the way of public housing or public social services? The logic of the budget path that the Government are taking is that public education will go the same way and will be privatised, and that local authorities will be merely enablers.

Lastly, I want to speak briefly about rural schools. The local authority—Dumfries and Galloway—whose area covers my constituency has outstanding proposals to close six rural schools. Earlier this week, the hon. Member for Argyll and Bute (Mrs. Michie) said that Argyll and Bute council proposed to close 11 rural schools. Those proposals are a direct consequence of the local authority funding settlements for the past few years.

It is not good enough for the Government to wash their hands of that and say that local authorities must assess their priorities and take their own decisions accordingly. I emphasise to the Minister that rural schools are in a unique position; they are educationally essential, but they are also socially essential for their communities. There is not another school a bus ride down the road. Those local communities will wither on the vine if their schools are taken away. Is the Minister prepared to make some special commitment or give some special instruction or guidance to local authorities so that they do not have to close even more rural schools than have already been closed over the past 10 to 15 years?

5.59 pm

Dr. Liam Fox (Woodspring): Following the fine example set by the hon. Members for West Aberdeenshire and Kincardine (Sir R. Smith) and for Galloway and Upper Nithsdale (Mr. Morgan), I shall be relatively brief.

Much of the debate has been underpinned by the idea of the Government's tight financial control and the maintenance of the previous Government's spending limits. Several points should be made at the outset. There is value in repaying public debt and maintaining tight monetary and fiscal control. Over recent decades, remarkably great strides have been made which have resulted in falling unemployment, increased investment and rising living standards in Scotland. There are great benefits to be had from the sort of policies that the Government have been willing to accept as conventional economic wisdom.

The debate has a certain "Alice in Wonderland" context. The Secretary of State could not accept the point made by my right hon. Friend the Member for Devizes (Mr. Ancram) that this is the second year of a three-year cycle. It becomes year one, and all things are reassessed in the light of economic circumstances. I wonder whether the Chancellor is overdoing the hair shirt a little. He may want to sleep on bare floorboards to set the Lord Chancellor an example, but there is a £4 billion windfall excess.

Although the Conservatives have always believed—as we have shown—in tight economic control, there is a point to economic growth in public expenditure terms. Public expenditure is bad when it runs out of control and damages the rest of the economy, but it is not bad in itself. *[Interruption.]* Growth in health expenditure under the Conservatives was far greater than that ever managed under a Labour Government. Economic growth in the 1980s was largely channelled into such things as the NHS, which saw a huge increase in the amount of money available to it.

I do not have a problem with the Government's economic policies, but I do have a problem with what Labour said before 1 May. There is a credibility gap. I find it strange that the Government say that they want to repay public sector debt, which is laudable, but, at the same time, they say that they want to reduce hospital waiting lists, when they are rising, or want to reduce class sizes, when they are making no difference. The Minister for Education and Industry, Scottish Office, has said that there is not enough money from the abolition of the assisted places scheme—which is Labour party policy—to reduce class sizes. Presumably, the money must come from somewhere else, yet, the Government are saying that the money cannot come from somewhere else because there must be real-terms reductions in the Scottish block.

I wonder what the actual settlement is. The Secretary of State told the Convention of Scottish Local Authorities that there will be a real-terms reduction, and that he

understands the value of a tight settlement. He told us that the settlement would be neutral in terms of cash growth. Then he told the House:

"The increase in cash terms is 3.4 per cent."—[*Official Report*, 17 February 1998; Vol. 306, c. 880.]

I know that the Government try to be all things to all men, but there cannot be three different figures for the settlement. Will the Minister tell us exactly what is going on? Is there to be an increase this year, or is the Secretary of State being economical in his terminology? Are we simply seeing an increase in what can be spent, but not an increase in what is available to councils from the Government?

I should like the Minister specifically to turn his attention to two matters. The first is the impact of the pension tax, which has been raised several times in the debate. The Chancellor unveiled in his Budget a £5 billion smash-and-grab raid on pension funds, which has nothing to do with the previous Government. COSLA says that the decision will cost Scottish councils £36 million to maintain the value of pension funds—not to mention the impact on individual taxpayers. In practice, that will cost Edinburgh £3 million extra, putting another £20 on a band D council tax bill.

The hon. Member for Edinburgh, West (Mr. Gorrie) referred to Edinburgh's financial management. The Government have made no provision for the impact. It is simply a back-door tax. It cannot be blamed on the previous Government; it is a Labour tax imposed by a Labour Government. I am sad that some Labour Back Benchers, out of a sense of loyalty, sit back and take that.

The second Government-imposed problem will be over wage settlements. Last year, the trade unions and Scottish local authorities agreed to a minimum wage of £4 an hour. The Government said that they would not fund that. Why should they? They were not party to the deal. However, they are about to introduce a minimum wage. We do not yet know its level, but it will impose extra burdens on local government. Will the Government make funds available to local government to compensate for the direct result of their policy? Or will the minimum wage become another tax imposed on both the private sector and local government? The Minister must give us an answer. Simply to say that they have not yet decided the level of the minimum wage will not be good enough in this debate.

I should like to ask the Minister a couple of structural questions. The first refers to Glasgow. Why does Glasgow continue to get such a proportion of the total settlement? We accepted—and accept—that Glasgow faced problems as a result of the disaggregation of the old regions, and transitional relief was provided under the mismatch scheme. That was to give Glasgow time to develop efficient structures, but it has not reformed itself sufficiently. It still has 21 departments when other councils are operating with four or five.

Perhaps the internal warfare in which the Glasgow Labour group is involved has left it too little time to consider the matter. Perhaps the kangaroo courts distract it from what is going on elsewhere. Perhaps the KGB-type actions of the party do not give it time to consider structures. How long will the rest of Scotland have to go on funding Glasgow to the present extent? It is time that its house was put in order.

In reply to my question earlier, the Secretary of State said that the police settlement was not as bad as it looked. No matter how one looks at it, the Government are failing to provide the police with adequate income. I am sorry that the Secretary of State is not here—[HON. MEMBERS: "Yes he is."] Right on cue, as ever. Despite what he said, on the same funding basis, Scottish chief constables are saying that they are not getting enough money—£11 million when they should be getting £28 million for a cash-standstill budget.

Mr. Wallace: Like the right hon. Member for Devizes (Mr. Ancram), the hon. Gentleman has voiced a number of criticisms of the motions. Is he prepared to follow his voice with his vote?

Dr. Fox: I shall come later to how we intend to vote. I urge the hon. and learned Gentleman to be patient just for once.

I want the Minister to answer specifically the following question: which Scottish councils have met their side of the 50:50 police funding deal? That is a question of accountability. The public should know, as they should about the scandal of uncollected taxes. There is £897 million outstanding. The problem is that those who will not pay are being subsidised by law-abiding citizens who are paying. It is all very well for hon. Members to say that such taxes are difficult to collect, but that does not explain the massive discrepancy between the worst and the best collectors. A quarter of the uncollected total is due to Glasgow, and a fifth is due to West Dumbartonshire.

I am interested in the relationship between the local taxation collection scheme grant, which the Secretary of State mentioned, and the percentage of outstanding debt. I think that I am correct in saying that the Secretary of State said that there was a direct relationship between the two, yet I see that Fife has the 18th highest outstanding tax revenue, but receives the fifth biggest grant; West Dumbartonshire has the second highest outstanding tax revenue, but receives the eighth biggest grant; and Argyll and Bute has the fifth highest outstanding tax revenue, but receives only the 14th biggest grant. Will the Minister give us a clear idea of how the relationship is worked out?

This is a disappointing settlement from a disappointing Government. Even in their own terms, they have seemingly gone from one set of principles before 1 May to another after 1 May. I do not find their new principles particularly disappointing, but there is a credibility gap, if not a charge of absolute hypocrisy, which can be laid at Labour's door. When many of Labour's supporters consider what they are being delivered in this settlement compared with what they were promised on 1 May, there will be a good deal of disillusionment. It is only time before that leads to contempt, which is very bad for the political process and all of us who seek political stability in Scotland.

6.8 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald): The debate has been useful and it has covered a fair amount of ground. I appreciate that time is pressing, but I shall try to cover as many of the points raised in the debate as I can.

I shall begin with one of the final points of the hon. Member for Woodspring (Dr. Fox) about local tax collection. I am pleased to say that it has improved considerably since the abolition of the poll tax.

[Mr. Calum Macdonald]

The hon. Gentleman is incorrect to say that a grant was made available last year to encourage collection of local taxes. We are in the first year of such a grant, and it has been made in a way that is broadly in line with those local authorities and those areas in which the problems have arisen. We shall be monitoring the performance of local authorities in increasing tax collection. It is one of the issues that I raise regularly with the representatives of local authorities who come to see me. I stress the importance of having a good tax collection rate.

Mr. Ancram: The Minister has told us that tax collection is improving. Will he confirm that the amount of uncollected tax has increased by £150 million in the past year?

Mr. Macdonald: I said that collection has improved vastly since the abolition of the poll tax. There are still problems with collection of council tax, and that is why we are introducing the scheme to which I have referred. No such grant was available in previous years. A new scheme has been introduced, and we hope that it will have the effect that we are seeking.

The hon. Member for Woodspring asked what criteria had changed in the distribution formula for revenue support grant from last year. He asked also whether there were changes on the basis of representations. The formula that we used for distribution continues to be, as it has always been, subject to extensive consultation with local authorities through COSLA. It would not be right for the Government to introduce changes by fiat. The distribution formula cannot be based on picking and choosing between councils. There must be a collective approach that is the result of co-operation, and that must involve COSLA. Indeed, that is the way in which we have approached the matter.

The most significant changes for the coming year include the phased implementation of the review of social work GAEs, which began in 1996. That implementation has resulted in some considerable changes. The process has been based on co-operation and consensus.

Another important change is the phasing out of the previous Government's allocation of grant-aided expenditure assessment based on the supposed savings as a result of local government reorganisation. As I have said, to go into back years to try to unpick entirely would result in losers as well as winners. I am sure that, on reflection, the hon. Member for Woodspring will agree that that would not be wise.

We are bringing to an end the mismatch support that was introduced at the time of reorganisation. We have introduced new stability arrangements to ensure that any changes that take place are progressive to enable local authorities to cope with them. Such changes will not be introduced suddenly. As I have said, all the changes to which I have referred are being introduced in co-operation with local authorities on the basis of consultation.

The hon. Member for Woodspring asked specifically about Glasgow's share of GAE. That is determined by the formula that is agreed with COSLA. Again, this is always done on the basis of consultation and co-operation. The formula has been in place for many years. The previous Government, of which the hon. Member was a member, submitted to that formula. I find it odd that he should now raise queries and questions about it.

The hon. Member for West Aberdeenshire and Kincardine (Sir R. Smith) wanted to know how many councils would be able to take up capping flexibility—the additional flexibility that will be introduced from 13 February. That will depend entirely on the decisions of individual councils. A majority of councils could potentially take up the option, but we believe that not all will do so. To take up the option would have an impact on council tax, and not all councils want to go down that road.

The hon. Member for Woodspring asked about the cost of servicing local authority debt and wanted to know whether the cost has increased. The servicing of debt for the coming year will be a bit lower than in the current year—£728 million as opposed to £793 million. That is the result of a change in the system of debt financing. Again, that has been introduced with the co-operation of local authorities and in response to them. Support for loan charges to pay off this debt servicing is 100 per cent. from central Government.

Comments have been made about increased costs for local authorities. I accept what has been said about landfill tax, which is something that everyone is having to bear. The revenue will go into public projects and towards the public good.

As for the Children (Scotland) Act 1995, social work GAE was increased by £24 million for community care. In addition, an extra £15 million was provided in the social work increase. That can be taken account of in terms of additional costs in implementing the Children Act.

Mrs. Ray Michie (Argyll and Bute): Why has the Minister failed to recognise the cost of delivery of services to the islands in Argyll and Bute? Was it not possible for him to make an interim award pending the review of the special line of needs allowance in what is one of the most fragile economic areas throughout Scotland? Indeed, it has one of the lowest gross domestic products.

Mr. Macdonald: I understand the hon. Lady's concerns. As I have said, I cannot by fiat begin to pick and choose between local authorities in deciding which will get more money and which will have money taken from them. The special line of needs allowance must involve consultation with all affected local authorities as well as with other local authorities that are not directly affected. The money is top-sliced from the total sum that is available to local authorities. The issue is being considered with all local authorities through COSLA.

It is true that there has been a decline in housing support grant since 1979. Only three local authorities now receive the grant. However, the grant has largely been replaced by housing benefit, which has mushroomed enormously in the years since. The two factors are to be seen directly linked.

There have been several questions about the reduction in housing expenditure. I shall quickly put the figures on record. The total amount of capital investment available for housing for the current year was £222 million. For next year, £230 million will be available—there will be an increase. On top of that, we have provided an extra £50 million in the current year for new housing partnerships and the empty homes initiative. Another extra £15 million will be available for the same purposes next year.

I understand that rural schools represent an important concern for many Members. The Government make special adjustments in the GAE for rural primary schools. For example, Argyll and Bute gained about £1 million as a result of the rural adjustment.

It has been an extremely useful debate, and one which has covered many important topics. If I have failed to respond to any particular questions, I shall be happy to return to them as soon as I can. I hope that at the very least—

Mr. Ancram *rose—*

Mr. Macdonald: It would seem that the right hon. Gentleman wishes to intervene at a late stage in my reply.

Mr. Ancram: I am grateful to the Minister for giving way. I intervene because my hon. Friend the Member for Woodspring and I asked about policing and whether the chief constables had asked for £28 million. Are they right in saying that, without that, they will not be able to achieve a standstill? I would be grateful for the Minister's reply.

Mr. Macdonald: Bids are always submitted. An extra £15.8 million was made available for policing this year. That represents a 2.3 per cent. increase. We believe that it is possible to meet the aims of police boards and chief constables with that increase in funding.

I hope that hon. Members will agree that although the settlement is difficult it is fair. We shall try to proceed in an honest and open way in partnership with local authorities. I am grateful that local authorities have responded positively to the settlement.

Question put:—

The House divided: Ayes 241, Noes 29.

Division No. 174] **[6.19 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Rt Hon Tony
Bermingham, Gerald
Blears, Ms Hazel
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cranston, Ross
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davidson, Ian
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff
Fatchett, Derek
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Ms Tessa
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Killoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Merron, Gillian
Michael, Alun
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pike, Peter L
Pollard, Kerry
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Purchase, Ken
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Spellar, John

Squire, Ms Rachel
Starkey, Dr Phyllis
Stevenson, George
Stewart, Ian *(Eccles)*
Sheale, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. David Jamieson.

NOES

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Ballard, Mrs Jackie
Brake, Tom
Brand, Dr Peter
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Salmond, Alex
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Swinney, John
Wallace, James
Willis, Phil

Tellers for the Noes:
Mr. Donald Gorrie and
Mr. Andrew Welsh.

Question accordingly agreed to.

Resolved,

That the Local Government Finance (Scotland) Order 1998, dated 4th February 1998, a copy of which was laid before this House on 5th February, be approved.

Resolved,

That the Revenue Support Grant (Scotland) Order 1998, dated 4th February 1998, a copy of which was laid before this House on 5th February, be approved.

Resolved,

That the Special Grant Report (98/1) (Scotland): Local Taxation Collection Grant Scheme 1997–99 (HC 530), which was laid before this House on 5th February, be approved.

Resolved,

That the Special Grant Report (98/2) (Scotland): Grant in Aid of Local Authority Revenue Costs and Reinstatement Works at Dunblane Cemetery Resulting from the Dunblane Tragedy (HC 531), which was laid before this House on 5th February, be approved.—*[Mr. Pope.]*

HOUSING (SCOTLAND)

Resolved,

That the draft Housing Support Grant (Scotland) Variation Order 1998, which was laid before this House on 29th January, be approved.

Resolved,

That the draft Housing Support Grant (Scotland) Order 1998, which was laid before this House on 29th January, be approved.—*[Mr. Pope.]*

Mr. Wallace: On a point of order, Mr. Deputy Speaker. You will recall that when the Opposition Front-Bench spokesman, the hon. Member for Woodspring (Dr. Fox), was replying to the debate, he said that he would say how the official Opposition would vote. In fact, they ignored the usual convention of one's vote following one's voice. Inasmuch as the official Opposition seem incapable of giving such opposition in Scottish debates, would it not be more appropriate if my hon. Friends and I occupied the Opposition Front Bench in future Scottish debates?

Mr. Deputy Speaker (Sir Alan Haselhurst): The hon. Gentleman is experienced enough to know that that is not a point of order. Whether or not the hon. Member for Woodspring (Dr. Fox) was asked to do so, to my hearing no such comment was made.

TRADE AND INDUSTRY COMMITTEE

6.32 pm

Mr. John McWilliam (Blaydon): I beg to move,

That Mr. Alan Johnson be discharged from the Trade and Industry Committee and Mr. Lindsay Hoyle be added to the Committee.

We can also discuss the motion relating to the Northern Ireland Affairs Committee.

In view of the late hour, and not wishing to detain the House, I can tell hon. Members that the motions are agreed by all parties on the Committee of Selection.

Question put and agreed to.

Ordered,

That Mr. Alan Johnson be discharged from the Trade and Industry Committee and Mr. Lindsay Hoyle be added to the Committee.

NORTHERN IRELAND AFFAIRS COMMITTEE

Ordered,

That Ms Margaret Moran be discharged from the Northern Ireland Affairs Committee and Mr. Stephen Hesford be added to the Committee.—*[Mr. McWilliam, on behalf of the Committee of Selection.]*

Thames Riverside Development

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pope.]*

6.33 pm

Mr. Tony Colman (Putney): I assure the House that I do not intend to speak for the next three and a half hours, as I understand that it would be within the rules of the House to do. However, if the subject for debate were the Queen Mary's hospital, a major issue in my constituency, I should do so. I hope that Madam Speaker will allow an Adjournment debate on that subject at an early date.

This is also not a debate about the millennium dome. I support the development of that dome, the structure and the exhibition—as, I believe, do most UK residents—as it is needed to provide for all of us a clear picture of where we have come from and a vision of the country and the world that we can become. It is that sense of vision that is missing from so much of the riverside development on the River Thames.

I do not intend to cover all 127 miles of the River Thames, but I understand that my hon. Friends the Members for Thurrock (Mr. Mackinlay) and for Battersea (Mr. Linton) will seek to catch your eye, Mr. Deputy Speaker, with regard to their constituencies. I shall primarily be talking about my own constituency.

Putney has had two major areas of riverside development under planning applications again—I say "again" because they come again and again—in the past six months. The first is what I call the Putney church area, known for the start of the boat race and covering three different land holdings and three different proposals—Brewhouse street, a hotel, restaurant and luxury flat development, turned down by the council and now on appeal to the Minister; the ICL tower, again proposed for restaurants and luxury flats; and the Castle public house which, surprise, surprise, involves further proposals for hotels, luxury flats and a restaurant. They are all in a tiny area and, if built, will tower above Deodar road and neighbouring streets and Putney church. There is no co-ordinated approach. The council is trying to get the three landowners to work together.

The second area is the Wandle delta, part of which is a Shell site abutting the Thames, the planning application for which was called in by the Minister with an inquiry date next June. Wandsworth council has today published an excellent urban design framework for the Wandle delta, which I hope will ensure that all the land between the Arndale centre and the Thames will be dealt with in a co-ordinated way. It is extraordinary that that vision has come six months after the planners decided that they wished to go ahead with the Shell site. The new document which has come forward has a much more co-ordinated and sustainable vision.

From that vision will come a new riverside quarter for London with a range of activities, including the Renue centre for renewable energy, which was the subject of a successful millennium bid, backed by Wandsworth and Merton councils. The councils also announced that new planning guidance will be coming out for the Putney church area.

Developers obviously try it on. Applications are made for inappropriately high, bulky and ugly buildings. Always there seems to be the same mix of expensive flats, restaurants and hotels built hard up to the river with little or no access for the public.

Both the Putney church area and the Wandle delta area have been the subject of intense lobbying from local amenity groups, to which I have listened. They include the Putney society, the Deodar road residents association, the Wandsworth society and many others. I hope that, after those battles, coherent, sustainable and acceptable plans can be agreed. As the Minister has a significant role in the planning applications, I accept that he may not wish to comment on them in any detail, so I intend to deal with the general need for riverside development on the River Thames.

Why are those battles needed? In February 1997, the previous Government issued RPG 2B—strategic planning guidance for the River Thames. It was welcomed on all sides. Among other objectives for the built environment was the need to

"secure a special quality for all new development on the river and riverside, appropriate"—

that is important—

"to its context and to improve the existing Townscape."

I strongly agree with that.

What has gone wrong? I do not believe that prime responsibility for planning applications should be taken away from local councils—how could I, as a former council leader? Wandsworth council has made strange decisions over the years and I expect that my hon. Friends will point those out. It is for local electors to decide whom they want to take those decisions and, on 7 May, I expect a Labour council to be elected in Wandsworth, which will better understand the needs of local people than the current council has in recent years.

Guidance is needed for the planning framework. Will the Minister therefore respond to the following points? First, may we have a reconstituted Thames working party now, to ensure that the Thames guidance is carried through with all the interests involved? The Greater London Authority, which I very much welcome, will be able to lead on that when it is constituted in 2000, but we cannot wait two years and allow inappropriate development in the meantime. We need to implement the guidance now.

Secondly, can the guidance be addressed to all the key players? At present, it is addressed only to councils, whereas it should be addressed to all the arms of government, the Port of London Authority, private sector interests, the River Thames Society and all the organisations involved with the river, in terms of what happens both on it and on its banks.

Thirdly, can we push for good design? We need a proactive riverside landscape appraisal, particularly from Hammersmith to Tower Bridge, to complement the existing landscape appraisal for the more open area upstream in Richmond. I hear that there are problems upstream, such as the developments proposed by Thames Water for the land opposite Hampton Court.

Fourthly, may we have a commitment to river transport? The guidance promotes that, but it is not in the borough's powers to provide piers or services. The Thames 2000 initiative, led by Judith Mayhew and incorporating London Transport's London River Services Ltd. is excellent, and I commend it to the House. However, the furthest new pier planned upstream is at Millbank, which is excellent for the Government Office for London and, dare I say, for the Labour party, but not

[Mr. Tony Colman]

much use for residents upstream. We want piers and services all the way up, specifically at Putney church and the Wandle delta.

Fifthly, as the first London Agenda 21 sub-region, may we have a new unitary development plan based on sustainable development along the River Thames? I strongly commend to the House the new guidance on sustainable development. This would be an excellent area in which to launch it.

In the past 15 years, the Coin street development has shown that it is possible, in the heart of London and on some of the most expensive land in London, to have parks, social housing, workshops, playgrounds and, for those who want it, a Harvey Nichols restaurant at the top of the Oxo tower. However, too much of the Thames waterfront is now planned with a Harvey Nichols clientele in mind. Let us hope that future generations of Londoners will praise us for our foresight in getting it right for all Londoners.

6.42 pm

Mr. Martin Linton (Battersea): I am grateful to my hon. Friend the Member for Putney (Mr. Colman) for raising the issue of development along the River Thames. I endorse everything that he said about the London borough of Wandsworth. As his neighbour, I can provide some even more dramatic examples of strange planning decisions as we move downstream from the Shell site to my constituency of Battersea.

On paper, Wandsworth has some enlightened policies for the riverside. It has height guidelines of six storeys from Wandsworth bridge to Battersea bridge; nine storeys from Battersea bridge to Albert bridge; and seven storeys as far as Vauxhall. The problem is that, in practice, Wandsworth council ignores its own guidelines. It supported an application from Richard Rogers to build a 20-storey block of flats just a few yards from Battersea's beautiful Georgian parish church, St. Mary's. It was called in, and later approved, by the right hon. Member for Suffolk, Coastal (Mr. Gummer) when he was Secretary of State for the Environment.

Wandsworth council now has an application from Sir Norman Foster to build a 20-storey block between Battersea and Albert bridges, where the guideline height is only nine stories. The developer is Li Ka-shing, who contributed generously to the Conservative party's election war chest. We should be told whether any of that money found its way to the Conservative party in Wandsworth. Wandsworth council is about to receive another application from Sir Norman Foster for a development on Gargoyle wharf—better known as the Guinness site and the site of the famous "Land is Ours" occupation—for a 30-storey block where the guideline height is only six storeys.

I have no objection, and I am sure that my hon. Friend the Member for Putney has none, to having two of the best-known architects in Britain engaged in a competition to see who can design the best or the most beautiful building for the Battersea riverside. However, that competition should be limited to the design of the building and should not be a competition to see who can build the highest building. Battersea is not the city centre, so it would be completely out of place to have 20 or 30-storey buildings along our riverside, just as it would be further upstream in Putney.

The architectural press make it sound as though I am against modern architecture for the sake of it. I am making a point not about styles of architecture but about the height of buildings, their density and the type of housing proposed. The stretch of river between the Albert and Battersea bridges is opposite one of the most elegant riversides in London on the Chelsea side, and we should seek a riverside policy that complements rather than dwarfs the other side.

Battersea needs no more landmarks. It already has one of the biggest in the country—Battersea power station—and Wandsworth council has made a big enough mess of that over the years. It has been lying idle for more than 10 years, but building will finally get under way this year.

We need three policies. First, we need a consistent approach to the riverside, all the way from Putney downstream. Secondly, we need a mixture of housing tenure. Many of the sites that are becoming vacant along the riverside are big enough to accommodate both riverside housing and affordable housing behind it. This is an excellent opportunity. The Government are committed to the principle of affordable housing on large sites and Wandsworth council is committed to it on paper. We must ensure that those opportunities are used because Battersea has a pressing need for affordable housing. Many sons and daughters of people who have lived there for generations are being forced to move out because of the lack of affordable housing.

Thirdly, we need public access to the riverside. For 100 years, the people of Battersea and Putney have lived behind an industrial riverside frontage, which used to provide jobs but most of which has now become redundant. It is giving way to residential development, which provides an opportunity, for the first time in many generations, to give the people of Battersea access to their riverside.

The imaginative treatment of those developments can ensure not only that there is good housing along the riverside but that the people who live behind that housing can enjoy the river, not only through riverside walkways but through parks and open spaces, which can complement imaginative housing developments. Coin street is an example of imaginative use of the riverside to help both local residents and the wider public.

On paper, Wandsworth council is committed to all those principles—public access to the riverside, affordable housing, and height and density guidelines—but in practice it does not implement its guidelines. If it fails to implement its guidelines in future, I hope that my hon. Friend the Minister will do that.

6.48 pm

Mr. Andrew Mackinlay (Thurrock): I am grateful to my hon. Friend the Member for Putney (Mr. Colman) for initiating the debate, and associate myself with what he and my hon. Friend the Member for Battersea (Mr. Linton) said about the preciousness of our River Thames. I hope that, on some occasion during the current Parliament, we will be able to focus on the Thames in more detail, involving all hon. Members with riparian interests—perhaps on a Wednesday morning. The narrow issue raised by the debate, however—the development of the riverside frontage—allows me to make some important comments about my part of the river.

The borough of Thurrock, which I represent along with my hon. Friend the Member for Basildon (Angela Smith), has some 30 km of river frontage. Our local authority area has more tidal Thames frontage than any other. I therefore feel that I have a special responsibility for bringing up a couple of issues that are of immediate interest to those of us who represent areas on the eastern stretch of the Thames—the estuary.

Let me say in passing that there are proposals for substantial development on Rainham marshes. I do not want to trespass—in that Rainham marshes are in the constituencies of other hon. Members—but I should like my hon. Friend the Minister to assure me that the Department is fully cognisant of the sensitive nature of that area, which incorporates sites of special scientific interest. I trust that, in respect of the current proposals—which are being discussed—and future proposals, the Department will be extra sensitive and consider calling in any proposals that are pursued. Ultimately, what happens should be determined by the Minister.

I do not oppose any developments; I am merely saying that the matter has a regional significance, on which those of us who are interested in the Thames estuary feel entitled to comment. Moreover, I believe that my borough has one of the largest number of residential planning permissions in the south-east that have yet to be activated. There are numerous opportunities for residential development along and near to the river in Thurrock alone. That should be borne in mind both in strategic planning for the region and in consideration of whether a trespass on to heritage frontage on other parts of the Thames—or, indeed, on to sites of special scientific interest—should take place. There are enormous opportunities for important residential and industrial development in my area alone.

The matter that really prompted me to speak, however, is of vital and immediate importance. Following my right hon. Friend the Deputy Prime Minister's announcement about the difficulties of London and Continental—the company charged by Parliament with developing the channel tunnel rail link—a problem has arisen in my constituency and that of the hon. Member for Ashford (Mr. Green), with whom I am collaborating, about blighted properties along the river frontage.

I want the link to be constructed. It is desperately needed for United Kingdom Ltd and all the regions of England. It will cross the Thames in my constituency. Like a bootlace, it runs under the river to the east of the Queen Elizabeth II bridge. It will go through the piers of the bridge in its westward approach to London, and at West Thurrock and Purfleet it will carve through a number of important small and medium businesses. That problem may be reflected elsewhere on the route, but I want to concentrate on these businesses for the moment.

The owners of the businesses were already undergoing a major crisis before the Deputy Prime Minister's announcement. They had built their businesses up; many hundreds of my constituents are employed in them. Now, there are job losses. Orders are being cancelled and orders that would otherwise have been made are not being made because London and Continental has not fulfilled the spirit—if not the letter—of its obligations to agree a strategy for the vacation of the properties. That should include fair compensation in response to claims, the giving of dates for entry and staged payments to allow parallel working at the time of relocation.

As I said, the problem existed before the Deputy Prime Minister's announcement but, as a consequence, it has been compounded. I have seen managers and owners of companies almost in tears at their plight. I realise that my hon. Friend the Minister cannot respond specifically this evening, but I appeal to him to alert the Deputy Prime Minister to the problem and to tell him that the hon. Member for Ashford and I are writing to ask him for an urgent meeting with representatives of the companies. We want the Department to deal with the matter before the Deputy Prime Minister tells the House of his intentions in regard to the rail link.

My hon. Friend will recall that, during the last Parliament, quite properly, he emphasised to me—and to other hon. Members—the importance of regeneration in connection with the millennium project in and around Greenwich. I hope that he is not offended by my reminding him of that. Let me make it clear to him that I am facing the unemployment of not a handful, but hundreds, along my stretch of the Thames. I cannot overstate the importance of immediate intervention by the Minister.

The Department has been tardy in responding to the problems of some of the firms that have been disadvantaged. I hope that my hon. Friend will have an early opportunity to talk to Mr. P. Lancaster of his Department, who appears to have been unable to reply to some of the letters sent to him by distressed companies in Kent and Thurrock.

I think that we take the precious nature of the Thames for granted—both the nature conservation and scientific aspect, especially in the estuary area, and the rich heritage that lies along its banks in London. My hon. Friends are right to take this opportunity to make it clear that they want to pursue the issue—legitimately—during the forthcoming London borough elections and that there are Members of Parliament who wish to defend the Thames.

One of the pities of this Parliament is the absence of Nigel Spearing, a distinguished former hon. Member who took a particular interest in the Thames. He did not stand at the last general election, but I know that he would have made a major contribution to this evening's debate. We miss him, and I hope that some good people may think that he should be a candidate for any new senate of Parliament, if and when it is established. In the meantime, perhaps he should be elevated to another place.

6.58 pm

Mr. Jim Fitzpatrick (Poplar and Canning Town): I congratulate my hon. Friend the Member for Putney (Mr. Colman) on securing this debate. I associate myself with the remarks of my hon. Friend the Member for Thurrock (Mr. Mackinlay), particularly those on my predecessor, Mr. Nigel Spearing. I also support my hon. Friend's comments about the significance of the completion of the channel tunnel rail link. It is important not just to north Kent and Essex, or to London and east London, but to the rest of the United Kingdom. Hon. Members may wish to know that, tomorrow, there is to be a seminar in Birmingham on faster tracks to Europe for the regions of the UK, which supports the campaign for the successful completion of the channel tunnel rail link.

I should like to raise two points: first, river transport, which was one of the subjects of the speech of my hon. Friend the Member for Putney and, secondly, riverside

[Mr. Jim Fitzpatrick]

development adjacent to Tower bridge at Hermitage wharf. I wish to bring to the attention of my hon. Friend the Minister the role of a constituent of mine, Mr. Peter Wade, who has been associated with the river all his life. He is an ex-docker and a senior employee at Canary wharf. In one capacity or another, he has been involved in every attempt to develop a river bus service over recent years. As we all know, all those attempts have failed.

Mr. Wade is somewhat sceptical about the potential success of the new river bus services that are about to be initiated. I should be grateful if my hon. Friend offered reassurance by way of information on the analysis that has been conducted and on the potential for the new services, particularly with the arrival of the millennium dome, the increase in tourism in east London, the increased capacity and governmental support to ensure that the new services will be a success.

I understand that the only existing service, which runs between London bridge and Canary wharf, is about to close through lack of support but, obviously, we are moving into a new era with the development of tourism, the millennium dome and docklands becoming the new focus for London. With the support that the Government are committing to river services, I hope that, this time, they will not fail.

My hon. Friend the Member for Putney asked about piers in his part of west of London and beyond; perhaps I may ask my hon. Friend Minister to comment on the prospect of additional piers beyond Canary wharf on the north side of the river, particularly at the new Barrier park, which is being constructed on river banks in Newham, close to the Thames barrier.

The second issue that I wish to raise is the campaign that goes under the title Civilians Remembered. I congratulate the main organiser, Miss Marianne Fredericks, a resident of Wapping, Tower Hamlets and my hon. Friend the Member for Bethnal Green and Bow (Ms King) on their efforts, building on those of the previous Members of Parliament for the area: one of my other predecessors, Ms Mildred Gordon, and the right hon. Peter Shore. They have attempted to create a memorial to the civilian dead of the UK from the second world war.

This is not a backward-looking attempt to view history with some negativism, but an attempt to build on new European relations and European partnerships and to say that we must learn the lessons of history and build for the future. The campaign has been centred on transforming east London's last undeveloped riverside site, close to central London on Hermitage wharf, into a memorial park for future generations to remember the horrors of war and to ensure that we never arrive at that situation again. In Europe, we have, I hope, learnt those lessons and will not be faced with such an horrendous prospect again.

The site was sold to Berkeley Homes for development. Under the previous Administration, there was a public inquiry and the previous Secretary of State for the Environment made an announcement on the subject. It would be wholly unfair for Berkeley Homes to be punished as a result of any changes in Government policy, but it is strongly felt in east London that if the nation can afford to spend some £13 million on the Churchill papers, which, with the greatest respect, very few people will have the opportunity to see and enjoy, spending between £5 million and £10 million on a piece of land to create a memorial to the 60,000 UK civilians who lost their lives during the second world war—half them in London and half of those in east London—would be a fitting tribute and a lasting memorial. It would be close to tourism centres in east London, benefit future generations of Londoners and add to the capital's attractions in demonstrating the history of recent generations.

I appeal to my hon. Friend to convey to our right hon. and hon. Friends the strength of feeling in east London that time is slipping away. Berkeley Homes is a company that works under normal financial pressures. It is sensitive to the feelings of east Londoners, but it is obviously unable to make a gift of the site to the nation. With the Government demonstrating obligations to east London in attacking poverty, and with the symbolism of docklands and of the dome, £5 million does not seem a great price to pay to demonstrate that we cherish and respect our history and civilians' contribution during the second world war.

7.5 pm

Mr. Richard Ottaway (Croydon, South): Perhaps I may start with an apology to the hon. Member for Putney (Mr. Colman) for being absent for the first few minutes of his debate; the slightly early Adjournment caught me out when I was over the road.

I share some of Labour Members' more general views about the importance of the river and quality development on it, and the need to use the river as an essential communication link through the heart of the capital. If the proposals for the dome and the planned river improvements to get passengers to it get through, that will go a long way towards achieving that objective, and the aims and ambitions of the hon. Member for Thurrock (Mr. Mackinlay) will, to a certain degree, be realised.

I shall comment on two of the developments that have been mentioned. The first is the Coin street development. I remind Labour Members that that was developed under a Conservative Government in the teeth of opposition from the local Labour authority. Although they are right to pray it in aid as a development that should be copied, portraying it as a great socialist achievement would be slightly misleading.

Mr. Colman: The hon. Gentleman has perhaps a slightly narrow view of history. It was the Greater London council, then Labour controlled, which felt strongly that land on the riverside should be available for the sort of mixed development, social housing and parks that I have described as a way of forward. It was the Labour GLC, which was so maligned by Conservative Members, that enabled the Coin street development to go forward.

Mr. Ottaway: I do not quarrel with that. Anyone who spends time talking to Ian Tuckett, the manager of the Coin street development, will realise that. All the GLC gave was the site, and that was in the teeth of opposition. All the development—every planning application that was made—was resisted by Labour authorities and it took Conservative Secretaries of State to push it through. I do not want to make a political point about it, other than to say I think that it is folly to portray the development as something that will help the Labour party's cause.

Battersea power station is something that the Labour party should be proud of. The Secretary of State for Culture, Media and Sport was at the launch party for the project. It will create some 8,000 jobs. There will be several residential sites there. It is proceeding without the expenditure of a penny of public money and detailed planning permission will be sought in June. No doubt the Government will have something to say about it.

I have four general observations about the other projects that may have been mentioned in my absence. I have in mind the Brewhouse street development; the Shell site, Point Pleasant; Gargoyle wharf, the former Guinness site; the Montevetro building and Albion wharf. My first observation is on density. They are all high-density developments because of the nature of riverside development, the scale of the river and mixed uses on site. They are also an inevitable consequence of the Government's moves to maximise residential development on brown-field sites.

Mr. Colman: I am amazed that the hon. Gentleman supports the proposed densities. They are two, three and four times the density that is set out in Wandsworth borough council's unitary development plan. How could Wandsworth council's planning committee suddenly decide to approve those plans?

Mr. Ottaway: Perhaps the hon. Gentleman is not listening. I said that the density is due to the nature of a riverside development and to the objective of maximising brown-field sites. The hon. Gentleman should explain why Labour did not oppose the Montevetro high-density site.

Mr. Linton: The Montevetro application was called in by the previous Secretary of State and was approved with the support of the majority party on Wandsworth council. At the public inquiry, Labour opposed the plans. We said that it would set a bad precedent for future riverside development. That is proving to be the case.

Mr. Ottaway: I am speaking on the basis of advice that was given to me in anticipation of the debate. I understand that the hon. Member for Battersea (Mr. Linton), who was very vocal on Albion wharf, made no representations at all about the Montevetro building. I am happy to give way to him if he wishes to correct the record.

Mr. Linton: One of my council colleagues spoke at the public inquiry. At the time I was not a member of the local authority and did not have comparable standing to give evidence.

Mr. Ottaway: The record is now straight: the hon. Gentleman did not object to the development.

Design is a subjective matter. The Putney scheme was thrown out largely because everyone agreed that it was unimaginative. The Battersea schemes by Rogers and Foster give rise to competing claims. In general, the involvement of the big names must be good for the area. The quality of the schemes compares favourably with the nondescript canyon effect that is caused by the new blocks on the Fulham side around Wandsworth bridge. The so-called canyon effect is even worse in the docklands stretch.

My third point relates to social housing. It seems that Labour's enthusiasm for social housing in Wandsworth is rather muted. It is unwilling to risk upsetting neighbours to such developments who will resist new council estates on their doorsteps. The council's position is that it has no need to force developers to put social housing on named individual sites when across the borough some 40 per cent. of all new homes over the past 10 years have been affordable. Putting shackles on developers can lead to blight and to sites remaining undeveloped.

My fourth point relates to vision. It is easy to say that the sites are being developed in isolation, but each will have been the subject of detailed planning briefs that were approved only after extensive local consultation. In each case the developer was working to produce a viable scheme that meets the brief as far as possible. I have tried to make the point that there are two sides to every argument and that, by and large, the people of Wandsworth are going along with the schemes. It ill behoves the Labour party to try to make too much political mileage out of this issue in the run-up to the London borough elections, which I am sure is its objective.

7.13 pm

The Minister for London and Construction (Mr. Nick Raynsford): I welcome this timely opportunity to discuss some important issues on development along the Thames. I congratulate my hon. Friend the Member for Putney (Mr. Colman) on securing the debate and on his prescience in securing it at a time that made it possible for debate to continue beyond the normal 30 minutes. Despite his fairly short time in the House, he obviously has a well-developed sense of the parliamentary timetable.

There were also interesting contributions by my hon. Friends the Members for Battersea (Mr. Linton), for Thurrock (Mr. Mackinlay) and for Poplar and Canning Town (Mr. Fitzpatrick) and by the hon. Member for Croydon, South (Mr. Ottaway).

Propriety prevents me from commenting specifically on individual planning cases. Some of the proposed developments that have been mentioned are before the Secretary of State for decision or could be called in for his decision or referred to him on appeal. For that reason, it would be inappropriate for me to comment on them. I shall confine my response to matters of general policy and principles.

Nevertheless, I hope that I can reassure hon. Members that each case will be considered on its merits against those principles—in particular the principles that are set down in the Secretary of State's strategic planning guidance for the Thames. It was issued in February last year and sets the planning policy framework against which boroughs are to draw up their unitary development plans and exercise their development control functions.

The fact that it became necessary to issue such guidance and the concerns that generated this debate are in many ways an encouraging sign. All along the Thames, from Brentford and Battersea down to Beckton and Erith, and further down river to Thurrock and beyond, land and buildings that have lain derelict and unused for decades are being brought back into use. London is beginning to rediscover the Thames. A once-neglected asset is now assuming a key role at the heart of the capital's regeneration. People are increasingly showing that they want to live, work and play along the banks of the river, although, not long ago, they turned their backs on it.

[Mr. Nick Raynsford]

The renewed interest in the Thames creates potential conflicts. The river is valued as an open space running through the heart of London and as an important ecological resource. It is a place of recreation—for walking, sight-seeing and quiet enjoyment as well as for some water-based activities. It is also an important and still under-utilised transport artery for goods and people, and it is becoming an increasingly attractive setting for new homes, offices, hotels and places of entertainment. All those uses are important and all have their place, but sometimes, inevitably, they are not mutually compatible. The challenge for the planning system and for those who operate it is to reconcile the conflicts in ways that best meet Londoners' needs and aspirations.

We have heard particular concerns about the scale and quality of some new development proposals, especially for housing. I have in mind the contributions of my hon. Friends the Members for Putney and for Battersea. I reiterate what the Government's strategic planning guidance for the Thames says on those points. For the Thames policy area, which roughly equates to the whole of the riverside within London, the guidance recognises the particular importance and sensitivity of Thameside locations. A commitment to good design is essential, and achieving a special quality of development should be the aim of all concerned.

The guidance clearly states that the appearance of new development and its relationship to its surroundings are important planning considerations. It requires developers to take careful account of the local context and pay particular attention to quality and urban design, and demonstrate that they have done so—by, among other means, the preparation of design statements. They should consult widely with local communities on both sides of the river, with amenity groups and with expert bodies such as the London Planning Advisory Committee, English Heritage and the Royal Fine Arts Commission. One cannot, of course, be over-prescriptive, especially for a river whose character changes so quickly and so radically from stretch to stretch. That is why so much of the emphasis in the guidance is on context and on the relationship of the buildings and developments to their surroundings.

The guidance lays down some specific guidelines in certain areas. Development should address the river as a frontage and should establish and reflect a relationship with the river itself. Views and access to the river should be opened up. Developments should not be so dense that they close off any opportunity for access to the river for people living behind the immediate river area. Scale, height, density and materials should all be appropriate to the local context, and close attention should be paid to landscaping, open spaces, street furniture and lighting.

The guidance should not become a recipe for blandness or uniformity. It recognises that there is a place for challenging designs and for variations in scale and height. It acknowledges that the emphasis on context may be less appropriate in areas that are recognised as rundown and in need of improvement and where there are plans for the upgrading of the local environment. Dramatic visual statements and landmark buildings may be appropriate in exceptional cases, but should be of the highest quality.

An excellent example of the new emphasis on quality and of the potential for bringing life back to a long-neglected riverside locations is the new millennium village in my constituency of Greenwich. My right hon. Friend the Deputy Prime Minister announced yesterday the outcome of the competition for the exciting new urban village to be built on the site, and he unveiled the ambitious and highly innovative proposals from the winning consortium, the Greenwich millennium team. Such schemes are contributing to the renaissance of the Thames, which in turn is an important part of the renaissance of London itself. Developments that make provision for new houses providing for a range of tenures, including affordable housing, new jobs and a high-quality urban environment, will increasingly attract people back to the river and bring people back to the heart of our capital.

In some cases, relatively high densities may be appropriate. Research by my Department has shown that that can be achieved through careful design without the loss of amenity, especially where there is good access to public transport. The re-use of previously developed land in that way can secure the dual benefit of urban regeneration and protection of the countryside. However—I must stress this—it is vital to protect amenity and environmental quality, not only for the sake of local communities but for London's long-term future.

Over-exploitation of the current commercial interest in development along the river would amount to killing the goose that may lay the golden egg. Sustainable development must have regard to environmental quality, to future needs and to the broad range of functions that the river serves for Londoners. It must respect the needs of all sections of the community, including those looking for affordable housing, rather than simply catering for those with high incomes who can afford and are looking for luxury pieds-a-terre.

Restoring vitality to the riverside is a key objective. Uses should contribute to making the riverside an attractive, interesting and safe environment, with public uses predominating on the lower floors. Development that neither contributes to, nor is appropriate for, a riverside location—I am thinking particularly of car parking—is to be discouraged. Public access should be protected and enhanced. The creation of pedestrian routes, including new sections of the river walk, public squares and open spaces should be a feature of all new development wherever possible. New opportunities for water-based transport and recreational facilities should also be created where appropriate, including piers, moorings and access points.

In that connection—at least three of the hon. Members who contributed to the debate mentioned this—I am pleased to note that a number of recent development proposals have incorporated new passenger piers. As hon. Members may be aware, my right hon. Friend the Deputy Prime Minister launched an initiative aimed at bringing passenger transport back to the Thames by the year 2000.

Capitalising on the opportunities offered by the millennium experience at Greenwich, the aim is to establish a lasting legacy of new piers and river bus services which will realise the potential contribution the Thames can make to taking traffic off London's streets. A new company, London River Services, has been set up by London Transport to take that forward. I hope that we will be in a position to make an announcement on the

detailed arrangements for that in the reasonably near future. I hope also that as many new developments as possible can be linked into the new services through the provision of new or refurbished piers.

Mr. Colman: Will my hon. Friend comment on the need to have piers and services upstream from Millbank? It seems absurd that the idea should exclude the possibility of having piers upstream from Millbank at Battersea and Fulham.

Mr. Raynsford: That is a perfectly valid point, which my hon. Friend made in his speech. I was about to come to that. He is rightly concerned about the river upstream from Westminster and Millbank.

It is our objective to achieve a river bus service that provides the greatest possible coverage, compatible with commercial viability in the long term. Clearly, there are limitations. It would be inappropriate to try to run a service that extended over too large an area and which simply could not meet the costs of maintenance. Equally, a service that is too narrowly restricted to the central areas would fail to achieve the potential for providing a river bus service that genuinely provides opportunities for people from many parts of London to use this grossly under-used artery. We have to take into account those considerations. I am conscious of the comments of my hon. Friend the Member for Putney, and we will pay attention to them before reaching decisions.

The Government's strategic planning guidance cannot in itself guarantee appropriate and high quality development along the river. Much of the onus is on the local planning authorities, to which that guidance is addressed, to adopt appropriate policies and to reflect them in their unitary development plans and their everyday planning decisions. Some riparian boroughs are making good progress in adapting their policies to the new guidance and to the increasingly pressing need to balance competing pressures along the river. Others have been slower to do so. I should like to use this opportunity to urge all riparian boroughs that have not yet done so to review their planning policies with respect to the river and, where necessary, bring them into line with the strategic guidance.

My hon. Friend the Member for Putney asked about enforcement of the guidance. The Secretary of State will be mindful of that when dealing with any matters that come to him on appeal or which might be felt appropriate for call-in. That will be very much in the mind of my right hon. Friend when considering matters of more than local significance in relation to his planning powers.

Post-2000, we expect to have a new strategic authority in place with a mayor and assembly. We would expect the mayor to be taking an important initiative in relation to the overall planning framework that will be operating within the London area. I hope to say more about that when we launch the White Paper setting out the Government's proposals on that matter.

The strategic guidance, which is already in place and to which we wish to see all authorities adhere, asks authorities to prepare detailed appraisals of their stretches of the river, where appropriate in collaboration with neighbouring boroughs, and to produce design briefs for important development sites.

My hon. Friend asked why the guidance was not addressed to other key players. The point is that it is addressed to the planning authorities because it is their responsibility to translate it into unitary development plans. Every other player who is interested in development has a natural interest in understanding the planning framework. I should make it clear that planning guidance is not narrowly addressed to the local authorities, but is addressed to all those with an interest in the Thames and how it is developed.

The advent of the new Greater London authority will give added impetus to the development of a strategic approach to the Thames. The White Paper that we shall issue next month will set out a role for the new authority in strategic planning in the capital. I am certain that the further development of policies to protect and enhance one of London's most important strategic assets will be high on the list of priorities of any new mayor.

My hon. Friend mentioned sustainable development. As he acknowledged, the Government have recently issued a consultation paper on the principles of sustainable development. We aim to ensure that they underpin planning policies for the Thames and more widely. The new mayor for London will doubtless consider the principles of strategic and sustainable development as part of his remit.

My hon. Friend the Member for Thurrock mentioned the channel tunnel rail link and the properties in his constituency that may be blighted. My right hon. Friend the Deputy Prime Minister made it clear in his recent statement to the House that, during the 30-day period, London and Continental Railways has the option to come forward with alternative proposals to carry forward its scheme. It would be inappropriate to make a statement during that time about any alternative option. I assure my hon. Friend that the Deputy Prime Minister is giving the most urgent attention to that very important issue. I am sure that he will read my hon. Friend's comments with care.

Mr. Mackinlay: I welcome what my hon. Friend has said. I am anxious that he should reassure us that there will be a focus in the Department not just on whether London and Continental can proceed with the scheme or other options should be examined, but on the immediate need—whether LCR, the Government or another company pick up the project—for some alleviation of the crisis that is faced by the companies that have suffered because of LCR's tardy approach before it went to see the Prime Minister. They have almost been teased by London and Continental Railways. It is demonstrably unfair. Some assessment of their problems is necessary, whatever the outcome of the 30-day period.

Mr. Raynsford: Until the 30-day period is over, it would be inappropriate for me or any other Minister to make a specific comment on the London and Continental scheme. However, I stress to my hon. Friend that one of the purposes of the integration of transport with the environment in the new Department of the Environment, Transport and the Regions is to ensure a wider policy-making framework that takes heed of the issues that he has rightly alluded to—the impact of transport schemes on the environment, on businesses and on the lives of individuals. That is almost always in our minds.

My hon. Friend the Member for Poplar and Canning Town mentioned the important campaign to honour the civilians from London and other parts of Britain who lost

[Mr. Raynsford]

their lives during the last war, particularly the victims of the blitz. That campaign has aroused extensive sympathy among the people of London and elsewhere in Britain. I am afraid that I cannot comment on specific proposals for the site of a memorial or on the alternative proposal that has been put forward by the developer of the site that my hon. Friend mentioned. That is currently subject to a view from the Department. It would be inappropriate for me to make any additional comment.

The hon. Member for Croydon, South referred to the Coin street site, with which I am familiar. I gave evidence on behalf of the Coin street action group in the early stages of the campaign to ensure that the site was available for community uses rather than simply being allocated for a bland and extensive commercial development, as was originally proposed. My hon. Friend the Member for Battersea rightly said that the Greater London council supported the fight. It made the land available for the development and provided material and moral support to enable the campaign to proceed.

Having given evidence at two public inquiries to ensure that the scheme that has emerged should proceed, I am delighted about the successful outcome. I pay tribute to the foresight of the former GLC, the energy of the local community and the many individuals who made up that group, including Ian Tackett, to whom the hon. Member for Croydon, South referred. We can all learn lessons from that example of a community proving that it can achieve its objectives against what initially appeared to be impossible odds. It is an inspiring case study from which many people will gain encouragement and learn lessons about how to ensure that development responds to the needs of communities and creates an environment of which all sections of the community can feel proud.

The hon. Gentleman made several observations about matters relating to the height and density of developments, design and the importance of social housing. The Government are mindful of those issues and want to ensure that, in our approach to planning decisions relating to the Thames—our capital city's greatest natural asset—we always bear in mind the fact that we are custodians of a long and rich heritage and that the effects of our decisions will last for many generations. It is vital that we get those decisions right. That is why the Government are committed to a planning framework that puts the emphasis on quality, design and accessibility, ensuring that we bring vitality back to the River Thames and the heart of our capital city. We live in exciting times. Those objectives can be achieved.

I thank my hon. Friend the Member for Putney for giving me the opportunity, in responding to the many points that he and other hon. Members have made, to emphasise the Government's commitment to ensuring that developments along our River Thames create a city of which all of us can feel duly proud in the 21st century.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes to Eight o'clock.

Written Answers to Questions

Monday 9 February 1998

ENVIRONMENT, TRANSPORT AND THE REGIONS

Pride of Bilbao

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the Marine Safety Agency's report into the recent crossing to Spain of the Pride of Bilbao. [24057]

Ms Glenda Jackson: I have asked the Chief Executive of the Marine Safety Agency to write to the hon. Member.

Letter from Mr. R. M. Bradley to Mr. Mike Hancock, dated 9 February 1998:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your Question about the vessel "Pride of Bilbao".

The MSA's findings on this matter were not in the form of an official report but a Note has been prepared summarising the sequence of events, the actions taken and our conclusions. A copy of this Note is enclosed; in view of the public interest a copy has also been sent to the Editor of the Portsmouth News.

Note by the Marine Safety Agency

Passenger Ferry Pride of Bilbao: Voyage in rough weather: Portsmouth-Bilbao 3–6 January 1998

1. The Marine Safety Agency has followed up complaints received about the voyage of the Pride of Bilbao from Portsmouth to Bilbao, departing from Portsmouth on 3 January 1998. Inquiries have included a visit by a Marine Safety Agency surveyor to the ship, an interview with the Master and telephone discussions with a number of passengers. This note summarises the main findings.

Pride of Bilbao

2. The Pride of Balbao is a UK registered ro-ro passenger ferry, managed and operated by P & O European Ferries. It has a passenger certificate issued by the Marine Safety Agency entitling it to carry up to a maximum of 2,335 passengers and up to 220 crew. It operates principally on the route from Portsmouth to Bilbao, and is also used on the Portsmouth to Cherbourg crossing. The usual crossing time from Portsmouth to Bilbao is about 36 hours.

3. In terms of weather and sea state, there are no operating restrictions placed on the vessel. It is fully capable of withstanding the most severe weather conditions. During the winter months, gale force winds and rough seas are a common occurrence on the Portsmouth to Bilbao crossing; the Bay of Biscay in particular is renowned for storms. The ship is fitted with stabilisers and normal precautions including lashing lorries and freight to ensure that they do not shift in heavy seas.

Voyage on 3 January

4. In advance of the sailing at 2000h on 3 January, the Master of the Pride of Bilbao, took account of the weather forecast information, in line with the usual practice. The forecast weather was for gale force winds for the proposed route; consequently, the crew were advised to take normal heavy weather precautions, including double lashing of lorries. At the beginning of the voyage the usual passenger sailing announcements were made; passengers were warned that the crossing would be rough and that they should proceed with care when moving around the vessel. There were some 800 passengers on board, together with cars, caravans and freight.

5. The Pride of Bilbao was due for drydocking immediately on its return from Spain. Since it was apparent that the voyage was likely to take longer than usual, the Master did discuss with P & O shore staff the question of whether the vessel should sail and agreed that it should continue as planned. However, this discussion related to scheduling the advice to passengers on the forecast conditions. No questions were raised as to whether it was safe to sail; that decision was left, as is proper, to the Master.

6. At mid-day on 4 January the weather became more severe and the Master informed the passengers that he would be slowing down and slightly altering course to ease sailing conditions. Passengers were also informed that the outside upper deck doors would be secured to avoid them causing injury or being damaged by the strong winds. At its peak the storm reached force 11 to 12, with waves of 30 metres.

7. At 0130 on 5 January passengers were informed that the ship would be resuming its usual course for Bilbao. It subsequently reached port at 0030 on 6 January; this was some 16.5 hours later than timetabled.

8. Accident reports concerning injuries to people sustained during the voyage were submitted, the most serious being a broken arm. These are being considered by the Marine Accident Investigation Branch. 2 or 3 damage reports were filed for minor damage to cars. A foc's'le ladder came adrift; the piano was damaged and a plate glass window was crazed. Overall, damage to fittings was minor and no damage to the structure of the ship was sustained.

Conclusions

9. It is clear that the crossing on 3–6 January was very stormy and that many passengers found the rough seas exceptionally unpleasant. However, the Marine Safety Agency has concluded that the safety of the ship, its passengers and crew was not compromised by the decision to sail, which was taken in the knowledge that bad weather was forecast. Having interviewed the Master, the Agency is satisfied that he acted in a fully competent manner, in preparing for the voyage and during it, in accordance with the principles of good seamanship. There is no evidence that he was placed under any commercial pressure to sail against his judgment.

Airprox Incident, Heathrow

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those measures taken by NATS following their internal review of the Airprox incident at Heathrow airport on 15 April 1996. [27016]

Ms Glenda Jackson: NATS have supplied the following details about measures taken in response to their internal review of the Airprox incident in question:

Controller simulation training was modified—additional "go-around"[1] events were added to simulator training and a specific video on go-arounds in a parallel runway situation was included in classroom training;

Controller competency requirements were modified to require controllers to practise regularly calls to the Terminal Control facility in the event of a go-around;

The layout of the telephone indicator system was reviewed and found to be optimum.

[1] A "go around" occurs when a pilot either decides (in liaison with Air Traffic Control), or is instructed by Air Traffic Control, to pull out of one landing and is repositioned for a further approach.

Belfast International Airport

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions when he expects an SSR system to be introduced at Belfast International Airport; and what contingency plans he has in the event of late installation. [27015]

Ms Glenda Jackson: The decision whether or not to provide Secondary Surveillance Radar (SSR) facilities at Belfast International Airport is a matter for the airport authority, Belfast International Airport Limited. I understand that the present plan is for an SSR system to be introduced in the summer of 1999, after the radar display system has been up-dated to handle SSR data.

Millennium Compliance

Mr. David Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions what advice has been given by IBM to the Civil Aviation Authority on the work required to ensure that core air traffic management systems will be millennium compliant; and if he will make a statement. [27872]

Ms Glenda Jackson: In conjunction with IBM, National Air Traffic Services Ltd. (NATS) has carried out extensive test and assessment programme on its IBM machines and has established that, within the context of their use in NATS, these machines represent a minimal risk with respect to the millennium.

Remedial work on CAA and NATS systems to deal with the millennium bug problem should be completed by July 1998. The systems will then be subjected to validation tests. The testing of all operational systems, and non-operational systems with significant impact, is scheduled for completion by the end of 1998.

Radioactive Waste

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to ensure that low-level radioactive waste disposed of in landfills or by incineration or recycling under European Commission Council Directive 96/29/Euratom does not create a health hazard. [27473]

Angela Eagle: I refer the hon. Member to the reply I gave to the hon. Member for Lewes (Mr. Baker) on 19 January 1998, *Official Report*, column *376*.

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27842]

Angela Eagle: The information requested can be obtained only at disproportionate cost.

Tree Planting

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what Government financial help is available to local authorities in England and Wales to encourage tree-planting schemes within their areas. [27635]

Angela Eagle: Local authorities may plant trees themselves or support planting schemes carried out by others. Any financial help is given at the discretion of each local authority from resources available to them through the local government finance system. Authorities may also be eligible to apply for the Forestry Commission's Woodland Grant Scheme, which offers grant aid for the establishment and management of woodlands.

In addition, local authorities may be partners in Government sponsored programmes which involve tree planting as part of a wider strategy to improve the local environment, such as the Community Forest Programme and the Single Regeneration Budget. They may also work with voluntary organisations supported financially by the Government to encourage tree planting (such as the Tree Council) or who are engaged in planting trees (such as Groundwork and the British Trust for Conservation Volunteers).

Hedges

Jane Griffiths: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to amend building regulations to limit the height to which hedges and trees around residential property may be allowed to grow. [27503]

Angela Eagle: I am considering whether some form of Government intervention in relation to such hedges and trees is justified, but there are no powers to limit their height under building regulations, which apply only to the design and construction of buildings.

Mottram Tintwistle By-pass

Mr. Levitt: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of land on the proposed route of the A625/A57 Mottram Tintwistle by-pass is currently in the ownership of the Highways Agency. [27447]

Ms Glenda Jackson: The Highways Agency owns 13 of the 15 properties which should have to be demolished to build the road. The rest of the land, about 40 hectares, would be acquired under compulsory purchase powers, following the completion of the statutory procedures, if the scheme goes ahead. The scheme is included in the strategic review of Trunk Roads, the results of which we aim to announce later this year.

Regional Development Agencies

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received on the structure of regional development agencies. [27686]

Mr. Caborn: Since the publication in December of the White Paper, "Building Partnerships for Prosperity", and of the Regional Development Agencies Bill, I have received a number of letters about various matters relating to RDAs. In addition, I have regularly had meetings with interested parties, both in London and in the regions, to hear at first hand what people think about our proposals.

Rail Investment

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on levels of investment planned by *(a)* Railtrack and *(b)* the private train operators in 1998. [27638]

Ms Glenda Jackson: Railtrack publishes its levels of investment for the maintenance, renewal and enhancement of the network in an annual Network Management Statement. The next statement is expected in March. No organisation is currently responsible for monitoring the total investment levels planned by all train operators, though the Franchising Director monitors contractually committed investment. Our proposed Rail Authority will help to meet the need for proper strategic planning in the industry.

Roads

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from local authorities on the adequacy of funding for *(a)* outstanding maintenance work on local authority roads and *(b)* improvement of transport infrastructure to meet current needs. [27886]

Ms Glenda Jackson: Since my right hon. Friend the Minister for Transport announced the local transport capital settlement on 17 December 1997, *Official Report*, columns *198-99*, my Department has received eight written representations from local authorities about, inter alia, the adequacy of funding for the structural maintenance of local authority roads. A further 11 written representations have been received about the funding of other transport capital infrastructure in the local transport capital settlement. Officials of the Government Offices of my Department have also held a number of routine meetings with local authorities to discuss the settlement.

Dr. Iddon: To ask the Secretary of State for the Environment, Transport and the Regions if he has sought advice from the Standing Advisory Committee on Trunk Road Assessment for the purposes of the *(a)* Roads Review and *(b)* Integrated Transport White Paper. [28452]

Ms Glenda Jackson: In July, we asked SACTRA to contribute advice in time for the Roads Review and White Paper timetables. We are pleased to confirm that we have now received an interim report from the Committee and this will be taken account of in our deliberations on the Roads Review and Integrated Transport White Paper. Copies of the report will be placed in the House Libraries.

Public Access

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the locations of privately-owned land which has been opened up to public access since 1996 as a result of a voluntary access agreement with a member of the Country Landowners Association. [27484]

Angela Eagle: This information is not held centrally.

Property Standards

Mr. Willis: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce legislation to require owners to maintain their properties in a reasonable and safe state of repair. [27711]

Mr. Raynsford: Owners are first and foremost responsible for maintaining their properties in a reasonable and safe state of repair. Statutory provisions exist for local authorities to take enforcement action against owners whose properties are unfit for human habitation or in a state of disrepair. In the private rented sector we are committed to introducing a licensing scheme for houses in multiple occupation where poor fire and safety and other health and safety standards often apply. Primary legislation will be needed to introduce a licensing scheme.

Royal Bournemouth Hospital (Clinical Waste Incinerator)

Mr. David Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions what has been the cost to public funds of the public inquiry into the appeal by White Rose Environmental against the enforcement notice of Dorset County Council Ref T/APP/C/97/C1245/646229/P6 and T/APP/C1245/A/96/275779/P6 regarding the clinical waste incinerator at the Royal Bournemouth Hospital. [28183]

Mr. Raynsford: I have asked the Chief Executive of the Planning Inspectorate to write to the hon. Member.

Letter from David Hanchet to Mr. David Atkinson, dated 6 February 1998:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your question on the cost to public funds of the public inquiry into the appeal by White Rose Environmental against the enforcement notice of Dorset County Council (Ref. T/APP/C/97/C1245/646229/P6 and T/APP/C1245/A/96/275779/P6) regarding the clinical waste incinerator at the Royal Bournemouth Hospital.

The Planning Inspectorate's cost in dealing with these appeals was £7,827.60 but as I have no record of the expenditure incurred by Dorset County Council I am unable to give the total cost to public funds.

Empty Properties

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) his Department, (ii) his agencies and (iii) other public bodies for which he has responsibility, in (A) 1995–96, (B) 1996–97, (C) 1997–98 to date and (D) 1997–98 full year. [26656]

Angela Eagle *[holding answer 5 February 1998]:* The information requested is as follows:

£000

	A *1995–96*	*B* *1996–97*	*C* *1997–98 (to date)*	*D* *1997–98 (estimate)*
Department (incl. Executive Agencies)				
Cost of empty property	.5	43.5	46.4	61.9
Value of empty property	5.0	158.0	377.0	377.0
Executive agencies				
Cost of empty property	.5	43.5	8.9	11.9
Value of empty property	5.0	158.0	127.0	127.0

Note:
Information on NDPBs is not held centrally.

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26658]

Angela Eagle *[holding answer 5 February 1998]:* The answer is as follows:

£000

	(a) 1995–96	*(b) 1996–97*	*(c) 1997–98 (to date)*	*(d) 1997–98 (estimate)*
Department (including Executive Agencies)	13,427	38,422	9,073	12,605
Executive Agencies	4,321	4,337	2,952	5,102

The main costs are due to the need to relocate out of 2 Marsham street.

Development (Easington)

Mr. Cummings: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the total acreage of brown-field sites available for development for *(a)* industry, *(b)* housing, *(c)* leisure and *(d)* reclamation in the district of Easington indicating the location of such sites. [28245]

Mr. Raynsford: This information is not held centrally. I understand, however, from the information held by the local planning authority, Easington District Council, that the total acreage of brown-field sites available and their location are shown in the following table.

Brown-field sites

Location	*Hectares*
(a) for industry, 156 hectares in total located at	
Blackhall	5.0
Cold Hesledon	0.3
Dalton Flatts, Murton	16.0
Dawdon Colliery	14.0
Hawthorn Cokeworks	42.0
Murton Street, Murton	4.0
Peterlee North East	2.4
Peterlee North West	26.0
Peterlee South West	18.0
Seaham Grange	7.6
Sea View, Horden	15.0
South Hetton	2.2
Thornley Station	3.3
Wingate Grange	0.5
(b) for housing, 123 hectares in total, located at	
Peterlee	16.9
Seaham	50.0
Castle Eden	2.6
Easington	6.8
Haswell	3.7
Hawthorn	0.5
Hesleden	1.5
Horden	3.0
Murton	7.3
South Hetton	1.0
Shotton	3.3
Thornley	5.1
Trimdon	11.2
Wheatley Hill	4.8

Brown-field sites

Location	*Hectares*
Wingate	5.3
(c) for leisure, 85.5 hectares in total, located at	
Easington Colliery	30.0
Haswell, Durham Lane	3.5
Murton Colliery	7.0
Dalton Flatts, Murton	20.0
Adjacent Leisure Centre, Peterlee	3.0
Vane Tempest Colliery, Seaham	6.0
Seaham Colliery	8.0
North Dock, Seaham	3.0
Parkside, Seaham	2.0
East of Seaham Town Centre	3.0
(d) for reclamation, 171 hectares in total, located at	
Easington Colliery	30.0
Hawthorn Cokeworks	82.0
Seaham Collier	14.0
Vane Tempest Colliery, Seaham	25.0
Easington Colliery, Spoil Heap	10.0
Horden Colliery Spoil Heap	10.0

Mr. Cummings: To ask the Secretary of State for the Environment, Transport and the Regions what is the total acreage of brown-field sites and green-field sites in the district of Easington proposed for housing development in the next five years indicating the location of such sites. [28244]

Mr. Raynsford: This information is not held centrally. I understand, however, from the information held by the local planning authority, Easington District Council, that the total acreage of brown-field sites and green-field sites proposed for housing development in the next five years and their locations are shown on the following tables.

Brown-field housing sites, 122.79 hectares in total

Site	*Hectares*
Peterlee, Beverley Way	3.19
Peterlee, Acre Rigg	4.04
Peterlee, Westcott Road	0.28
Peterlee, Eden Lane School	1.80
Peterlee, Oakerside West	5.00
Peterlee, Edenhill Road	0.10
Peterlee, South of Yoden Way	2.50
Seaham, Seaham View	0.30
Seaham, Deneholm Miners' Centre	0.67
Seaham, Embleton Street	0.18
Seaham, Viceroy Street	0.22
Seaham, Dawdon Crescent	0.15
Seaham, Deneside	2.90
Seaham, Dalton Grange	2.60
Seaham, St. Mary Magdalene School	0.85
Seaham, Seaham Colliery	13.44
Seaham, Vane Tempest Colliery	25.00
Seaham, Deneside	3.20
Seaham, Lawnside	0.20
Seaham, Parkside	0.37
Castle Eden, south of Haswell—Hart Walkway	1.70
Castle Eden, Castle Eden Golf Club	0.86
Easington, Wordsworth Road	0.66
Easington, Easington Colliery	2.00
Easington, Cadwell Lane Depot	1.50
Easington, Village Green	0.30
Easington, Comet Hill	0.10
Easington, Cornwall Street	0.40
Easington, Thorpe Nursery	1.77

DAMAGED ORIGINAL

Brown-field housing sites, 122.79 hectares in total

Site	*Hectares*
Haswell, east of George Street	0.30
Haswell, west of Blossomfield	3.10
Haswell, Durham Lane	0.25
Hawthorn, West Farm	0.47
Hesleden, east of Station Road	1.50
Horden, former colliery site	3.00
Murton, Rex Cinema	0.30
Murton, Murton Colliery	5.27
Murton, Northern Bus Depot	0.70
Murton, west of The Avenue	1.00
South Hetton, Windermere Road	0.27
South Hetton, north of Fallowfield Terrace	0.68
Shotton, Victoria Street	0.60
Shotton, Windsor Place	2.00
Shotton, Dene Terrace	0.10
Shotton, Salters Lane	0.38
Shotton, Dene Crescent	0.17
Thornley, Thornley House	0.75
Thornley, north of Hartlepool Street	2.04
Thornley, School Green	0.46
Thornley, south of Hartlepool Street	1.89
Trimdon Station, east of Margaret Terrace	0.50
Trimdon Station, Margaret Terrace and east of Malvern Crescent	1.66
Trimdon Station, land north of Wingate Road	9.04
Wheatley Hill, Numbered Street	1.50
Wheatley Hill, Scrapyard, Back Lane	0.50
Wheatley Hill, Weardale Park	1.40
Wheatley Hill, Wingate Lane	0.22
Wheatley Hill, Church Park	0.88
Wheatley Hill, Quilstyle Road	0.30
Wingate, north of Rodridge Street	2.50
Wingate, Market Crescent	0.62
Wingate, former Auction Rooms	0.90
Wingate, Rodridge House	0.46
Wingate, Station Lane, Station Town	0.80

Green-field sites, 59.13 hectares in total

Site	*Hectares*
Peterlee, north of Lowhills Road	19.90
Peterlee, Thorpe Hospital Site	1.28
Blackhall, land north of the B1281	1.00
Blackhall, land north of Hesleden Road	3.10
Castle Eden, Bankside	0.10
Castle Eden, south of Village Hall	0.30
Castle Eden, east of Dene View	1.34
Castle Eden, grounds of large dwellings	1.00
Castle Eden, The Paddock	1.09
Easington, land south of Seaside Lane	6.22
Haswell, west of Plough Farm	0.20
Hawthorn, Coop Farm	1.88
Seaton, north of Seaton Lane	1.65
South Hetton, Fallowfield Terrace	2.00
South Hetton, Oakwood/Hawthorn Rise	2.10
Shotton, north of Station Road	3.64
Trimdon Station, land south of Wingate Road	4.70
Wingate, Moor Lane	2.55
Wingate, north of A. J. Dawson School	2.60
Wingate, south of Wellfield By-pass	2.48

Sellafield

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what inspections of Sellafield have taken place by Euratom inspectors since 1 May 1997. [28173]

Angela Eagle: Article 35 of the Euratom Treaty requires Member States to establish facilities for the continuous monitoring of the levels of radioactivity in the environment. The European Commission periodically arranges for groups of experts to visit Member States to verify the operation and efficiency of these facilities.

The most recent verification visits to the UK took place in May and December 1993 and evaluated monitoring facilities in the vicinities of Dounreay and Sellafield respectively. The Commission concluded that the monitoring facilities met the required standard on both occasions.

Sapphire

Mr. Salmond: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress made so far on the consultation process he announced following the loss of the fishing vessel Sapphire; when this consultation began; which officials in his Department have been involved in the consultation process; which organisations have been contacted; and when he expects the findings to be announced. [27533]

Ms Glenda Jackson *[holding answer 5 February 1998]:* The Consultation document which we propose to publish will address many complex issues and it is necessary to have the input of a number of Government Departments beforehand to ensure that it is as comprehensive as possible and correctly addresses all the relevant issues.

This process is naturally taking some time and consequently I am not as yet in a position to be able to inform the hon. Member when the paper will be published or the findings of the consultation announced.

Speed Cameras

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions when he will install speed cameras in South Newton on the A36(T); and what additional traffic management measures he will introduce there. [28120]

Ms Glenda Jackson *[holding answer 6 February 1998]:* I have asked the Chief Executive of the Highways Agency, to write to the hon. Member.

Letter from Peter Nutt to Mr. Robert Key, dated 9 February 1998:

Glenda Jackson has asked the Chief Executive of the Highways Agency to write to you in reply to your recent PQ about the installation of speed cameras on the A36 at South Newton. Lawrie Haynes, the Chief Executive, has asked me to reply as he is away from the office at present.

You should have now received Lawrie Haynes' letter of 3 February on this subject. We plan to replace the traffic activated sign on the Salisbury bound carriageway of the A36 with a speed camera. We also plan to install signs on the A36 indicating the

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presence of speed cameras. We have consulted the Parish Council and residents of South Newton on the environmental aspects and we hope that the equipment will be in place by the end of March.

We are still awaiting the full report from Wiltshire County Council and we will look at further measures, including 'gateway' treatment, when we consider that report.

Genetically Modified Organisms

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's response to the representations from English Nature for a three-year ban on the cultivation of genetically modified herbicide-resistant crops; and if he will make a statement. [28130]

Angela Eagle: The Department invites English Nature to comment on all applications for research trials or marketing of genetically modified organisms. Their representations are taken into account in the Secretary of State's decision. In commenting on the specific genetically modified herbicide tolerant crops which have gone forward for marketing approval in the European Union, English Nature raised various concerns, but did not at that stage call for a three year ban.

In responding to the Ministry of Agriculture, Fisheries and Food on a discussion paper on genetically modified herbicide tolerant crops in September 1997, English Nature stated that

"until the consequences of using GMHT crops become clearer through research the conservation agencies recommend that the precautionary principle is applied and that no commercial releases are approved for at least the next five years. With research not being available before 2000, we find it difficult to justify the addition of GMHT crops to the UK national list until 2002".

The Ministry, along with my Department, is considering the large number of comments received about the discussion paper and will announce its conclusions as soon as it can.

In response to the concerns of English Nature and other conservation bodies about the widespread introduction of genetically modified crops and the resulting changes in pesticide use and agricultural practice; officials in my Department are considering the implications for the environment, particularly possible indirect effects on wildlife. We shall be having further discussions with English Nature and others on how these concerns may best be addressed.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress of his Department's research into genetically modified herbicide resistant crops. [28131]

Angela Eagle: The Department's research to monitor releases of genetically modified oil seed rape is being carried out by the National Institute of Agricultural Botany. This study started in 1995 and we expect to receive the final report in March. We will assess the implications of the research and the results will be published by the Department as a research report.

In September 1997, the Department commissioned NIAB to carry out a further three-year study into monitoring large scale releases of genetically modified crops. This will include crops entered into the national list trials such as winter oil seed rape and sugar beet. The results of this study will be published in due course.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions at what stage the HSE review into the disposal of non-reproductive genetically modified organisms has reached; and if he will make a statement. [28129]

Angela Eagle: The Health and Safety Executive (HSE) consulted interested parties last year on a proposal for an exemption certificate which would allow disposal of untreated liquid waste containing GMOs when, on the basis of a thorough risk assessment, they are judged not to pose a risk to human health and the environment. The sort of GMOs concerned are those which are capable of only limited survival in the environment. Non-reproduction would be one of the factors considered in the risk assessment. The consultation also included detailed related guidance on risk assessment.

The Advisory Committee on Genetic Modification have evaluated the outcome of the consultation exercise. They advised that while no new issues about risk assessment had been raised in the consultation an independent review of the scientific literature should be commissioned, given the continual advances in knowledge in this area, to ensure that the very latest scientific information is taken into account. HSE has accepted this advice. Further consideration of the proposed certificate and guidance, by HSE and the Government Departments with an interest, has therefore been deferred pending completion of that review.

Council Tax Discount

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to extend discretion to local authorities in determining the level of council tax discount to second homes. [28393]

Mr. Raynsford: All dwellings in England which are no-one's sole or main residence, including second homes, attract a 50 per cent. discount Local authorities do not have any discretion to vary this. Since the election, we have received a number of representations about the council tax liability of second homes. We are considering these as part of our review of the council tax.

Boundary Committee (Hertfordshire)

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will implement the recommendation of the Local Government Boundary Committee in Hertfordshire prior to 1998 local elections. [28480]

Mr. Raynsford: No. The intention is to introduce the new electoral arrangements in Hertfordshire for the local government elections in 1999.

Publications

Mr. Gale: To ask the Secretary of State for the Environment, Transport and the Regions if he will list, by title, the publications produced by his Department and by the office of the Deputy Prime Minister, between 1 May 1997 and 31 January 1998. [26329]

Angela Eagle: The Department of the Environment, Transport and the Regions (DETR) produces a wide variety of publications covering the full range of responsibilities of the Deputy Prime Minister and his Department. I am placing in the Library of the House a list of titles for DETR from its formation on 16 June 1997 to 31 January 1998. The list also includes titles produced by the former Department of the Environment from May 1997, and the former Department of Transport from June 1997.

Homelessness (Southampton)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions (1) what is the total number of registered homeless people in the Southampton City Council area; [27555]

(2) how many people have been accepted on to the homeless register of Southampton City Council in each of the last five years. [27554]

Mr. Raynsford: The table provides the available data on the numbers of households accepted as homeless and in priority need under the homelessness provisions of the 1985 and 1996 Housing Acts in Southampton for the calendar years 1992 to 1996 and the first 9 months of 1997.

Year	*Homelessness acceptances*
1992	474
1993	442
1994	579
1995	584
1996	538
1997[1]	398

[1] data for the first 3 quarters only.

Under Part VI of the Housing Act 1996, authorities must establish and maintain a housing register for the purpose of allocating their housing accommodation but there is no statutory obligation for local housing authorities to hold a register of homeless applicants. Accommodation secured as a discharge of a homelessness duty need not be a tenancy allocated under part VI of the 1996 Act.

Housing (Southampton)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing transfer list of the Southampton City Council; and what were the equivalent figures at the same time in each of the last five years. [27899]

Mr. Raynsford: The information requested is not collected centrally.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing waiting list of the Southampton City Council; and what were the equivalent figures at the same time in each of the last five years. [27558]

Mr. Raynsford: Local authorities in England report the numbers of households on their housing register/waiting list (excluding existing tenants awaiting a transfer) at 1 April each year in their annual Housing Investment Programme (HIP1) returns. The data reported by Southampton City Council for 1997 and the previous five years are as follows:

Year	*Waiting list*
1992	5,915
1993	5,721
1994	5,704
1995	4,504
1996	6,233
1997	2,329

Local authorities have different practices for compiling and managing their housing register/waiting lists which mean that simple comparisons between authorities can be misleading. The substantial change in the figures between 1996 and 1997 resulted primarily from a review exercise linked with revisions to the housing register in order to meet the requirements of the 1996 Housing Act.

Government Property (Southampton)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many properties formerly owned by Government Departments have been made available to *(a)* the council and *(b)* housing associations in the Southampton City Council area. [27560]

Mr. Raynsford: This information is not held centrally.

Government Properties (Winchester)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many properties formerly owned by Government Departments have been made available to *(a)* the council and *(b)* housing associations in the Winchester City Council area. [28332]

Mr. Raynsford: This information is not held centrally.

"Rural England 1996"

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions if he will list, with reference to the consultation exercise carried out prior to the publication of "Rural England 1996" Cm 3444, those individuals and organisations who attended each of the public consultation meetings, where each meeting was held and when. [28536]

Angela Eagle: A large number of conferences and seminars were held following the publication of the Rural White Paper, "Rural England: A Nation Committed to a Living Countryside" in 1995. "Rural England 1996" reported that these events were arranged by voluntary agencies, parish, district and county councils. Government Ministers participated in over 50 of such meetings. Records of the individuals and organisations who attended each of the meetings are not held centrally.

Local Democracy

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish his proposals for reforming local democracy; and if he will make a statement. [28962]

Mr. Prescott: I have published today the first in a series of papers inviting discussion on proposals to modernise English local government. Copies have been placed in the Library of the House.

This first paper—on local democracy and community leadership—sets out proposals for modernising local electoral arrangements, for developing new ways in which councils can listen to their local communities and involve them in their decisions, for devising new ways in which councils can work, and for strengthening councils' roles as leaders of their local communities.

Other papers in the series will cover our proposals for best value in service delivery, a new ethical framework for local government, and aspects of the local government finance system. Following what I hope will be a wide public debate, we will set out our firm proposals in a White Paper. Our aim is a reinvigorated local government playing its full part as a partner with central government in laying the foundations for stable economic growth and improving the quality of people's lives.

PRIME MINISTER

Overseas Visits

Mr. Wilshire: To ask the Prime Minister if he will list all overseas visits made since 1 May 1997 on which he has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him *(b)* the cost to public funds of each such visit. [23251]

The Prime Minister *[holding answer 15 January 1998]:* My wife accompanied me on the following official overseas visits.

20–23 June 1997: Denver and New York

29 June-1 July 1997: Hong Kong

8–13 January 1998: Japan

4–7 February 1998: Washington

Any additional costs incurred are minimal as was the case under the previous Administration.

Mr. Redwood: To ask the Prime Minister what was the cost to public funds of the trip to the Seychelles and Nairobi for *(a)* the travel and accommodation of accompanying staff and *(b)* the Prime Minister and Mrs. Blair. [23478]

Mrs. Virginia Bottomley: To ask the Prime Minister how many *(a)* officials and *(b)* security staff accompanied him on his trip to the Seychelles. [27151]

The Prime Minister *[holding answer 16 January 1998]:* The costs of travel and accommodation for myself and my family were met by the Blair family. Other costs related to the Prime Minister's security and secure telecommunications. It has been the practice of successive Governments not to detail such expenditure for security reasons.

Mr. Wilshire: To ask the Prime Minister (1) when it was decided, and by whom, that the term spouse in paragraph 83 of the Ministerial Code should be extended to permit those not married to a Minister making an overseas trip to accompany him or her at public expense; [25773]

(2) when permission was first granted for someone not married to a civil servant making an overseas trip to accompany the civil servant at public expense; [25775]

(3) when it was decided, and by whom, that the term spouse in the rules that govern the granting of permission for someone not married to a civil servant accompanying that civil servant on an overseas visit at public expense including partners. [25774]

The Prime Minister *[holding answer 27 January 1998]:* I refer the hon. Member to the answer I gave to the hon. Member for Guildford (Mr. St. Aubyn) on 20 January 1998, *Official Report,* column *483.*

Mr. Wilshire: To ask the Prime Minister (1) what was the public interest justification under paragraph 83 of the Ministerial Code when he granted permission to the Minister of State, the hon. Member for Leeds, Central (Mr. Fatchett), to take his wife to Australasia and the Pacific from 12 to 22 September; [25771]

(2) what was the public interest justification under paragraph 83 of the Ministerial Code when he granted permission to the Minister of Agriculture to take his wife to the Netherlands from 25 to 27 May; [25864]

(3) what was the public interest justification under paragraph 83 of the Ministerial Code when he granted permission to the Minister of State, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), to take his companion to Luxembourg from 25 to 26 October. [25770]

The Prime Minister *[holding answer 27 January 1998]:* I refer the hon. Member to the reply I gave him on 5 February 1998, *Official Report,* columns *732–33.*

Mr. Heathcoat-Amory: To ask the Prime Minister what clear public interest was served by the visit of Miss Geraldine Daly when accompanying the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) to Luxembourg. [26247]

The Prime Minister *[holding answer 29 January 1998]:* I refer the right hon. Gentleman to the reply I gave the hon. Member for Spelthorne (Mr. Wilshire) on 5 February 1998, *Official Report,* columns *732–33.*

Mr. MacShane: To ask the Prime Minister if he will list Government expenditure on Ministerial overseas visits at current prices *(a)* for the financial years (i) 1993–94, (ii) 1994–95, (iii) 1995–96 and (iv) 1996–97 and *(b)* from 1 May 1997. [28964]

The Prime Minister: Expenditure on Ministerial overseas visits in real terms for the periods requested is estimated as follows:

Year	*£ million*
1993–94	6.5
1994–95	6.6
1995–96	6.9
1996–97	7.5
1 May 1997 onwards	4.7

These figures do not include some expenditure falling to the Scottish Office, the Ministry of Defence, and the Welsh Office where the information is not available for the earlier years. Full information is available from

1996–97 and the full cost for 1996–97 was over £7.8 million and for the period since 1 May was less than £5 million.

Ministerial Hospitality

Mr. MacShane: To ask the Prime Minister if he will list Government expenditure on Ministerial hospitality at current prices *(a)* for the financial years (i) 1993–94, (ii) 1994–95, (iii) 1995–96 and (iv) 1996–97 and *(b)* from 1 May 1997. [28965]

The Prime Minister: Expenditure on Ministerial entertaining and hospitality for official purposes for 1993–94 is not available. For the later years in real terms it is estimated as follows.

Year	*£ million*
1994–95	2.0
1995–96	1.8
1996–97	2.0
1 May 1997 onwards	0.9

These figures for 1994–95 and 1995–96 do not include expenditure falling to the Ministry of Defence as figures are not yet available.

Mr. Hawkins: To ask the Prime Minister, pursuant to his oral answer of 28 January 1998, *Official Report*, column 342, what was the total cost of Government hospitality between 1 May 1997 and 1 February 1998; and what was the figure for the equivalent period in 1996–97. [26855]

The Prime Minister *[holding answer 2 February 1998]:* I refer the hon. Member to the answer I gave to my hon. Friend the Member for Rotherham (Mr. MacShane) today.

Ministerial Residences

Mr. MacShane: To ask the Prime Minister what was the cost of maintaining and refurbishing Ministerial residences at current prices for the financial years *(a)* 1993–94, *(b)* 1994–95, *(c)* 1995–96, *(d)* 1996–97 and *(e)* 1997–98. [28963]

The Prime Minister: Expenditure on Ministerial residences in real terms for the periods is estimated as follows:

Year	*£ million*
1993–94	1.1
1994–95	1.1
1995–96	1.4
1996–97	1.2
1997–98 (forecast)	1.1

These figures include running costs and refurbishment costs of the residential areas of buildings.

Correspondence

Mr. Howard: To ask the Prime Minister when he expects to answer the letters from the right hon. and learned Member for Folkestone and Hythe dated 22 and 28 January. [27268]

The Prime Minister *[holding answer 3 February 1998]:* My office have no record of letters dated 22 and 28 January from the right hon. and learned Member. I have replied to the letter of 23 January.

Millennium Compliance

Mr. David Atkinson: To ask the Prime Minister what initiatives he is taking with other Governments to tackle the problem of the millennium compliance of computer systems. [27870]

The Prime Minister: We are continuing to encourage other Governments to take action following the lead of the Government's Action 2000 campaign in the United Kingdom. The issue will also be discussed at the group of Eight Foreign and Finance Ministers in May.

Departmental Spending Review

Mr. Hancock: To ask the Prime Minister if he will publish the composition of the Departmental Spending Review steering groups set up as part of the Comprehensive Spending Review. [27490]

The Prime Minister: The terms of reference have been published and the final conclusions and the outcome of the Comprehensive Spending Review will be announced to Parliament in the summer. Secretaries of State and Departmental Ministers are overseeing the reviews in their respective departments but it is not the usual practice to identify individual civil servants providing advice to Ministers.

MI5 Files

Mr. Gordon Prentice: To ask the Prime Minister, pursuant to his answer of 29 January 1998, *Official Report*, column *307*, if the Data Protection Registrar will require MI5 to register files held on individuals and to make them available to them. [27483]

The Prime Minister: The Data Protection Registrar is independent of Government in the exercise of her functions under the Data Protection Act 1984 and it would therefore not be appropriate for Ministers to comment upon her intentions or actions in this regard.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Prime Minister what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27806]

The Prime Minister *[holding answer 5 February 1998]:* Records of the cost of cars and drivers for my Office are shown below. Figures for taxis were not recorded separately until the current year.

£

Year	*Cars*	*Taxi*
1995–96	414,269	—
1996–97	373,930	—
1997 to date	252,164	3,947

It is not our normal practice to provide an estimated outturn for the full year.

Central Media Monitoring Unit

Mr. Sayeed: To ask the Prime Minister, pursuant to his answer of 4 February 1998, *Official Report*, column *668*, if he will ensure that the output of the Media Monitoring Unit is be placed in the Library, as soon as it is produced. [28465]

The Prime Minister: The Media Monitoring Unit will add the Library to its automatic fax list as soon as the Unit is fully operational.

ATTORNEY-GENERAL

Computer Systems

Mr. Clifton-Brown: To ask the Attorney-General if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27851]

The Attorney-General: The position in relation to the Departments and other bodies for which I am responsible is as set out. All rely heavily on computers for such matters as word processing, case management and accounts. While equipment and software has been updated and upgraded as necessary this has not, in most cases, amounted to the acquisition of a major new system. The details given concern major new systems.

Crown Prosecution Service

For the purposes of this question as it applies to the CPS I have taken a major system to be one costing over £1 million.

The installation of the case management system (SCOPE) was concluded in April 1997. The system was installed in 53, rather than the planned 93, branches at a final contractual cost of £10.6 million. The planned date of commissioning was April 1994 and the estimated cost £8 million. Variations between planned and actual costs and dates arose because of new requirements and organisational changes.

A replacement finance system was also installed in April 1997 at a cost of £1.7 million. The cost and timing was according to plan.

No major new systems (over £1 million) are planned for the year 1998–99.

Serious Fraud Office

In January 1998 the Serious Fraud Office awarded a contract for the provision of IT services under the Private Finance Initiative. Future IT systems will be provided under this contract. The cost of the services will depend on usage, but is forecast to be in the region of £800,000 in the financial year 1998–99.

Treasury Solicitor's Department (including Government Property Lawyers) and Legal Secretariat to the Law Officers

Future IT requirements in these Departments are currently under consideration. The outcome will be known shortly but current expectations are that work on replacement systems will take place in 1998–99 at a total cost in the region of £540,000.

Diarmuid O'Neill

Mr. McNamara: To ask the Attorney-General if the Police Complaints Authority, in its investigation into the shooting of Diarmuid O'Neill, is required to take into account the findings of the European Court of Human Rights in McCann and others *v.* UK. [27417]

Mr. Michael: I have been asked to reply.

The Police Complaints Authority investigation will consider all the circumstances leading to the shooting of Mr. O'Neill and any matters arising. It will take into account the issues arising from McCann and others *v.* United Kingdom.

INTERNATIONAL DEVELOPMENT

Publications

Mr. Gale: To ask the Secretary of State for International Development if she will list, by title, the publications produced by her Department between 1 May 1997 and 31 January 1998. [26324]

Clare Short: We have produced the following publications since 1 May.

White Paper

Eliminating World Poverty: a challenge for the 21st Century (White Paper on International Development presented to Parliament by the Secretary of State for International Development by Command of Her Majesty November 1997 Cm 3789)

Eliminating World Poverty: A Summary

24 pages

Country Strategies

British aid to Ecuador: Working to improve the quality of life for Ecuadorean people

24 pages

Development Partners: Britain and Pakistan

14 pages

Support for Transition Countries: A new strategy

16 pages

Issues

Developments: The International Development magazine (issue 1 first quarter 1998)

36 pages

UK@earth. People: Poverty and the Environment

64 pages

Forests Matter: The DFID approach to forests

5 pages

Time for Action: Reducing the dangers of pregnancy in poor societies

18 pages

Towards 2015 Together: How the UK will use its Presidency of the European Union to work for a fairer world

4 pages

Six monthly newsletters on Water, Energy Efficiency, Urbanisation, Transport and Earthworks

8–12 pages

Reports

Gender and school achievement in the Caribbean (serial no. 21)

126 pages

Good practice in developing sustainable information systems

74 pages

Integrated Coastal Management: South Asia

95 pages

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for International Development what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by her Department in (i) 1996 and (ii) 1997; and for what purpose. [28387]

Clare Short: No Brazilian mahogany has been acquired or specified by the Department for International Development in 1996 or 1997.

Development Education

Mr. Bill Michie: To ask the Secretary of State for International Development what plans her Department has to recognise and support development education at a local level. [28234]

Clare Short: We attach great importance to strengthening our work in promoting development education and public awareness of development issues in the UK. Our strategy in this area will consider carefully the many different potential channels and partners for delivering our objectives, including at a local level. Local level groups will also be well represented on the new Development Awareness Working Group, which will advise us on our work in this area.

EU Aid

Mr. Vaz: To ask the Secretary of State for International Development what discussions she has had with her EU partners, concerning aid to *(a)* India, *(b)* Nepal, *(c)* Sri Lanka, *(d)* Pakistan, *(e)* Afghanistan, *(f)* Bangladesh and *(g)* other South Asian countries. [27946]

Clare Short: I have had discussions with EU partners about Afghanistan on which a common position was agreed at an early stage of the Presidency on 26 January. In particular, I discussed women's rights with Emma Bonino, EC Commissioner for Humanitarian Affairs when the Commissioner visited London last month.

In respect of India, Nepal, Sri Lanka, Pakistan and Bangladesh, my officials maintain regular contact with EU partners in Brussels, in other development forums and particularly in-country, both in the context of general donor co-ordination and in relation to specific projects and sectors.

Congo

Mr. Hancock: To ask the Secretary of State for International Development what initiatives she has taken to encourage the regulation and auditing of mining investment in the Democratic Republic of Congo. [28966]

Mr. Foulkes: We continue to work closely with the World Bank as they seek to agree policy and economic frameworks with the Government of the Democratic Republic of the Congo (DRC) which will ensure the environment needed to encourage private investment. In my own discussions with DRC Government Ministers, I have emphasised the importance of efficient and effective Government regulation wherever appropriate.

SCOTLAND

Further Education Colleges

Mr. Gorrie: To ask the Secretary of State for Scotland if he will take steps to improve the openness and accountability of the funding of further education colleges. [22270]

Mr. Wilson: We have completed over the last 8 months a thorough review of the way further education colleges are funded, followed by a widespread consultation with the further education sector on proposed changes to that methodology. The process itself has been conducted in an open and accountable way, with representatives of the colleges being involved at all stages, and our intention is that the end product will be a system which is as open and accountable as possible.

Housing

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the total amount of *(a)* public and *(b)* private money invested in public housing in Scotland in 1996 prices. [22399]

Mr. Macdonald *[holding answer 12 January 1998]:* The table contains information about the public resources invested in public housing in Scotland since 1978–79[1]. No private finance has been invested in the housing stock while in public ownership.

Year	*£ million*
1978–79	941.162
1979–80	862.723
1980–81	724.993
1981–82	645.207
1982–83	652.726
1983–84	691.379
1984–85	540.998
1985–86	563.097
1986–87	612.002
1987–88	789.684
1988–89	698.059
1989–90	773.050
1990–91	717.613
1991–92	635.933
1992–93	576.777
1993–94	570.991
1994–95	575.924
1995–96	612.738
1996–97	432.000

[1] The term 'public housing' is taken to mean housing owned by local authorities, Scottish Homes (formerly the Scottish Special Housing Association), and the New Town Development Corporations. This does not therefore include investment by the Housing Corporation (pre-1989) and by Scottish Homes (since 1989) in housing association stock, in the private rented sector and in housing for sale. All amounts are in £ million at 1996–97 prices.

Queen's Counsel

Mr. Gordon Prentice: To ask the Secretary of State for Scotland how many advocates are QCs; and what percentage of the Scottish Bar this represents. [27833]

Mr. McLeish: 141 advocates are QCs, which represents 23 per cent. of the Scottish Bar.

Farm Incomes

Mr. Alan W. Williams: To ask the Secretary of State for Scotland if he will list the average net annual income for farmers in Scotland from 1989–90 to 1996–97. [28282]

Mr. Macdonald *[holding answer 6 February 1998]:* Results from the Annual Survey of Farm Accounts in Scotland, averaged across all farm types are set out in the table.

£ per farm

Year	*Net farm income*
1989–90	14,915
1990–91	14,143
1991–92	10,706
1992–93	14,974
1993–94	16,559
1994–95	21,151
1995–96	23,707
1996–97	19,482

HOME DEPARTMENT

Prisoner Transfers

Mr. McNamara: To ask the Secretary of State for the Home Department how long each transfer of prisoners to the Republic of Ireland has so far taken to complete; if he will list the stages in the transfer operation for which he is responsible; and what targets he has set for each stage and for the total average transfer time. [27409]

Ms Quin: Since 1 November 1995, 26 prisoners have been repatriated from England and Wales to the Republic of Ireland. Each case took the following number of days respectively to complete: 379, 764, 203, 779, 379, 379, 412, 764, 807, 757, 794, 196, 185, 178, 179, 178, 178, 555, 612, 644, 425, 618, 331, 463, 79, 316.

Because each case is considered on its individual merits, and circumstances vary from case to case, it is not considered appropriate to set targets for the completion of individual stages in the repatriation process. As a second jurisdiction is also involved in the consideration of repatriation applications, it is similarly inappropriate to set a target for final completion.

The United Kingdom authorities are initially responsible under the terms of the Council of Europe Convention on the Transfer of Sentenced Persons for obtaining and collating relevant documentation required in support of each repatriation application, and where a particular request appears to meet the requirements of the Convention, for referring it to the receiving jurisdiction.

If the other jurisdiction agrees to receive the prisoner, the United Kingdom is responsible for ensuring that the prisoner's sentence will continue to be enforced in the receiving jurisdiction, and for deciding whether to agree to the transfer. The United Kingdom is then responsible for providing the prisoner in writing with the details of the basis on which repatriation will take place, for obtaining the prisoner's written consent to repatriation, and for forwarding this to the receiving jurisdiction.

Mr. McNamara: To ask the Secretary of State for the Home Department how many applications for prisoner transfer to the Republic of Ireland have been withdrawn or resolved without a transfer. [27412]

Ms Quin: Fifty-three applications for repatriation to the Republic of Ireland submitted by prisoners in England and Wales have been withdrawn or resolved without a transfer.

Young Offenders Institutions

Mr. Clappison: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Castle Point (Mrs. Butler) of 22 January 1998, *Official Report*, columns *639–40*, (1) if he will publish the available evaluation in respect of the relative effectiveness of the experimental regime at Colchester Young Offenders Institution against other initiatives; and with which initiatives the experimental regime at Colchester Young Offenders Institution has been compared; [26289]

(2) how many offenders have passed through the programme at Colchester Young Offenders Institution experimental regime; and how many of these reoffended following their release; [26299]

(3) if he will give an analysis of his costings of a place *(a)* in the experimental regime at Colchester Young Offenders Institution, *(b)* at Thorn Cross Young Offenders Institution and *(c)* in a typical young offenders institution. [26288]

(4) what is the average rate of reoffending for offenders aged 17 to 21 years on release from *(a)* young offenders institutions, *(b)* Thorn Cross Young Offenders Institution experimental regime and *(c)* Colchester Young Offenders Institution experimental regime; [26296]

Ms Quin: At 20 January 1998, 36 young offenders had completed their sentence at Colchester Young Offender Institution, and information to date indicates that, of those, one is known to have been reconvicted. The reconviction rates for Colchester and Thorn Cross will not be available for some time. Home Office statistics indicate that 73 per cent. of male young offenders (ages 17–20) who were discharged in 1993 were reconvicted within two years. The cost per place is based on dividing the running costs by the certified normal accommodation (CNA) for the establishment. The CNA for Colchester, Thorn Cross High Intensity Training and a typical Young Offender Institution are 32, 72 and 363 respectively.

It is our intention to publish the study of the experimental regime at Colchester Young Offender Institution carried out by the Institute of Criminology at the University of Cambridge when it is complete.

Asylum Seekers

Mr. Allan: To ask the Secretary of State for the Home Department what assessment he has made of the effect on asylum applicants of his decision to withdraw special funding to the Immigration and Advisory Service and the Refugee Legal Centre in 1998–99. [27168]

Mr. Mike O'Brien: A final decision will be taken when representations from both organisations have been fully considered.

A very small proportion of those appealing against the refusal of asylum would be affected by a decision to discontinue the funding under the Spend to Save initiative. This funding is presently provided on an annual basis, in addition to their ongoing grant in aid, to the Refugee Legal Centre (RLC) and the Immigration Advisory Service (IAS). IAS and RLC were aware of the short-term nature of the provision when they accepted it.

Immigration and Nationality Directorate

Mr. Singh: To ask the Secretary of State for the Home Department how many people currently awaiting a decision upon their application for British citizenship have been waiting more than a year since their application form was received by the Immigration and Nationality Directorate. [26517]

Mr. Mike O'Brien: On 23 January 1998, there were 37,029 applications for British citizenship in the Nationality Directorate which had been outstanding for more than one year.

Anti-social Behaviour Orders

Mr. Clappison: To ask the Secretary of State for the Home Department what legal advice he has received regarding the compatibility of the Anti-social Behaviour Orders proposed in the Crime and Disorder Bill [*Lords*] with the European Convention on Human Rights; and if he will publish it. [27679]

Mr. Michael: I am satisfied that our proposals for establishing Anti-Social Behaviour Orders are compatible with the European Convention on Human Rights. The question of the compatibility of the provisions in the Crime and Disorder Bill for Anti-Social Behaviour Orders with the European Convention on Human Rights has been carefully considered by Government lawyers but it is not normal practice to publish legal advice and we see no reason to breach this principle in this case.

Mr. Clappison: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 January 1998, *Official Report*, columns *66–67*, on the Crime and Disorder Bill [*Lords*], if he will make a statement on the compatibility of the proposed legal procedure for the Anti-social Behaviour Order in the Bill with Article 6 of the European Convention on Human Rights. [27678]

Mr. Michael: We consider that the legal procedure for the Anti-Social Behaviour Orders in the Crime and Disorder Bill complies with Article 6 of the European Convention on Human Rights. Application for an order is a civil procedure. An order has prohibitory force only and involves no criminal record. Breach of an order is a criminal offence and carries with it the full safeguards of the criminal law.

Police Cell Deaths

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department how many people have died in police cells over the last 10 years in each of Wales's police forces. [27442]

Mr. Michael: The table gives figures on the number of deaths occurring in police stations for each force area in Wales. From the information collected centrally it is not always possible to ascertain how many persons actually died in police cells.

Deaths in police stations (1987–1996)

Year	*Dyfed-Powys*	*Gwent*	*North Wales*	*South Wales*
1987	0	0	0	0
1988	0	0	0	0
1989	0	0	0	1
1990	0	0	0	1
1991	0	1	0	1
1992	0	0	2	0
1993	0	0	1	1
1994	0	0	0	0
1995	0	0	0	0
1996	0	1	0	2
Total	0	2	3	6

Child Prostitution

Mr. Sheerman: To ask the Secretary of State for the Home Department what plans he has to introduce modifications to the law to empower police to take positive steps to arrest and convict child abusers who entrap children into prostitution. [27175]

Mr. Michael: We are very concerned about the existence of child prostitution and the tragedy of the involvement of any child in prostitution. The principal aim of the law in this area is to protect the children concerned and to ensure that all those who seek to exploit children in this way, whether it is those who have unlawful sexual intercourse with a child or those who encourage, control or exploit the prostitution of children, are liable in the criminal law. It is, of course an operational matter for the police to investigate any allegations of a crime.

We are satisfied that the law is adequate to deal with the evil of child prostitution. We will, however, consider any particular proposals to tighten the law further in this area if deficiencies are identified.

Mr. Sheerman: To ask the Secretary of State for the Home Department what discussions he has had with chief

constables on ways in which police forces can more effectively protect children from abusers who entrap them into prostitution. [27174]

Mr. Michael: I have had no specific discussions with chief constables on this particular aspect of child prostitution.

Under section 46(1) of the Children Act 1989, police have powers to take into protective custody any child at risk of significant harm. The child can then be referred to appropriate agencies. The Association of Chief Police Officers has now issued best practice guidelines for the police that emphasise that children caught up in prostitution should normally be treated as victims and in need of help rather than criminals. These guidelines were drawn up in discussion with the Children's Society and other agencies, and the Home Office.

Domestic Violence

Ms Moran: To ask the Secretary of State for the Home Department what plans he has to ensure local authorities adopt best practice in their measures to tackle domestic violence. [27374]

Mr. Michael: The provisions of the Crime and Disorder Bill will place a statutory duty on local authorities and the police service to develop local crime and disorder reduction partnerships with other agencies. These will assess local crime problems, develop a strategy for tackling them and publish crime reduction targets. In areas where the local crime audits identify domestic violence as a problem, the local crime and disorder reduction strategy should address it.

Care Homes (Crime)

Mr. Burstow: To ask the Secretary of State for the Home Department (1) if he will ensure that crimes committed within care homes are incorporated within the British Crime Survey; [28356]

(2) if he will introduce a category into the British Crime Survey to cover crimes committed against people with learning difficulties who live in residential care homes. [28355]

Mr. Michael: The British Crime Survey (BCS), which the Home Office conducts, is a survey of people living in domestic households in England and Wales. In its present format and structure, it would be inappropriate for the BCS to include offences committed against people who live in residential care homes. This would require a specialist survey. A feasibility study into a possible survey of communal establishments is being undertaken by Social Survey Division of the Office for National Statistics. As yet, no decision has been taken on the types of communal establishment that this would cover, whether victimisation will be covered or the funding arrangements for the survey.

World Cup

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department, pursuant to his answer to the right hon. Member for Horsham (Mr. Maude) of 30 January 1998, *Official Report*, columns *395–96*, on policing at the World Cup, if he will provide a list of the representatives from Scotland and their organisations who (i) were invited and (ii) will be attending the Blackburn seminar; and if he will make a statement. [27905]

Mr. Michael: Invitations to attend the Blackburn seminar on the policing of football have been sent to a number of Scottish organisations and individuals, including the Scottish Office, the Association of Chief Police Officers (Scotland), the Scottish Football Association and the Scottish Federation of Football Supporters Clubs. I am pleased to say that all these organisations have agreed to send representatives.

Publications

Mr. Gale: To ask the Secretary of State for the Home Department if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26325]

Mr. Straw: The list is being placed in the Library. The Home Office is the originating body for all the items listed. The material is either published internally or by a commercial publisher, in most cases the Stationery Office Ltd.

The list includes publications available in print, but excludes audiovisual material, ephemera and the reports produced by the Constabulary, Fire Service, Prisons and Probation Inspectorates between the specified dates for which a separate list is being prepared. New editions and new titles published during this period are listed, but reprints are not. Publications produced by the non-departmental bodies and four executive agencies of the Home Office (Her Majesty's Prison Service, United Kingdom Passport Agency, Fire Service College and Forensic Science Service) have not been included.

The list of Inspectorate reports will be placed in the Library as soon as it is available.

Handguns

Mr. Steen: To ask the Secretary of State for the Home Department when he expects compensation to be paid to Mr. Michael Wellum of Wrenwell Farm, Denbury, Devon, for his handguns surrendered on 18 August and whose claim for compensation was submitted on 21 August 1997; and if he will make a statement on the reasons for the delay. [28352]

Mr. Michael: The Option A and B elements of Mr. Wellum's compensation claim in respect of large calibre handguns and his accompanying ex gratia application in respect of small calibre pistols were processed on 23 January 1998. The Option C elements of the claim and application will be considered at a later date under the published arrangements for processing compensation claims. There has been no "delay" in this case. I have explained to the House on many occasions why firearms compensation claims take time to process.

Civil Servants

Mr. Duncan: To ask the Secretary of State for the Home Department if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and

(f) been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27463]

Mr. Straw *[holding answer 5 February 1998]:* No senior civil servants in the pay band covering posts at the level equivalent to grade 3 or above have since 1 May 1997 *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, or *(d)* changed jobs with the Department. Three have *(e)* moved to other Departments. None have *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department during this period.

Crime

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department, pursuant to the oral answer of 2 February 1998, *Official Report*, column 709, if he will specify those areas of local government activity which will show resource savings as a result of the implementation of statutory duties on local authorities as contained in the Crime and Disorder Bill [*Lords*], and estimate the amount of savings in each case. [27945]

Mr. Michael *[holding answer 5 February 1998]:* The nature and precise extent of such savings will vary from one local authority to the next, depending on the kind of crime and disorder problems in each area identified by the audit which the Crime and Disorder Bill will require, and the priorities of the crime and disorder strategies as agreed with key partners locally. It is not possible to put any meaningful figures on this yet, but we expect there to be potential for considerable savings. This point was broadly acknowledged by many of the local authorities which responded to our invitation to comment on these proposals before the Bill was published.

Examples of local government activity which might benefit from these proposals include:

Housing—reduced capital expenditure on repairs to property damaged by vandalism. Reduced time in pursuing complaints for which the remedies are adequate.

Social Services—reductions in the costs associated with dealing with the incidence of youth crime and its aftermath.

Education—reduced bills for repairs to school buildings, and savings arising from improved attendance rates and less disruption in the classroom.

Just as importantly, the Crime and Disorder Bill will put local authorities where they should always have been—in the forefront of the fight against crime. Local surveys have shown time and again that this is seen as a core activity for local government by the people which it exists to serve. We are determined to give local authorities the powers they need, and want, to meet this wholly legitimate demand by local communities.

Ethnic Minorities

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department if he will list the number of section 11 teachers in each local education authority. [26754]

Mr. Mike O'Brien: The following table shows numbers of posts (in full-time equivalent terms) approved for section 11 funding, as at 31 January 1998, which are specifically designated as to be filled by qualified teachers.

LEA	*Number of posts*
Barking and Dagenham	18.2
Barnet	49.544
Bedfordshire	54
Berkshire	64.5
Bexley	7.04
Birmingham	235.19
Bolton	52.1
Bradford	235.6
Brent	65
Brighton and Hove	9
Bristol*	39
Bromley	1
Buckinghamshire	59.2
Bury	21.5
Calderdale	29
Cambridgeshire	40.5
Camden	91.7
Cardiff*	29.6
Cheshire	5
Coventry	101.5
Croydon	74.1
Darlington*	9
Derby*	108
Devon	4.5
Doncaster	6.4
Dudley	46
Ealing	70.8
East Sussex	5.3
Enfield	80
Essex	2
Gateshead	2
Gloucestershire	18
Greenwich	45
Hackney	162.5
Hammersmith and Fulham	29.5
Hampshire	4.95
Haringey	150.05
Harrow	34.5
Havering	3
Hereford and Worcester	10.7
Hertfordshire	87.45
Hillingdon	18
Hounslow	76.5
Hull*	2.7
Islington	92
Kensington and Chelsea	43.5
Kent	71.59
Kingston-upon-Thames	7.08
Kirklees	143
Lambeth	128.1
Lancashire	163.8
Leeds	7.85
Leicester	69.1
Leicestershire	13.8
Lewisham	83
Lincolnshire	6.1
Liverpool	13
Luton	103
Manchester	96
Merton	18
Middlesbrough*	29
Newcastle	3.7
Newham	6
Newport*	18
Norfolk	8.6
North East Lincolnshire	2.1
North Lincolnshire	5
North Tyneside	10
North Yorkshire	4
Northamptonshire	35
Nottinghamshire	90.6
Oldham	70.75
Oxfordshire	37.1
Poole*	2

LEA	Number of posts
Portsmouth	10.5
Redbridge	119.2
Richmond	4
Rochdale	54
Rotherham	18.5
St. Helens	0.7
Salford	4.6
Sheffield	88.5
Shropshire	6.89
Somerset	3.5
South Tyneside	8.5
Southampton	22.612
Southwark	45.2
Staffordshire*	39
Stockport	4.55
Suffolk	18.2
Sunderland	6.81
Surrey	17.5
Sutton	5.5
Swansea*	16
Swindon*	8.625
Tameside	19.4
Tower Hamlets	277.7
Trafford	19
Wakefield	18
Walsall	81.5
Waltham Forest	102.08
Wandsworth	83.5
Warwickshire	55.7
Westminster	105.5
West Sussex	13.5
Wigan	4.5
Wolverhampton	83.6

Note:
Since local government reorganisation in 1996 or 1997, LEAs marked * have managed section 11 provision in the areas of neighbouring local education authorities which are not listed separately in the table.

TREASURY

School Children's Clothing and Footwear (Value Added Tax) Bill

Mr. Loughton: To ask the Chancellor of the Exchequer for what reasons the Economic Secretary is not willing to meet the hon. Member in charge of the School Children's Clothing and Footwear (Value Added Tax) Bill to discuss its Second Reading on 6 February. [27936]

Dawn Primarolo: As Financial Secretary, I am responsible for the matter raised by the hon. Member. Other commitments, including preparatory work on the Budget which the Chancellor will present on 17 March, preclude a meeting at present.

Publications

Mr. Gale: To ask the Chancellor of the Exchequer if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26335]

Mrs. Liddell: The list of the main publications produced by HM Treasury between 1 May 1997 and 31 January 1998 is as follows:

Titles published by HM Treasury and available from HM Treasury Public Enquiry Unit

(All titles are free unless otherwise indicated)

Budget and Pre-Budget Publications:

The Pocket Budget: July 1997

(available by sending a self addressed postcard to: Freepost Budget 97)

The Pocket Pre-Budget 98: November 1998

(available by sending a self addressed postcard to: Freepost Pre-Budget 98)

Pre-Budget Report Publications

A code for fiscal stability: November 1997

The Economy and the Public Finances: supplementary material (November 1997)

Fiscal policy: lessons from the last economic cycle (November 1997)

The modernisation of Britain's tax and benefit system No. 1: Employment opportunity in a changing labour market (November 1997)

The Public Sector balance sheet (December 1997)

Tax Ready Reckoner and tax reliefs (December 1997)

Central Unit on Procurement Guidances (Now Procurement guidances) All £3.00 each

CUP 55: Ethics in procurement (May 1997)

CUP 56: Debriefing (May 1997)

CUP 57: Strategic Partnering in government (May 1997)

CUP 58: Incentivisation (May 1997)

CUP 59a: Documentation: Model appraisal questionnaire (May 1997)

CUP 59b: Documentation: Pre qualification (May 1997)

CUP 59c: Documentation: Model invitation to tender (May 1997)

CUP 59d: Documentation: Model conditions of contract (August 1997)

CUP 60: Supplier appraisal (May 1997)

CUP 61: Contract management (May 1997)

Procurement Guidance 1: Essential requirements for construction procurement (December 1997)

Procurement Guidance 2: Value for money in construction procurement (December 1997)

Procurement Guidance 3: Appointment of consultants and contractors (December 1997)

EMU Publications

The UK and membership of the single currency: an assessment of the 5 economic tests (October 1997)

EMU: Practical guide for business (July 1997)

Available in writing from: EMU Initiative, P.O. Box 506, London, SE99 7UY

EMU: Report from the Business Advisory Group (January 1998)

Pros and Cons of the EMU: summary of a report by David Currie (July 1997)

Other titles:

Cash ratio deposits: a consultation document issued by HM Treasury (November 1997)

Comprehensive Spending Review—Terms of Reference (July 1997)

Explanatory Notes: Summer Finance Bill 1997 £4.50 (July 1997)

The Future of UK Government Debt and cash management: a proposal for consultation by HM Treasury (July 1997)

The Future of UK Government Debt and cash management: a response to consultation by HM Treasury, 22 December 1997 (December 1997)

The National Asset Register (November 1997)

Publications in Print (August 1997)

Regularity and Propriety: a handbook ISBN 0947819 576 £2.50 (July 1997)

Treasury Occasional paper No. 9: The VAT shortfall: report of the Working Group on VAT receipts and forecasts (September 1997)

Private Finance Initiative publications:

Treasury Taskforce Private Finance—Partnerships for Prosperity: the Private Finance Initiative (November 1997)

Bates Recommendation No 10: Treasury Taskforce approach to model contracts (November 1997)

Interim guidance on the application of FRS5 to accounting for PFI transactions in public sector accounts (September 1997)

Policy Statement (Draft): Public Sector Comparators and value for money (September 1997)

Policy Statement No. 1: PFI and Public Expenditure Allocations (October 1997)

PFI Technical Note (Draft): Standardisation of information required from prospective tenderers and OJEC Notices (November 1997)

PFI Technical Note No. 1: How to account for PFI Transactions (September 1997)

Taking forward PFI in local government (September 1997)

A Step by Step guide to the PFI procurement process (July 1997)

Titles produced by HM Treasury and Published by The Stationery Office

The main titles produced by HM Treasury and available from The Stationery Office (TSO) are:

Equipping Britain for our long term future: Financial Statement and Budget Report: July 1997

House of Commons Paper 85 (1997/98) ISBN 010 263398 3 £16.80

Pre Budget Report: November 1997: Securing Britain's long-term economic future CM 3804 ISBN 010 13804 9 £20.00

The Finance (No. 2) Act 1997 ISBN 010 545897 X £11.00

Summer Finance Bill

House of Commons Bill 29 (1997/98) ISBN 010 836045 8 £8.00

EC finances: statement on the 1997 EC budget and measures to counter fraud and financial mismanagement

CM3700 ISBN 010 137002 4 £6.50

Supply Estimates: supplementary

Individual Savings Accounts

Mr. Lilley: To ask the Chancellor of the Exchequer what estimate he has made of the effect on tax revenues of setting the cap on tax exempt savings held in individual savings accounts at *(a)* £30,000, *(b)* £50,000, *(c)* £100,000, *(d)* £150,000 and *(e)* £250,000. [19704]

Mr. Geoffrey Robinson *[holding answer 8 December 1997]:* TESSAs and PEPs will cost about £1½ billion a year by April 1999. Under the proposals set out in the consultation document, funds currently held in TESSAs and PEPs will be able to transfer into individual savings accounts, subject to the overall £50,000 limit. People with PEPs and TESSAs whose value exceeds £50,000 will be unable to transfer the excess to ISAs.

The estimated cost to the Exchequer of these proposals is broadly similar to the combined cost of TESSAs and PEPs, but estimates are sensitive to assumptions made eg on the level of take up. The effect on cost of varying the level of the cap will depend on the way in which people decide to invest the balance of their investments.

Agency Tax Rules

Mr. Timms: To ask the Chancellor of the Exchequer if the draft legislation to implement the changes in the agency tax rules for construction workers announced by the Financial Secretary on 31 July 1997 will be published in advance of the Finance Bill 1998. [28961]

Dawn Primarolo: The draft legislation, which will implement this change, will be published today. Copies have been placed in the Libraries of the House. This will give agencies as much time as possible to alter their systems and procedures in advance of the change which comes into effect on 6 April 1998. The change will help to align the tax and national insurance treatment of these workers and is part of the Government's commitment to streamline and modernise the tax and benefits system.

CULTURE, MEDIA AND SPORT

World Cup (Disabled Supporters)

Mr. Jim Murphy: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the *(a)* proportion of tickets available and *(b)* facilities for disabled supporters in each of the stadiums in which Scotland and England will play their first round World Cup matches. [27128]

Mr. Tom Clarke: I understand that the French World Cup organisers will set aside facilities for disabled supporters in the stadia at which matches will be staged. A decision on the number of tickets to be allocated for England and Scotland supporters will be taken shortly. The English and Scottish Football Associations have applied for tickets for existing members of the England Members Club and the Scottish Travel Club, who regularly attend away matches.

Sport (Governing Bodies)

Mr. Jim Murphy: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the cost to public funds of the governing bodies for sport. [27127]

Mr. Tom Clarke: In 1997–98, the UK Sports Council and English Sports Council will provide Exchequer grants totalling almost £11.2 million directly to governing bodies of sport to help them develop strategies and a range of activities which support the Councils' objectives.

A number of governing bodies are also eligible to apply for funding from the Lottery Sports Fund. To date, almost £23 million has been awarded to governing bodies under the English Sports Council's 'World Class Performance' Programme.

Civil Servants

Mr. Duncan: To ask the Secretary of State for Culture, Media and Sport if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27464]

Mr. Tom Clarke *[holding answer 5 February 1998]:* None.

Publications

Mr. Gale: To ask the Secretary of State for Culture, Media and Sport if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26321]

Mr. Tom Clarke: The Department for Culture, Media and Sport produced the following publications between 1 May 1997 and 31 January 1998:

The Treasure Act 1996 Code of Practice (England and Wales)

The Treasure Act: Information for finders of Treasure (England and Wales).

The BBC and the Future of Broadcasting: Government Response to the Fourth Report from the National Heritage Committee Session 1996–97.

Export of Works of Art 1996–97.

Public Libraries: A Vision for the Future.

The People's Lottery White Paper.

The People's Lottery Summary Leaflet.

European Audiovisual Conference: Challenges and Opportunities of the Digital Age.

Marking the Millennium in a Multi-faith Context.

Cultural Connections Booklet.

Cultural Connections Poster.

FOREIGN AND COMMONWEALTH AFFAIRS

Official Cars

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many official cars are available for use by Ministers in his Department; and how many new cars have been acquired for the use of Ministers in his Department since 1 May. [25177]

Mr. Fatchett *[holding answer 23 January 1998]:* Five cars are provided for the five Foreign and Commonwealth Office Ministers under the Government Car Scheme. This Department has not acquired any new cars for its Ministers.

Turkey

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs if the British Vice-Consul in Istanbul will be permitted to give evidence to a Turkish court regarding incidents in Istanbul on 2 September 1997. [26042]

Mr. Doug Henderson *[holding answer 29 January 1998]:* As set out in the answer given by the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd) on 29 January 1998, *Official Report*, column *385*, our guidelines are that we generally expect British officials to co-operate with local judicial authorities. In this particular instance, no request has been made by the local courts. Under Article 44(3) of the Vienna Convention on Consular Relations, members of a consular post are not obliged to give evidence on matters encountered in the exercise of their functions. We have concluded that it would be inappropriate for the British Vice Consul (Information) to give evidence because of the need for him to retain the status of impartial observer in attending subsequent court cases in his consular capacity.

Millennium Compliance

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration is being given by the European Union to the consequences of the failure of computer and safety systems controlling nuclear plants in the former eastern bloc to be millennium compliant. [28246]

Mr. Fatchett: The failure of a computer system would not directly affect the safety of any nuclear reactor power plants in the former eastern bloc. The control of these plants is carried out by analogue or electro-mechanical means. However, computers are used for data recording and plant management purposes, and the European Union has a programme to up-grade a number of these. The Health and Safety Executive publication "Safety and the year 2000" has been sent to the senior nuclear regulators in the former eastern bloc and it will form the basis of discussion at a meeting of these regulators with their EU counterparts in June 1998.

Schengen Agreement

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 January 1998, *Official Report*, column *466*, what was the date of the response by the United Kingdom permanent representative to the Dutch permanent representative's letter of 16 July; and if he will make a statement on his meeting with the Dutch Minister for Europe and his Irish counterpart on 22 July 1997. [28238]

Mr. Doug Henderson: The United Kingdom Permanent Representative replied to the Dutch Permanent Representative's letter of 16 July on 25 July. At a meeting on 22 July the Dutch Minister for Europe, the Irish Foreign Minister and I discussed Article 4 of the Protocol integrating the Schengen Acquis into the Framework of the European Union.

Video Conferencing

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what use has been made by the British presidency of the European Union of interactive video conferencing; what responses have been received to date; what has been the cost to public funds to date; and what plans he has to make further use of video conferencing in this area. [28204]

Mr. Doug Henderson: Video conferencing is being used extensively during the UK's Presidency of the European Union, particularly between London and Brussels. We are also exploring ways of encouraging greater use of video-conferencing for contacts with EU Partners, but it is too early to draw conclusions on the practical scope for this.

The information requested on cost to public funds of video-conferencing is not readily available and could be provided only at disproportionate cost.

Military Technology Sales

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the number of items of British manufactured technology found by United Nations Special Commission inspectors at Iraqi sites used for the preparation or manufacture

of *(a)* chemical, *(b)* biological and *(c)* nuclear weapons of mass destruction; and if he will place in the Library the most recent UNSCOM report to the UN Security Council. [28169]

Mr. Tony Lloyd: British manufactured equipment has been found at a number of sites inspected by UNSCOM and the IAEA. Any evidence of wrongdoing is investigated and, if appropriate, will be a matter for the courts.

A copy of UNSCOM's most recent (October) Report to the Security Council is already held by the Libraries of the House.

Algeria

Mr. Gareth Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the UK Government are taking to bring to the attention of the Algerian Government their responsibilities to protect the lives of civilians. [27993]

Mr. Fatchett: I led the EU Troika Mission to Algiers from 19–20 January 1998. We had talks with the Foreign Minister and the Prime Minister. As part of the EU political dialogue with Algeria, we raised with them the need to provide adequate protection for their citizens. We believe that it is important that this dialogue should continue.

Mr. Gareth Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to expedite action by the United Nations Special Rapporteur on extrajudicial killings in Algeria. [27994]

Mr. Fatchett: During the EU Troika Mission to Algiers from 19–20 January 1998, I and my Troika colleagues urged the Algerian Government to agree to a visit by the UN Special Rapporteurs. The Algerians stated that they are not ready to do so. We will continue to press them to issue an invitation as soon as possible.

Mr. Gareth Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of the Government in relation to the future progress of the EU-Algeria Partnership Agreement with particular reference to Algeria's commitments under the humans rights clause in that agreement. [27992]

Mr. Fatchett: The EU/Algeria Association Agreement currently under negotiation will contain a human rights clause committing both parties to respect human rights and democratic principles. We support progress in negotiating the agreement, which will provide for political dialogue on a range of issues, including human rights, once it enters into force.

Civil Servants

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many black and Asian persons have been recruited to the Foreign Office since 1 May 1997. [27949]

Mr. Tony Lloyd: FCO staff are not obliged to report their ethnic origins. According to the ongoing voluntary and confidential survey, the FCO has received returns from 13 Black or Asian people who joined the office since 1 May 1997. We know that many new entrants have not yet returned their forms. Irrespective of the actual numbers, the FCO is committed to increasing the representation of minority ethnic, and other under-represented, groups.

Arms Sales

Dr. Tony Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs what structures for parliamentary scrutiny and accountability in member states are contained in the UK proposals for an EU code of conduct on arms sales. [28175]

Mr. Tony Lloyd: Our proposals develop the EU's 8 Common Criteria agreed in 1991 and 1992, using language in the UK's national criteria announced by my right hon. Friend the Foreign Secretary on 28 July 1997. Neither set of criteria includes structures for parliamentary scrutiny and accountability and we are not proposing such structures in the Code of Conduct. The role of national parliaments in the export licensing process is a matter for Member States. At a national level, we are committed to reporting annually to Parliament on the application of strategic export controls in order to ensure transparency and accountability.

Environmental Policy Co-ordination

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the meeting he attended in January in Latvia with heads of European Governments on environmental policy co-ordination. [28203]

Mr. Doug Henderson: The Summit of the Council of Baltic Sea States took place in Riga on 22–23 January. The Deputy Prime Minister represented the UK as Presidency of the EU. The Summit discussed regional co-operation; enlargement of the EU; democracy and human rights; economic co-operation; investment; transport; energy; environment and sustainable development, including the outcome of the Kyoto Summit; information technology; and higher education.

On the environment, the Summit supported ongoing work on sustainable development in the Baltic Sea region; reaffirmed its commitment to removal of pollution from the Baltic Sea and endorsed a strategy for improving reception facilities for ship-generated waste; and welcomed assistance from the European Union in combating pollution.

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of potential damage to *(a)* Karbala, *(b)* Najaf and *(c)* the Ziggarat at Ur in the selection of potential targets for military strikes on Iraq. [28617]

Mr. Fatchett: It is not sensible to speculate on potential military targets at a time when we are still actively pursuing a diplomatic solution to the crisis with Iraq.

Publications

Mr. Gale: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26327]

Mr. Fatchett: Information Department of the Foreign and Commonwealth Office produces a range of publications designed to project Britain and British Government policies overseas, and present Britain's viewpoint on subjects of particular interest or significance to an international audience.

127 such publications were produced during the period 1 May 1997 to 31 January 1998, details of which are as follows:

FCO Publications produced between 1 May 1997 and 31 January 1998

Publications

1998 Calendar
1998 Diary
Backpackers
Britain and Canada (English)
Britain and Canada (French)
Britain and India
Britain and Japan
Britain and Pakistan
Britain and the Commonwealth
Britain in Brief
Britain's Automotive Components Industry
Britain's Chemical Industry
Britain's Clothing and Textile Industry
Britain's Clothing and Textile Industry (language versions)
Britain's Commercial Vehicles Industry and Britain's Motorsport Industry (Korean and Chinese)
Britain's Construction Industry
Britain's Design Industry
Britain's Environmental Technology Industry
Britain's Medical Technology and Equipment Industry
Britain's Monarchy—a factual guide
Britain's Oil, Gas, Petro Industry
Britain's Security in a Changing World
Britain's System of Government
Britain's Tax System
Britain's Telecommunications Industry
Britain's Tourism Industry
Checklist (Welsh)
Checklist for Travellers
Consular Annual Review
Consular Services Abroad
Consultancy Industry
Do's and Don'ts
EAB Recruitment
EU leaflets for E Europe Posts
EU Presidency Ambassador for day
EU Presidency Flier
EU Presidency Handbook
EU Presidency Logo Booklet
EU Presidency Statement
Exercise Blue Hungwe
FCO Open Day leaflet
First Post
Forces Marriages
Getting to Know Britain Cards
Hong Kong
Hong Kong Con-Gen
Justice and the Law (Spanish insert)
Legislation leaflet
Lisbon Expo 98 Folder
London
Marshall Plan 50th Anniversary
Media in Britain
Open Entry Point (FCO Recruitment)
Outline Britain
Passing Legislation
Peter the Great Folder
Peter the Great Leaflet
Policy Entry Point (FCO Recruitment)
Prisoner Transfer
Protected Areas Antarctica
Public Diplomacy News
Publications Catalogue
Road Haulage
Science and Technology
SOS Press Pack
Sport in Britain
Survey of Current Affairs (August)
Survey of Current Affairs (December)
Survey of Current Affairs (January)
Survey of Current Affairs (July)
Survey of Current Affairs (June)
Survey of Current Affairs (May)
Survey of Current Affairs (November)
Survey of Current Affairs (October)
Survey of Current Affairs (September)
Tackling Drugs Folder
Tackling Drugs Leaflet
Talking Points August
Talking Points December
Talking Points June
Talking Points November
Talking Points October
Telecommunications Industry
The British Royal Family Broadsheet
UK Government Ministers
UK in Asia booklet
UK: 10 Centuries in the Making
Victims of Crime Abroad

Background Briefs

What the British are good at (No.9)
The Wassenaar Arrangement
Adaptation of the Treaty on Conventional Armed Forces in Europe
Transatlantic Relations
Europe and the EU's Fight against Serious and Organised Crime
The Russian Orthodox Church
Asia-Europe Meeting
British Assistance to the Commonwealth
Environment and Development: the UN Assesses Progress since Rio
What the British are good at (No.10)
Britain and India: A Modern Partnership
The Commonwealth Contribution

Britain and Pakistan in 1997

The Growing Importance of China as a Regional and World Power

Treaty on Conventional Armed Forces in Europe:

An Implementation Update

Religion in Russia: Legal and Constitutional Factors

What the British are good at (No.11)

Yemen: A Survey of Recent Developments

Britain and Brazil: An Agenda for the Millennium

Climate Change: The Road to Kyoto

Tackling Poverty in the 21 Century: Britain's Role

Nigeria: Human Rights, Human Wrongs

Britain's Accession to the UN Convention of the Law of the Sea

Briefing Papers

Enlargement of the European Union

British Policy on Anti-Personnel Landmines

Facts about Modern Britain

Some Facts About the European Union

Fact About Modern Britain (revised)

Britain's Growing Economy

Scotland and Wales Opt for Devolution

Britain's Presidency of the European Union

Briefing Note

The EUREKA Programme

Debt 2000 Initiative: The Mauritius Mandate

Factsheets

British General Election: 1 May 1997

Spotlight on Britain

Britain's Department of Social Security

Britain's Department of Trade and Industry

Britain's Department for International Development

Cambodia

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs what matters were discussed when he met the Deputy Prime Minister of Cambodia and the Adviser and Director of the Cabinet for Cambodia; and if he will make a statement about *(a)* bi-lateral British and Cambodian relations and *(b)* relations between the European Union and Cambodia. [28350]

Mr. Fatchett: When I met the Cambodian Deputy Prime Minister on 21 January, our discussions covered the internal political situation, the forthcoming Cambodian elections, human rights and other issues. These talks were part of a continuing dialogue between the UK and Cambodia. The EU also takes a keen interest in events in Cambodia and is providing 9.5 mecu in election assistance, subject to political conditionality.

Falkland Islands

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what offers of assistance have been *(a)* received, *(b)* discussed and *(c)* accepted from the Government of Argentina to assist British troops with mine clearance in the Falkland Islands. [28224]

Mr. Tony Lloyd: In 1993, the Argentine Government offered to assist with demining and to meet the cost.

The matter was last discussed by Ministers at a meeting between the Foreign Secretary and Dr. di Tella in November 1997, and by officials at a routine meeting earlier this week.

We are committed to meeting our obligations under the Ottawa Convention. It is currently considering how best to achieve this in the mined areas on the Falkland Islands. Comprehensive clearance work on the minefields was stopped soon after the conflict following a number of serious incidents involving clearance personnel.

Single Market

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he proposes to secure the completion of a single market; and to what timetable. [27682]

Mrs. Roche *[holding answer 4 February 1998]:* I have been asked to reply.

The Single Market Action Plan produced last year by the Commission sets out the key priorities to ensure an effective Single Market. All Member States have committed themselves to a timetable to catching up with delays in implementing Single Market law by the end of this year. As chairman of the Internal Market Council during the UK Presidency, the Minister for Trade and Competitions in Europe will be leading the efforts to achieve this timetable. There has also been close co-ordination with Austria to ensure that momentum is kept up in the second half of the year. However, there will still be a need for work to ensure the Single Market is working effectively and responsive to new markets: also that the rules are being properly enforced and are not over-complicated. There will also be a need for legislation for new technologies as they emerge. Progress in these areas will be a top priority for the UK Presidency.

WALES

Birth Defects

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many babies were born with serious birth defects in each health authority in Wales in *(a)* 1997, *(b)* 1987 and *(c)* 1977. [26988]

Mr. Win Griffiths: The number of voluntary notifications of babies born with congenital anomalies, by usual residence of mother, is shown in the following tables for the years 1977, 1987 and 1996, which is the latest year for which information is available. Data for 1996 are not comparable with the previous years as prior to 1990 all malformations were notifiable, but from 1990 onwards specified minor anomalies were excluded from notifications to the Office for National Statistics (ONS). Additionally, prior to 1995 only those anomalies detected at or within ten days of birth were notified. Data for 1996 include anomalies detected after 10 days.

Health Authority of residence of mother	*1977*	*1987*
Clwyd	89	63
Dyfed	69	—
East Dyfed	—	69
Pembrokeshire	—	39
Gwent	60	70

Health Authority of residence of mother	*1977*	*[1]1987*
Gwynedd	42	48
Mid Glamorgan	98	148
Powys	26	41
South Glamorgan	93	70
West Glamorgan	74	54
Wales	551	602

[1] Dyfed figures for 1987 were provided by the health authorities of East Dyfed and Pembrokeshire

Health Authority of residence of mother	*[1]1996*
Bro Taf	75
Dyfed Powys	19
Gwent	11
Morgannwg	9
North Wales	63
Wales	177

[1] 1996 figures were provided by the reorganised health authorities which came into being on 1 April 1996.
Source:
ONS

Hospital Closures

Mr. Barry Jones: To ask the Secretary of State for Wales (1) how many hospitals have been closed since 1979; and if he will make a statement; [27275]

(2) how many hospitals have closed since 1 May 1997. [27274]

Mr. Win Griffiths: Since 1 January 1979, some 62 NHS hospitals have been closed and remain closed to date according to records held by the Welsh Office. Over the same period 15 NHS hospitals have been opened. No NHS hospitals have been closed, or opened, since 1 May 1997.

NHS Ancillary Staff

Mr. Barry Jones: To ask the Secretary of State for Wales how many ancillary staff are employed in the NHS in Wales. [27272]

Mr. Win Griffiths: The system used to classify directly employed non-medical NHS staff changed from groups which were based on payscales to groups which are based on new occupation codes. The staff group previously described as 'ancillary staff' are now mostly in a group called 'support staff'. At 30 June 1997, there were approximately 5,800 whole-time equivalent support staff directly employed by the NHS in Wales.

Out-of-school Clubs

Mr. Barry Jones: To ask the Secretary of State for Wales how many out-of-school clubs there are; and if he will make a statement. [27649]

Mr. Win Griffiths: The out-of-school child care Initiative has supported the development of 206 child care clubs providing 4,500 child care places since its inception in 1993.

I have increased the level of funding for this initiative in 1998–99 by 300% to a new level of £900,000. I anticipate that this will support a further 30 child care clubs and 650 more child care places for school age children. This demonstrates our commitment to the development of child care in Wales to enable women in particular to re-enter the labour market or re-train. This initiative helps support our Welfare to Work programme and will contribute to the Childcare Strategy for Wales.

Truancy

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he has instituted to reduce the incidence of truancy; and if he will make a statement. [27648]

Mr. Hain: The Welsh Office issued draft guidance on "School Attendance and the Role of the Education Welfare Service" in December. The consultation ends on 20 February. Final guidance will be issued shortly thereafter fulfilling the undertaking given in the White Paper "Building Excellent Schools Together".

An OHMCI Report "Improving Attendance and Behaviour: An Evaluation of Welsh Office [GEST] Funded Projects in Nine LEAs" was published on 12 December 1997 with the aim of spreading good practice.

LEAs in Wales have indicated they propose to spend about £0.5 million on truancy and discipline measures through the Department's Grants for Education Support and Training programme (GEST) in 1998–99. Authorities were informed of their individual allocations on 30 January.

The Department's Youth Access Initiative 1998–99 has required local authorities and TECs to produce joint action plans to tackle the problems of disaffection among young people who are not receiving education or training and are not in employment. For young people below school leaving age the plans will help them to return to mainstream education. Welsh Office support in 1998–99 amounts to £1.6 million.

Welsh Language

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many children in Wales currently receive a Welsh language medium education. [27443]

Mr. Hain: At January 1997, 50,392 children in maintained primary schools were in classes in which Welsh was the sole or main medium of instruction and a further 7,649 were in classes in which Welsh was used as a medium of teaching for part of the curriculum. 49 maintained secondary schools were "Welsh speaking" schools (as defined by the Education Act 1996) but not all pupils in these schools would have been taught through Welsh. Of the 28,831 pupils in Years 7 to 11 in these schools, 21,372 were taught the subject of Welsh as a first language. This may give an indication of the number studying other subjects through the medium of Welsh.

Town Centre Shopping

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what steps he intends taking to protect town centre shopping facilities in Wales. [27445]

Mr. Win Griffiths: Government planning policy on retailing and town centres is set out in "Planning Guidance (Wales) Planning Policy" published in May 1996. This includes a commitment to sustain and enhance town centres and established tests for new retail development which favour town centres sites. A revised version of "Planning Guidance (Wales) Planning Policy" is now being prepared following consultation and it is intended that this will emphasise the need to safeguard and promote town centre shopping.

Tuition Fees

Mr. Öpik: To ask the Secretary of State for Wales if he will estimate the gross cost of setting up mechanisms for the means testing of citizens of other EU member states to assess their eligibility to pay tuition fees. [27716]

Mr. Hain: This is a matter for my right hon. Friend the Secretary of State for Education and Employment.

Farm Incomes

Mr. Alan W. Williams: To ask the Secretary of State for Wales, pursuant to his answer of 2 February 1998, *Official Report*, column *532*, what information he has collated on the net annual income for farmers in Wales during *(a)* 1996–97 and *(b)* the current financial year. [28284]

Mr. Win Griffiths *[holding answer 6 February 1998]:* The information requested is currently being collated, and will be published in a Statistical Release on Thursday 12 February 1998. I will write to my hon. Friend enclosing a copy of the Release and will also arrange for copies to be placed in the Library of the House.

Publications

Mr. Gale: To ask the Secretary of State for Wales if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26333]

Mr. Ron Davies: Between 1 May and 31 January 1998, the Welsh Office published 831 titles and the Office of Her Majesty's Chief Inspector of Schools in Wales, 747.

A list of the publications will be placed in the Library of the House as soon as possible.

Local Government Finance

Mr. Gareth Thomas: To ask the Secretary of State for Wales what are his plans for local government revenue spending for 1998–99. [28981]

Mr. Ron Davies: Further to my announcement on 2 February, I am laying the Local Government Finance Report (Wales) 1998–99 (revised) with the Limitation of Council Tax (Relevant Notional Amounts) Report (Wales) 1998–99 (revised) today. These revised reports replace those two reports laid before the House on 2 February which have been withdrawn due to a small error in the calculation of the standard spending assessments. The Special Grant Report (No. 2) (Wales) 1998 has not been revised.

I am placing revised settlement details for individual local authorities in the Library of the House. The details for individual police authorities and the settlement aggregates have not changed. My decisions are subject to the approval of the House of Commons.

Crickhowell House

Mr. Wigley: To ask the Secretary of State for Wales what rent his Department is currently paying to Associated British Ports for Crickhowell House in Cardiff; what is the length of the lease; and what are the break-points in the lease. [28339]

Mr. Ron Davies: For reasons of commercial confidentiality it is Government policy not to disclose information about rent levels for individual properties. The lease runs for 25 years from 31 August 1993 with no break provision.

National Assembly

Mr. Wigley: To ask the Secretary of State for Wales if those who made bids for the location of the National Assembly will be permitted to amend the detailed bids submitted; and if he will make a statement. [28340]

Mr. Ron Davies: It is open to those who made bids to amend the details as they see fit, but I expect to make a decision shortly.

Mr. Wigley: To ask the Secretary of State for Wales if he will *(a)* publish and *(b)* place in the Library the full details of the bids received for the location of the National Assembly. [28341]

Mr. Ron Davies: I refer the hon. Member to the reply I gave my right hon. Friend the Member for Swansea, West (Mr. Williams) on 3 February 1998, *Official Report* column *606*.

LORD CHANCELLOR'S DEPARTMENT

Publications

Mr. Gale: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26322]

Mr. Hoon: The Lord Chancellor's Department has published the following publications between 1 May 1997 and 31 January 1998.

1. *Lord Chancellor's Department Headquarters*

Green Paper:

Who Decides? Making Decisions on behalf of Mentally Incapacitated Adults

Reports:

Review of the Court of Appeal (Civil Division)

Review of Civil Justice and Legal Aid: Report to the Lord Chancellor by Sir Peter Middleton GCB

Access to Justice publications:

Civil Procedure Rules about Costs: A Consultation Paper

Clinical Negligence Cases: Proposed New Procedures: A Consultation Paper

Judicial Case Management: the Fast Track and Multi-Track: A Working Paper

Multi-Party Situations: Proposed New Procedures: A Consultation Paper

Security for Costs: Proposed New Rules: A Consultation Paper

Service of Court Process Abroad: Proposed Civil Procedure Rules: A Consultation Paper

The Small Claims Procedure: A Consultation Paper

Specialist Jurisdictions: Proposed New Procedures: A Consultation Paper

Family Law Act 1996:

Domestic Violence: The New Law: A Guide to Part IV of the Family Law Act 1996 for family law practitioners

Domestic Violence: The New Law: A Guide to Part IV of the Family Law Act 1996 for agencies and professionals helping victims of domestic violence

Help against Domestic Violence—free leaflet in English, Welsh and six other languages

LCD Research Series:

1/97 Monitoring the Rise in the Small Claims Limit: litigants' experiences of different form of adjudication (Professor John Baldwin)

2/97 Delay in the Criminal Justice System (Dr. Satnam Choongh)

3/97 Resolving Civil Disputes: choosing between out-of-court schemes and litigation (Tamara Goriely and Tom Williams)

4/97 Law-And-Economics: State of the Art and Questions for the Future (Professor Anthony Ogus)

5/97 Regulating Legal Services (Professor Robert Baldwin)

6/97 Judicial Appointments Commissions: The European and North American Experience and the possible implications for the United Kingdom (Dr. Cheryl Thomas and Dr. Kate Malleson)

7/97 The Division of Marital Assets Following Divorce with Particular Reference to Pensions (Professor Antony Dnes)

8/97 Household Indebtedness, voluntary and involuntary: a study of court summonses (Mike Hope)

9/97 Expenditure on Legal Services (Mike Hope)

10/97 Legal Aid Delivery Systems: which offer the best value for money in mass casework? A summary of International Experience (Tamara Goriely)

11/97 Ethnic Monitoring of Defendants Appearing at Leicester Magistrates' Court in 1995 (Home Office and Professor Philip Bean)

Magistrates' courts statistics:

Information Bulletin Issue 2/97: Time Intervals for Criminal Proceedings in Magistrates' Courts: February 1997 (published June 1997)

Information Bulletin Issue 3/97: Magistrates' Courts User Reaction and Waiting Times on the Day Surveys (published August 1997)

Information Bulletin Issue 4/97: Time Intervals for Criminal Proceedings in Magistrates' Courts: June 1997 (published December 1997)

Annual Reports:

Judicial Studies Board Annual Report

Advisory Committee on Legal Education and Conduct Annual Report

Others:

Hearsay (LCD staff magazine—six issues per annum)

2. Court Service

Annual reports:

The Court Service Annual Report

The Judicial Statistics Annual Report

Court users information leaflets:

English and Welsh versions

Small Claims Leaflets: Amended

Ex 301 What is a small claim? can it help me?

Ex 302 How to make a small claim

Ex 303 I've received a summons—what do I do

Ex 304 No reply to my summons—what should I do

Ex 305 The defendant agrees with the claim

Ex 306 The defendant disagrees with the claim

Ex 307 An arbitration hearing

Registered Judgements Ex 320 What does it mean?

Enforcing your Judgement

Ex 321 I have a judgement but the defendant hasn't paid—What can I do?

Ex 322 Warrant of execution—How do I ask for a warrant of execution?

Ex 323 Attachment of earnings—How do I ask for an attachment of earnings order?

Ex 324 Oral examinations—How do I ask for an oral examination?

Ex 325 Garnishee and charging orders—How do I ask for a garnishee or charging order?

Ex 326 I cannot pay my judgement—What do I do?

Ex 327 I've got a maintenance order—but it's not being paid

Ex 350 Small Businesses—A guide for small businesses to debt recovery through a county court—Going to court—can it help me?

Part IV of the Family Law Act 1996

Information Pack

FL700 leaflet How can it help me?

Family leaflets:

D183 About Divorce

D184 I want to get a divorce—what do I do?

CB1 Children and the family courts

Fees leaflets:

Ex 50 Fees County Court Fees 15 January 1997 (amendment)

Ex 50 Welsh version

Attachment of Earnings Handbook for Employers

Attachment of Earnings leaflet

Leaflet—Ancillary Relief and you

Leaflet—Making an application for Ancillary Relief

Leaflet 5130 Guide to proceedings in the Court of Appeal—Criminal Division

Ex 501 Welsh language information sheet

Leaflet—Information about your Compensation award (Produced by Magistrates Courts Division) Welsh and English versions

Public Information Notices: Welsh versions for Disabilities Discrimination Act

Ex 104 Court information leaflets

Ex 343 Complaints leaflets

3. Public Trust Office

Annual publications:

Public Trust Office Annual Report

Public Trust Office Corporate Plan

Public Trust Office Business Plan

Factsheets:

Protection Division Accounts

Protection Division Annual Enquiries

Protection Division Investments

Death of an Incapacitated Person

Applications for the Direction of the Public Trustee

A Guide to the Court Funds Office—Protection Division Payments

Booklets:

Making an Application

Duties of a Receiver

Protection Division Fees

Receiver's Handbook

Information for Nursing Homes, Hospitals and Other Carers

Handling the Financial Affairs of People Suffering from Mental Disorder

Enduring Powers of Attorney Handbook

How to Complain

Charter Statements—for Protection Division, Receivership Division, Trust Division and Court Funds Officer

Receivership Information Booklet for the Use of Clients

Receivership Division Information Booklet

Receivership Division Information for Nursing Homes, Hospitals and Other Carers

Trust Division Executor and Trustee Services

Trust Division Fees.

Magistrates (Wales)

Mr. Ruane: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the names of those sitting on advisory committees for the appointment of magistrates in Wales. [27111]

Mr. Hoon: The names of the members of the Lord Chancellor's Advisory Committees on Justices of the Peace in Wales are as follows, listed by Advisory Committee:

Clwyd

Sir William Gladstone Bt JP (Chairman, Lord Lieutenant)

Mrs. S. E. Glazebrook JP

R. Evans Esq

Mrs. C. T. Owen JP

Mrs. L. C. Wilding JP

Mrs. J. Jones JP

A Blackwell Esq JP

M. Pugh Esq JP

T. Lloyd Esq JP

Mrs. G. M. Peers JP

Mrs. A. K Larsen JP

Dr. J. P. Davies JP(m)

Mrs. D. C. Ellis

Dyfed-Carmarthen

Sir David Mansel Lewis KCVO JP (Chairman, Lord Lieutenant)

Mrs. D. Evans JP

Mrs. M. Lloyd JP

T. G. Evans Esq JP

Mrs. P. A. Williams

Mrs. B. M. Jones JP

Dr. H. Edwards JP (m)

Mrs. E. E. Jenkins JP

G. C. Price Esq JP

J. H. Owens Esq JP

Dyfed-Ceredigion

W. R. G. James Esq JP (Chairman)

Mrs. M. J. K. Davies JP

G. R. Evans Esq MBE JP

Mrs. M. R. E. Roderick JP

I. I. Griffiths Esq JP

Prof. D. H. E. Roberts JP

G. J. Morgan Esq JP

H. P. Williams Esq JP

Mrs. N. E. Davies

Dyfed-Pembroke

Mrs. C. F. Ramsden JP (Chairman)

Mrs. P. A . Barker JP

D. W. Banner Esq JP

J. D. Harry Esq JP

D. Fellows Esq

G. Sizer Esq JP

S. Watkins Esq JP

G. L. Gibby Esq JP

Mrs. M. L. J. Firmin JP

Gwent

Sir Richard Hanbury-Tenison KCVO JP (Chairman, Lord Lieutenant)

Mrs. A. Troath JP

Mrs. J. E. Child JP

Mrs. H. E. Murray JP

G. Jenkins Esq JP

W. D. Morgan Esq

C. Perrott Esq JP

Mrs. J. M. Anthony JP

Mrs. P. E. Davies JP

J. Graydon Esq JP

Miss F. M. Hingley JP

B. G. James Esq JP

V. N. Waters Esq Jp

S. J. Telling Esq

Gwynedd Caernarfon

R. G. Pritchard-Jones Esq JP (Chairman)

Mrs. B. Lewis JP

Mrs. K. Jones JP

G. T. Roberts Esq JP

D. Pugh Esq OBE JP

E. Jones Esq JP

J. Roberts Esq

Mrs. P. A. Williams JP

Mrs. J. Bryson JP

H. T. Jones Esq JP

Dr. H. Roberts(f)

Gwynedd Meirionnydd

R. E. Meuric Rees Esq CBE JP (Chairman, Lord Lieutenant)

The Hon. V. F. Williams-Wynne(f)

R. Price Esq JP

J. W. England Esq

A. Morgan Esq

E. C. Roberts JP

Ms D. J. Jones JP

Mrs. C. Lawson JP

Mid Glamorgan

M. A. McLaggan Esq JP (Chairman, Lord Lieutenant)

R. H. Knight Esq JP

T. C. Challoner Esq JP

C. Jones Esq JP

A. V. Jenkins Esq JP

A. A. Brookes Esq JP

B. W. Hancock Esq
Mrs. J. A. Jarman
Mrs. S. John JP
Mrs. G. Servini JP
Mrs. K. E. Thomas JP
North Powys
P. English Esq JP (Chairman)
H. J. Tombs Esq JP
Mrs. K. J. Hay JP
Dr. L. H. Williams(m)
Lady Davies
T. D. Evans Esq JP
Mrs. A . Jones JP
Mrs. S. J. Jarman JP
Ms L. Kretchmer JP
G. S. I. Lloyd Esq JP
South Glamorgan
HHJ M. Gibbon QC (Chairman)
Mrs. J. Sainsbury JP
Mrs. M. E. Drake
J. L. Jones Esq JP
Mrs. M. A. Campbell JP
Mrs. E. S. Williams JP
Mrs. L. Pritchard-Jones JP
M. G. Downs Esq JP
South Powys
M. L. Bourdillon Esq JP (Chairman, Lord Lieutenant)
The hon. R. Gibson-Watt
G. R. Price Esq JP
S. Vipond Esq JP
W. M. Thomas Esq JP
W. J. Elliott Esq JP
Mrs. G. M. Powell JP
Mrs. S. E. Thompson JP
Mrs. C. E. Harvard
Mrs. G. M. Riley JP
West Glamorgan
R. C. Hastie Esq CBE RD JP (Chairman, Lord Lieutenant)
Mrs. M. L. Daley JP
Mrs. S. E. Davies JP
E. M. H. Evans Esq JP
Mrs. M. F. Goodchild JP
D. R. M. Thomas Esq JP
Miss M. Hughes JP
Miss M. Lody JP
C. G. Jones Esq JP
D. W. W. Thomas Esq JP
Mrs. G. Thomas
K. Rees Esq JP
A. R. Richards Esq JP
J. Warman Esq
Mrs. S. M. Waller
Dr. N. Lloyd JP(f)
H. F. Jones Esq
Ynys Môn
G. I. Jones Esq JP (Chairman)
I. O. Davies Esq JP
Mrs. P. A. Doble JP
Mrs. M. Williams JP
A. M. Jones Esq
Mrs. A. Jones JP
T. A. Hughes Esq
G. Morris-Jones Esq
G. Williams Esq JP.

NORTHERN IRELAND

Poor People

Mr. Pond: To ask the Secretary of State for Northern Ireland if she will carry out an assessment of the impact of her Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23344]

Mr. Paul Murphy: Government policies are continually evaluated using a variety of methods. We have a range of surveys and policy evaluation methodologies in place, some of which are targeted specifically at certain low income groups. In addition, various research studies on low income and deprivation have been commissioned from leading academics.

The best way of improving the living standards of most people at the bottom of the income distribution is to help them into work and we are implementing a range of policies under the New Deal to achieve this aim. Our objective is to raise the living standards of the many, not just the few, and to offer educational and employment opportunities for all.

We carry out a range of policies to stimulate growth in employment and to improve the opportunities for those seeking employment—including specific Action Plans for targeting measures on areas and people objectively defined as being in greatest need. The impact of these policies is regularly assessed by their degree of success in meeting specific objectives.

The Standing Advisory Commission on Human Right's Report on Employment Equality published in June 1997 makes over 160 recommendations, a number of which relate to employment opportunities and social deprivation. Consideration of all the recommendations is well advanced and the Government's response will be published in the coming months.

Civil Servants

Mr. Forth: To ask the Secretary of State for Northern Ireland how many civil servants in her Department at each grade for grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the department since 1 May 1997; if she will indicate the Minister to whom each was responsible; and if she will make a statement. [26928]

Mr. Paul Murphy: The information for the Northern Ireland Office and the Northern Ireland Departments is as follows: *(a)* Nil;

(b) One Grade 1, one Grade 1A (both responsible to the Secretary of State); one Grade 3 responsible to Lord Dubs;

(c) One Grade 2 responsible to me; one Grade 3 responsible to Lord Dubs.

Preparatory Schools

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what estimate she has made of the cost of withdrawal of funding to preparatory schools for the primary school sector; and if she will make a statement. [26738]

Mr. Worthington: I announced on 29 January that the subsidy paid towards the teaching costs of pupils attending preparatory departments of grammar schools would be reduced from 40% to 30% with effect from September 1998. This is expected to save around £250,000 to help improve standards elsewhere in the education sector.

It is estimated that this change will mean on average an increase of about 8% on the existing level of parental contributions if a school decides to pass on to parents the full effect of the reduced subsidy.

Security

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if she will withdraw the security passes to Castle Buildings of political parties connected to paramilitary organisations that admit to ending their ceasefire; and what external advice she has sought on the status of such parties. [26735]

Mr. Paul Murphy: The Ulster Democratic Party was declared by the two Governments on 26 January to be no longer entitled to participate in the talks process, in view of the activities of a paramilitary organisation with which it is associated. Its members do not now have access to Castle Buildings. We have involved our legal advisers as necessary in considering the position of the party.

Quangos

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the people who presently serve on more than one quango in Northern Ireland, indicating the bodies on which they serve, the position they hold on each such body, when they were first appointed and the number of terms for which they have served on each body. [26741]

Mr. Paul Murphy: A copy of the information requested has been placed in the Library.

Water Services

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland (1) what plans she has to amend the Water and Sewerage Service (Northern Ireland) Order 1973 in order to empower the Water Service to enter third party land for the purposes of laying a private supply pipe; and if she will make a statement; [27122]

(2) if officials in her Department will meet the Ulster Farmers' Union to discuss the ability of the Water Service to lay private water supply pipes across a third party's land without the third party's consent; [27124]

(3) on how many occasions in the last two years a landowner has notified her Department that he is unable to obtain water due to the refusal of a third party to allow the Water Service to enter for the purposes of laying a private supply pipe. [27123]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Water Service under its chief executive, Mr. H. R. F. Plester. I have asked him to arrange for a reply to be given.

Letter from H. R. F. Plester to Mr. John D. Taylor, dated 4 February 1998.

The Secretary of State has asked me to reply to your three recent parliamentary questions about private supply pipes. You asked if there are plans to amend the Water and Sewerage Services (Northern Ireland) Order 1973 ("the 1973 Order") to empower the Water Service to enter third party land for the purposes of laying a private supply pipe and if the Department's officials will meet the Ulster Farmers Union to discuss the ability of the Water Service to lay private water supply pipes across a third party's land without the third party's consent. You also asked me how many occasions in the last two years a landowner has notified the Department that he is unable to obtain water due to the refusal of a third party to allow the Water Service to enter for the purposes of laying a private supply pipe.

While the Department has a duty under the 1973 Order to supply and distribute water, its powers of entry to private land are limited to the laying of watermains, which are vested in the Department and are for the purpose of giving a general supply of water. This is district from private supply pipes which belong to the owner of the land in which they are laid and which supply individual consumers or which, by agreement, cross a third party's land to supply an individual consumer. The Department's position reflects that under which the water supply undertakers in the rest of the United Kingdom operate.

It is, therefore, the responsibility of individuals seeking a water supply from the Department's watermains to arrange for the laying of any necessary length of private supply pipe to the watermain. This includes making any access arrangements with the owners of any private lands which may need to be crossed in order to make a connection to a watermain. The Department's current powers are sufficient to enable it to exercise its functions under the 1973 Order and it would not be appropriate for it to seek a power to enter private land to carry out work solely on behalf of a private individual. There are, therefore, no plans to seek an amendment to the 1973 Order.

As regards a meeting with the Ulster Farmers Union, the Water Service's Director of Operations would be happy to meet the Union to discuss any difficulties its members may have because they are unable to lay a private supply pipe across third party land. Perhaps the Union would contact my office to make the arrangements.

It is an important consideration that we must be mindful of the rights and interests of those farmers whose lands may be traversed by any proposed private supply pipes. They are affected in significant degree as well as those individuals seeking the laying of such a connection across third party lands to a watermain.

The Water Service does not maintain records of representations made to it by individuals who have been denied access to third party lands to lay private supply pipes. As I have explained, the Water Service would not seek entry to third party lands to lay private supply pipes as this is a matter for all the private property holders involved to resolve by negotiation and agreement. I am, however, aware of difficulty being experienced by one of your constituents in laying a service pipe across third party land and I wrote to you about this on 15 August and 22 September 1997.

Policing

Mr. McNulty: To ask the Secretary of State for Northern Ireland what measures she is taking to implement the proposals made in the Labour Party discussion paper "Policing in Northern Ireland—A Service for All People" *(a)* to reform the method of appointment of members of the Police Authority and *(b)* in respect of the role of community police liaison committees. [28959]

Marjorie Mowlam: As my hon. Friend the Under-Secretary of State informed the House on 15 December 1997, *Official Report*, columns 100–04, I intend to issue a consultation paper before the start of the Committee Stage of the Police (Northern Ireland) Bill, outlining some options for changes to strengthen the Police Authority, and the Community Police Liaison Committees so developing further the partnership between the police and the community, which is essential to combating crime of all kinds. Copies of that paper, "Your Voice—Your Choice", which is published today, have now been placed in the Library of the House. I have no set views on which, if any, of these options should be implemented, and I am keen to hear views on these important issues. Decisions must await the outcome of the consultation process; and developments in the talks.

HOUSE OF COMMONS

Minister without Portfolio

38. **Mr. Baker:** To ask the President of the Council what representations she has received on the advantages of extending the length of time available to the Minister without Portfolio to answer oral questions. [26137]

Mrs. Ann Taylor: None since I announced that the time for oral questions to the Minister without Portfolio about the Millennium Experience would be doubled with effect from Monday 16 February.

Sitting Hours

40. **Mr. Hanson:** To ask the President of the Council what representations she has received on an extension to the number of morning sittings of the House. [26139]

Mrs. Ann Taylor: Several people have suggested such a change. The Modernisation Committee is currently considering proposals to extend morning sittings and hopes to report soon.

Members' Smoking Room

Mr. Sanders: To ask the Chairman of the Catering Committee what measures he proposes to eradicate mice from the Members' Smoking Room. [28359]

Mr. Dennis Turner: Pest control is the responsibility of the Director of Works; however, good housekeeping is essential in the prevention of pest infestation. To this effect, the contract cleaning of the Members' Smoking Room is carried out during the night, as soon as possible after close of business.

Although no reports of sightings of mice have recently been made to the management of the Refreshment Department or to the Parliamentary Works Directorate, the Refreshment Department will ensure that the cleaning contractors are aware of the importance of maintaining the correct standard of cleaning, and I have asked the management of the Department to ensure that particular attention is paid to the Members' Smoking Room.

However, in my personal capacity, I am on record as having said that the traditional way of keeping down rodent infestation is best; it may well be that if chemicals prove ineffective, the House may wish to reconsider re-introducing a cat as a more effective deterrent.

Mr. Sanders: To ask the Chairman of the Catering Committee when the Members' Smoking Room was last checked for vermin infestation. [28358]

Mr. Dennis Turner: Bait is set in eight places in the Members' Smoking Room as a precaution against rodent infestation. The bait is checked monthly, the last inspection being 16 January 1998. The last time the pest control contractor found evidence of the presence of mice in the Smoking Room was in August 1997.

I understand that staff of the Refreshment Department have been reminded of the correct procedure of reporting evidence or sightings of vermin.

British Beef Industry

Mr. Jenkins: To ask the Chairman of the Catering Committee what steps the Refreshment Department is taking to support the British beef industry. [28709]

Mr. Dennis Turner: I am pleased to advise my hon. Friend that the Refreshment Department will be showing its support for the British beef industry by celebrating "British Beef Week" with a promotion of British beef in its cafeterias and in the Members' Dining Room during the week commencing 16 February 1998. A 'pledge' book will be provided in the Dining Room to enable all hon. Members to indicate their individual support for the industry.

Additional Costs Allowance

Dr. Lynne Jones: To ask the President of the Council how many hon. Members claimed *(a)* additional costs allowance and *(b)* London weighting in 1996–97. [27321]

Mrs. Ann Taylor: *(a)* 611 *(b)* 119 were paid the London Supplement.

Dr. Lynne Jones: To ask the President of the Council what was the cost of administering the additional costs allowance in the last year for which figures are available. [27323]

Mrs. Ann Taylor: The cost of this area of work is not separately identified as it forms part of the workload of a section with other responsibilities for payments to Members.

Dr. Lynne Jones: To ask the President of the Council how many hon. Members claimed additional costs allowance of more than £500 and less than the maximum in 1996–97. [27322]

Mrs. Ann Taylor: 273.

HEALTH

Dental Services (Lincolnshire)

Mr. Hogg: To ask the Secretary of State for Health if he will make a statement on the availability of NHS dental services in Lincolnshire. [26541]

Mr. Milburn: There were 135 General Dental Service dentists on Lincolnshire Health Authority's list on 30 September 1997. The health authority can refer patients to a dentist willing to register them for National Health Service treatment.

Haemophiliacs (Contaminated Blood Products)

Mr. Goggins: To ask the Secretary of State for Health when he expects to be able to make an announcement with regard to the claim for recompense by haemophiliacs infected with Hepatitis C as a result of treatment with contaminated blood products. [27169]

Ms Jowell: My right hon. Friend the Secretary of State expects to be able to write to the Haemophilia Society on all the issues they have raised in the course of the next few weeks.

ME Association

Mr. Green: To ask the Secretary of State for Health what plans he has to increase support from his Department for the ME Association. [27253]

Ms Jowell: I refer the hon. Member to the answer I gave to the hon. Member for West Dorset (Mr. Letwin) on 2 February 1998, *Official Report*, column *508*.

Equity of Service

Mr. Ivan Henderson: To ask the Secretary of State for Health what steps he has taken to ensure that the measures taken by the Government to extend equity of service provided in areas covered by individual health authorities is not used by individual health authorities as an occasion to level down available services. [27244]

Ms Jowell: We will take action to ensure that the most effective services are available across the country. We will work with the professions to produce national clinical guidelines and service frameworks to improve national consistency. This will be backed up by our commitment to provide real-terms increases in the resources for the National Health Service and ploughing extra resources into patient care.

AIDS Vaccines

Dr. Tonge: To ask the Secretary of State for Health what plans he has to encourage the international effort to test existing AIDS vaccines. [27246]

Ms Jowell: The United Kingdom is committed to encouraging international collaboration on AIDS vaccine research. The Medical Research Council and the Department are supporting collaborative research on AIDS vaccines. Although candidate vaccines are being tested, this is a complex area of research with no easy solutions; however, the UK research on AIDS vaccines is making a significant contribution to the international effort.

HIV Testing (Pregnant Women)

Dr. Tonge: To ask the Secretary of State for Health what plans he has for routine testing of pregnant women for HIV. [27248]

Ms Jowell: We are committed to reducing the number of children born with HIV infection. Our purpose is to ensure that women are fully informed of the benefits of having an HIV test for themselves and their babies and to encourage the uptake of named voluntary HIV antibody testing on all women attending for antenatal care who may be at increased risk. We recognise, however, that knowing one is infected with HIV raises difficult issues for the individual.

We have produced a leaflet to provide pregnant women with the necessary information to enable them to reach an informed decision about HIV testing. The leaflet will be piloted for acceptability and usefulness in the spring in a number of antenatal clinics.

Free confidential access to HIV testing remains available to anyone who feels they may have been at risk of infection.

Children's Affairs

Mr. Cox: To ask the Secretary of State for Health what initiatives he will bring forward on the issue of children's affairs during the United Kingdom Presidency of the European Union. [27396]

Mr. Boateng: We have no plans to do so. The European Community currently has no legal competence to introduce measures to regulate policies affecting the child in the areas covered by my right hon. Friend's responsibilities. Such activities fall exclusively to the member states.

Microbiologists (Visits)

Mr. Campbell-Savours: To ask the Secretary of State for Health on what dates microbiologists Doctor Nasser el-Hindawi and Doctor Tharner Abdul Rahman were invited to the United Kingdom; to what extent they were party to discussions on *(a)* anthrax, *(b)* gas gangrene, *(c)* botulism toxin, *(d)* brucellosis and *(e)* rabbit foot and tetanus; and by whom they were invited. [26398]

Ms Jowell *[holding answer 3 February 1998]:* Neither Doctor Nasser el-Hindawi nor Doctor Tharner Abdul Rahman were invited to the United Kingdom. They applied to attend an international scientific workshop on anthrax in response to publicity in several scientific publications. The workshop was held in Winchester in April 1989, and was organised by various institutions who have an expertise in the control of infectious diseases, including the Public Health Laboratory Service and the Centre for Applied Microbiology and Research. The purpose of the workshop was to promote international understanding of anthrax as a naturally occurring disease which poses a significant threat to public health in many parts of the world. All presentations at the workshop addressed human health aspects of the disease and none contained classified information.

The workshop contained no presentations or open discussions on gas gangrene, botulism toxin, brucellosis, rabbit foot or tetanus.

AIDS Support Grant

Mr. Gerrard: To ask the Secretary of State for Health when he expects to announce AIDS Support Grant allocations to local authorities for the next financial year. [27376]

Ms Jowell: We expect to announce the 1998–99 AIDS Support Grant allocations to local authorities shortly.

NHS Prescriptions

Mr. Stunell: To ask the Secretary of State for Health what representations he has received on the level of NHS payments to pharmacists for dispensing prescriptions. [27471]

Mr. Milburn: Since October 1997, we have received in the region of 120 letters on this subject from hon. and right hon. Members, and a very much smaller number directly from individual community pharmacists and representative organisations.

Mr. Stunell: To ask the Secretary of State for Health if he will review the system of NHS payments to pharmacists for dispensing prescriptions; and if he will make a statement. [27472]

Mr. Milburn: We have no plans for such a review at present, but we remain keen to discuss with relevant bodies ways of making the best use of community pharmacists' skills within the National Health Service.

Tobacco and Alcohol

Mrs. Lait: To ask the Secretary of State for Health what discussions are planned in the Health Council during the British Presidency on the effect on the health of the residents of the member states of differentials in excise duty on tobacco and alcohol. [27927]

Ms Jowell: There are no plans to raise this as a formal agenda item at the Health Council on 30 April 1998.

Patient Records

Mr. Todd: To ask the Secretary of State for Health if he will review the requirement on general practitioners to maintain manual notes on patients so as to allow more efficient alternatives. [28115]

Mr. Milburn: The Department has been discussing with the General Medical Services Committee of the British Medical Association a proposed change to the National Health Service (General Medical Services) Regulations 1992 which would have allowed general practitioners (GPs) to maintain patient records on a computer as an alternative to manual records. The profession have requested that further work is done to develop a standardised electronic patient record and to facilitate the transfer of patient records electronically from GP to GP before the requirement to maintain records manually is removed. We will consider changing this requirement once work in these ares is suitably advanced.

Cervical Cancer Screening

Gillian Merron: To ask the Secretary of State for Health what steps he is taking to improve the quality of cervical cancer screening following the recall by Lincoln County Hospital of women whose smear test results were incorrectly reported. [28034]

Ms Jowell *[holding answer 6 February 1998]:* The regional quality assurance programme found lower than expected levels of reporting of smear abnormalities at Lincoln and Louth National Health Service Trust. On the basis of this, the trust took swift action in ordering a re-read of a number of smears, and some women have now been recalled. We are pleased that the quality assurance system in place in the Trent region did its job properly in identifying the problem, and that rapid action was taken to put it right.

Wide ranging action to help ensure consistent high quality and dependability in cervical screening across the country was announced last year in the light of a failure of the cervical screening programme at Kent and Canterbury NHS Trust. We announced that there would be a review of the performance of all cervical screening programmes, and that, where necessary, action plans would be drawn up to help ensure national standards are met on 3 November 1997, *Official Report*, columns *19–28*. EL(97)67 was also issued. In addition, we are tightening up accountability for quality assurance. In December, we announced a package of measures to promote consistent high quality in laboratories undertaking cervical screening (EL(97)83 refers). In particular, all laboratories must apply this year for external quality accreditation and there will be targeted refresher training for staff in laboratories which do not meet key quality indicators. The Chief Medical Officer has set up an action team to monitor progress.

Drugs

Mr. Flynn: To ask the Secretary of State for Health, pursuant to his answer of 3 February 1998, *Official Report*, column *614*, what are the percentages of *(a)* females and *(b)* males who have used an illegal drug by the age of (i) 16 and (ii) 24 years. [28195]

Ms Jowell: The information available centrally is given in the table.

Percentage of males and females who indicated that they had ever taken drugs, 1996, England and Wales

	Age 16 to 19	*Age 20 to 24*
Males	48	57
Females	42	43
Persons	45	49

Note:
Percentages rounded to the nearest whole figure.
Source:
1996 British Crime Survey

For males and females aged 15 to 16 a schools based survey conducted by McMiller and Plant (British Medical Journal 1996, 313, 394–97) found that 45 per cent. of boys and 40 per cent. of girls aged 15 to 16 in the United Kingdom reported ever using illicit drugs.

NHS Care (Failures)

Mr. Flynn: To ask the Secretary of State for Health, pursuant to his answer of 3 February 1998, *Official Report*, column *3* what contribution the number of patient deaths caused by failures of NHS services will play in his future assessment of the quality of NHS services. [28196]

Mr. Milburn: We are committed to improving the quality of National Health Service care and to minimising avoidable and premature deaths, whatever their causes. We are consulting on a new National Framework for Assessing Performance in the NHS and on an associated set of high-level performance indicators. The proposed

high-level indicators include "avoidable deaths" and "in-hospital premature deaths", though neither necessarily relates directly to failures of NHS services.

Neuroleptic Drugs

Mr. Flynn: To ask the Secretary of State for Health what assessment he has made of trials recently undertaken in the USA into the effects on in-patients of withdrawing neuroleptic drugs. [28134]

Ms Jowell: We are not aware of these recent trials.

Publications

Mr. Gale: To ask the Secretary of State for Health if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26326]

Ms Jowell: This information is not collected centrally and can be provided only at disproportionate cost.

Sodium

Mr. Jack: To ask the Secretary of State for Health (1) what meetings his Department has hosted with non-governmental bodies or individuals to discuss the setting of targets for levels of human sodium intake; and if he will make a statement on the results of such meetings and list those who attended; [28535]

(2) if he will publish the scientific advice presented to his Department showing the effect on health outcomes of introducing population consumption targets for sodium consumption. [28534]

Ms Jowell: The evidence on the relationship between sodium consumption and blood pressure was considered by the Government's source of independent expert advice, the Committee on Medical Aspects of Food and Nutrition Policy. It is cited in their report "Nutritional Aspects of Cardiovascular Disease", published in 1994. As part of their consideration, experts were invited to present views and the names of those who gave oral or written evidence are also cited in the report. Copies of the report are available in the Library.

The Faculty of Public Health Medicine, in collaboration with the British Heart Foundation, hosted a seminar at the request of the Department to bring together a wide spread of scientific opinion to consider the advisability of a reduction in sodium consumption for the general population. A report is expected later this year.

Diet

Mr. Jack: To ask the Secretary of State for Health what estimate he has made of the amount by which the average per capita consumption of fruit salads and vegetables would have to increase to have a measurable impact on those causes of mortality where poor diet is judged to be a significant contributory factor. [28537]

Ms Jowell: The Government's source of independent expert advice, the Committee on Medical Aspects of Food and Nutrition Policy, recommended in its report "Nutritional Aspects of Cardiovascular Disease" published in 1994 that, on average, individuals should increase their fruit and vegetable consumption by 50 per cent. Copies of the report are available in the Library. It was on this basis that we now recommend that people should try to eat at least five portions of fruit and vegetables a day.

NHS Trusts (Appointments)

Mr. Maples: To ask the Secretary of State for Health if he will list the NHS trusts to which he appointed new chairs in the last round of appointments indicating the names of the new chairs. [28890]

Mr. Milburn: The information will be published in March in the Department's Public Appointments Annual Report.

Mr. Steen: To ask the Secretary of State for Health when he expects to reply to the letter from Councillor Brian Yates of Jubilee Terrace, Kingswear, Devon, of 14 December 1997 concerning the nomination and selection of individuals to the boards of NHS trusts. [28351]

Mr. Milburn: We have no record of the letter from Councillor Yates ever having been received.

PRESIDENT OF THE COUNCIL

Drugs

Mr. Clappison: To ask the President of the Council what representations she has received regarding the Government's strategy on the problem of illegal drug use among young people. [26134]

Mrs. Ann Taylor: Keith Hellawell—the UK Anti-Drugs Coordinator—is currently co-ordinating an extensive consultation process to inform his drafting of proposals for a new anti-drugs strategy, which he will submit to Ministers shortly. Since the announcement of his appointment last October, Mr. Hellawell and his Deputy, Mike Trace, have received over 2,000 letters from all sectors of society. They are also engaged in a comprehensive series of visits and meetings with professionals, young people and communities across the country.

Privy Council

36. **Mr. Gordon Prentice:** To ask the President of the Council what criteria are used in appointments to the Privy Council. [26133]

Mrs. Ann Taylor: Appointment to the Privy Council is an exercise of the prerogative. Appointments are made by Her Majesty The Queen on the advice of my right hon. Friend the Prime Minister. A range of factors are taken into account. Those appointed mostly comprise Ministers, other Parliamentarians and members of the judiciary.

DUCHY OF LANCASTER

Correspondence

Mr. Ian Bruce: To ask the Chancellor of the Duchy of Lancaster how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within

the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27043]

Dr. David Clark: On average it takes 13 days for my Department to answer letters from hon. Members.

The Cabinet Office (Office of Public Service) sets a target of fifteen working days from receipt to reply to all letters.

From 1 May to 31 December 1997, 90 per cent. of letters from MPs received a full reply within the target date. A further 7 per cent. received interim holding replies within the target date.

Once letters have been signed, they are dispatched without delay for delivery to the Palace of Westminster (or, when requested, the Member's constituency office). It is usual for letters to be delivered to the House within one working day of being signed by the appropriate Minister, and in many cases they will arrive on the same day.

Publications

Mr. Gale: To ask the Chancellor of the Duchy of Lancaster if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26331]

Dr. David Clark: The following publications have been produced by my Department between 1 May 1997 and 31 January 1998:

Office of Public Service

1995 Supplement to the chronological table of local legislation

360° Feedback for the SCS

Advertising Protocol

An Evaluation of Investors in People in the Civil Service

Annual edition of statutory instruments 1995 part III

Annual edition of statutory instruments 1996 part I

Annual edition of statutory instruments 1996 part II

Annual volume of public General Acts and measures 1995

Benchmarking Human resource activities—Review of consortium report

Charter Mark Communication Guide

Charter Mark Guide

Charter Mark Nomination Form

Charter Mark Schools Guide

Charter Mark Style Guide

Charter News Bulletin: Issue 1

Charter News Bulletin: Issue 2

Chronological table of the statutes 1235–1994

Citizen's Charter Unit Quality Network Directory

Civil Service Fast Stream recruitment report 1996–97

Complaints Handling 1997 summary

Compliance cost assessments 1 January 1997 to 30 June 1997

Crown copyright in the information age

Crown copyright in the information age, Cm 3819

Development and training for Civil Servants—A framework for action—Update on key white paper statistics

Direct Access Government

Early retirement

Equal opportunities handbook

Evaluating Investors in People

Excellence in Action

Finding Your Way Round Whitehall and Beyond

Getting the best out of 360 degree feedback—A guide for Departments and Agencies

Government Study Fellowship leaflet

Guidance on CVs

Increasing your benefits

Injury at work

Interlink

Interview Training Programme for the SCS

Introducing modern apprenticeships in the Civil Service

Investors in People

Jigsaw—Equal opportunities magazine

Joining the PCSPS

Leaving or opting out of the PCSPS

List of ministerial responsibilities (including Agencies)

Local Charter Guide: A Consultation Exercise

Management matters magazine (quarterly)

Opening up quangos

Pensions manual revised versions (Volumes 2,4,5 and 6)

Pensions update newsletter, 3 editions

Principles of good regulation

Public bodies 1997

Re-packaging—making the most of your early retirement benefits

Report of the working group on the Government Information Service

Supporting the individual to manage and develop a career

The Citizen's Charter: A Consultation Exercise

The Courier (bi-monthly newsletter)

Training and Development in the SCS "A Route Map"

Various amendments to Pension scheme manuals

Various amendments to Pension scheme rules

Windsor Leadership Trust leaflet

Your Pension scheme explained

Your right to know—The Government's proposals for a Freedom of Information Act, Cm 3818

Agencies of the Office of Public Service

Central Computer and Telecommunications Agency:

ITIL Service level management

Prince 2 pocketbook

Prince 2 outline

Tackling the year 2000 (6 volume guide):

Volume 1 An executive overview

Volume 2 Managing the programme

Volume 3 Kick starting the organisation

Volume 4 Assessing the size of your problem

Volume 5 Testing and compliance

Volume 6 The legal implications

Civil Service College

Capability (newsletter)

Civil Service College Scotland course directory

Development for internal auditors folder

Development Opportunities for consultants leaflet

Directory update (4 editions)

Equal opportunities brochure

Financial and Accountancy training brochure

Government Group promotional folder

HSE training prospectus

Marketing Folder

Personal development brochure

Purchasing Folder

Report and Accounts

Senior Entrants programme leaflet

User role in systems development

Government Car and Despatch Agency:

None.

Property Advisers to the Civil Estate:

CAV technical index

Crown fire standards part (A-D)

PACE leaflet—Planning post election

PACE brochure—Adding value, saving money

PACE Annual Report and Accounts

Security Facilities Executive:

Annual Report and Accounts 1996–97

The Buying Agency:

Pathfinder brochure

TBA News—two editions

Central Office of Information (COI):

COI Annual report and Accounts 1996–97

IPO Directory

Mr. Gale: To ask the Chancellor of the Duchy of Lancaster if he will list, by title, the publications produced under the authority of the Office of Public Service between 1 May 1997 and 31 January 1998. [26336]

Dr. David Clark: The following publications have been produced under the authority of the Office of Public Services between 1 May 1997 and 31 January 1998.

Produced jointly with other organisations

Exploring Citizenship (A school's pack on the use and provision of Public Services), produced by the Centre for Citizenship studies in Education at the University of Leicester.

Complaints Handling 1997, produced by MORI

Produced under the authority of the Controller of HMSO

15 Public General Acts

4 Local Acts

1 Church of England measure

249 Statutory rules of Northern Ireland

1,030 Statutory instruments

7 Monthly lists of Statutory Instruments

274 The London Gazette and supplements

76 The Belfast Gazette and supplements

153 The Edinburgh Gazette and supplements

Independent Commissioners and Committees

OPS also provide support for independent commissioners; for completeness their publications are listed here.

Office of Civil Service Commissioners

Civil Service Commissioners Annual Report 1996–97

The Commissioner for Public Appointments

Commissioner for Public Appointments: Second Report (1996/97)

Advisory Committee on Business Appointments

None

Committee on Standards in Public Life

Third Report on Standards of conduct in Local Government in England, Scotland and Wales

Volume 1: Report cm3702-I

Volume 2: Transcripts of oral evidence cm3702-II

Summary of the Nolan Committee's third report on standards of conduct

Misuse of Public Office: A new offence? (Consultation paper)

Fourth Report: Review of standards of conduct

Issues and Questions: The funding of political parties.

DEFENCE

Strategic Defence Review

14. **Mr. Borrow:** To ask the Secretary of State for Defence if he will make a statement on the implications of the Government's defence diplomacy initiative for the Strategic Defence Review. [26108]

Mr. George Robertson: Defence Diplomacy is the use of our Armed Forces to promote conflict and crisis prevention, and more generally support and promote wider British interests. It is a major theme of the Strategic Defence Review and its importance will be clearly reflected in the United Kingdom's defence policy when we publish the conclusions of the Review in a White Paper.

27. **Mr. Amess:** To ask the Secretary of State for Defence when he intends to publish the White Paper on the Strategic Defence Review. [26124]

Mr. George Robertson: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Walsall, South (Mr. George) on 25 November 1997, *Official Report*, columns *499–500*.

European Defence Industry (Restructuring)

15. **Mr. Ben Chapman:** To ask the Secretary of State for Defence if he will make a statement on progress made towards European defence industry restructuring in response to the peace dividend. [26109]

Mr. Spellar: Since the end of the Cold War, the defence industries of the USA and Western Europe have seen major changes in structure and organisation. These changes have proceeded further and faster in the USA, and a similar process needs to take place urgently within Europe. This was reflected in the 9 December trilateral statement on restructuring which calls on industry to submit clear plans and a detailed timetable for restructuring and integration by 31 March 1998. In preparation for this, discussions are continuing between European companies, and between industry and Government officials.

31. **Dr. Cable:** To ask the Secretary of State for Defence what responses he has had from industry regarding the joint British, French and German call for restructuring of military aerospace manufacturing capacity; and if he will make a statement. [26128]

Mr. Spellar: The trilateral statement of 9 December 1997 called on companies to present a clear plan and detailed timetable for the restructuring and integration of the European aerospace and related defence industries by 31 March 1998. In preparation for this, discussions are continuing between European companies, and between industry and Government officials.

Merchant Fleet

17. **Mr. Bill O'Brien:** To ask the Secretary of State for Defence if he will make a statement on the latest defence estimates in respect of British merchant shipping for defence purposes. [26111]

Mr. Spellar: Current defence estimates on the availability of British merchant shipping indicate that there are, in general, sufficient militarily useful vessels for perceived defence needs. The position will, of course, be reassessed following the outcome of the Strategic Defence Review.

British Beef

18. **Mr. Evans:** To ask the Secretary of State for Defence what steps he is taking to ensure domestic sourcing of food for the armed forces; and if he will make a statement. [26112]

Mr. Spellar: I refer the hon. Member to the answer I gave my hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) on 4 February 1998, *Official Report*, column *654*.

Mrs. Betty Williams: To ask the Secretary of State for Defence what percentage of meat purchased by his Department has been produced in the United Kingdom in each of the past five years. [26096]

Mr. Key: To ask the Secretary of State for Defence if he will list the countries from which the supply of *(a)* beef and *(b)* sheepmeat were sourced for each year that the NAAFI held the Ministry of Defence's public-funded messing contract. [28348]

Mr. Spellar: Although unfortunately figures do not exist for previous years, our contractor, Booker Foodservice estimate that some 40% of meat procured over the 12 months ending September 1998 will be from UK sources.

As the House has shown particular interest in our procurement of beef, I should add that in recent weeks we have been working with Booker, the Ministry of Agriculture, Fisheries and Food and farmers' representatives on how the position might be improved. Furthermore, I am glad to tell the House that Booker's estimate of 13% for the percentage of beef we buy from UK sources and which I gave to the House recently has now been revised by Booker to around 30%.

NATO Enlargement

19. **Mr. Donald Anderson:** To ask the Secretary of State for Defence if he will make a statement on the application of Slovenia to join NATO. [26113]

Mr. George Robertson: NATO has undertaken to review the process of its enlargement in 1999; the considerations set forth in NATO's 1995 Enlargement Study will continue to apply with regard to all aspirants. The UK views Slovenia as a strong candidate for any future enlargement of NATO. The priority for now is to ensure the successful military and political integration of the Czech Republic, Poland and Hungary into NATO.

26. **Mr. Gardiner:** To ask the Secretary of State for Defence if he will make a statement on progress towards NATO enlargement. [26122]

Mr. George Robertson: The protocols for the accession of Hungary, Poland and the Czech Republic to NATO were signed in December by NATO Foreign Ministers: all Allies now need to ratify them. NATO is continuing its work with the invited countries to ensure their effective military and political integration into the Alliance. The UK is also providing bilateral defence assistance to facilitate this process.

Defence Diversification

20. **Mr. Savidge:** To ask the Secretary of State for Defence when the Government expect to publish their Green Paper on defence diversification. [26114]

29. **Ms Moran:** To ask the Secretary of State for Defence when he expects to publish his Green Paper on defence diversification. [26126]

Mr. Spellar: We will publish the Green Paper in March.

Satellite Communications System

21. **Mr. Key:** To ask the Secretary of State for Defence when he will announce his decision between Trimilsatcom and Skynet 5 as a procurement option for the next generation military satellite communications system; and if he will make a statement. [26115]

Mr. Spellar: The planned next generation of UK military communications satellites is known as SKYNET 5. In December 1997, the UK, France and Germany signed a Memorandum of Understanding envisaging a collaborative programme, TRIMILSATCOM, for the procurement of a common solution for all three nations' operational requirements. Proposals from industry for a Project Definition phase have been invited and are due to be submitted shortly. Currently, TRIMILSATCOM is the preferred approach for meeting the UK's SKYNET 5 requirement, although a national programme remains an option. It is expected that a decision on the way ahead will be taken later this year.

Ballistic Missile Defence

22. **Mr. David Atkinson:** To ask the Secretary of State for Defence what recent discussions he has had with his Western European Union counterparts on European ballistic missile defence. [26116]

Mr. George Robertson: I have had no discussions with my Western European Union counterparts on ballistic missile defence.

Armed Forces Pay Review Board

23. **Mr. Keith Simpson:** To ask the Secretary of State for Defence when he will publish the recommendations of the Armed Forces Pay Review Board. [26117]

Mr. George Robertson: I refer my hon. Friend to the answer given by my right hon. Friend the Prime Minister to my hon. Friend the Member for Kirkcaldy (Dr. Moonie) on 29 January 1998, *Official Report*, columns *307–10*.

Bosnia

28. **Ms Dari Taylor:** To ask the Secretary of State for Defence if he will make a statement on the number of troops currently serving as part of Britain's contribution to SFOR in Bosnia. [26125]

Mr. George Robertson: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Walsall, North (Mr. Winnick) on 12 January 1998, *Official Report*, column 10.

Heavy-lift Aircraft

30. **Mr. Barry Jones:** To ask the Secretary of State for Defence if he will make a statement concerning his plans for heavy-lift aircraft. [26127]

Mr. Spellar: One of the aims of the Strategic Defence Review is to ensure that the Armed Forces are properly equipped to undertake the tasks asked of them. Our air transport requirement is, therefore, being scrutinised closely in the Review.

Courts Martial

32. **Mr. Blunt:** To ask the Secretary of State for Defence what assessment he has made of the future effectiveness of the court-martial system. [26129]

Mr. George Robertson: We are satisfied that the recent changes to the court-martial system will ensure its continuing effectiveness into the next millennium. However, we know that we cannot afford to be complacent and the system is kept under constant review to ensure its efficiency.

Sexual Assault and Harassment

Mr. Godman: To ask the Secretary of State for Defence how many *(a)* officers and *(b)* non-commissioned officers have been found guilty in (i) courts of law and (ii) courts martial of sexual assault or sexual harassment in the last three years; and in which of the services they served. [26095]

Mr. George Robertson: Between 1995 and 1997, one naval and one RAF officer, three naval ratings and eight RAF non-commissioned officers were found guilty of sexual offences by the civil court. In the same period, three naval officers, five naval ratings, nineteen Army NCOs and four RAF NCOs were found guilty of such offences by Courts Martial.

Firing Ranges

Mr. Ainger: To ask the Secretary of State for Defence if he will make a statement on the announcement made by the Defence Evaluation and Research Agency on 23 January on the rationalisation of land ranges in the United Kingdom. [26120]

Mr. Spellar: The rationalisation of the land ranges operated by the Defence Evaluation and Research Agency announced on 23 January is the outcome of the second stage of a review to address the problems of overcapacity and underutilisation. Subject to consultation with Trade Unions and MOD customers, the main changes proposed are that Pendine and Shoeburyness ranges would be maintained for access to their unique facilities on a trials campaign only basis, and as much work as possible would be undertaken at Eskmeals.

RNAD Broughton Moor

Mr. Campbell-Savours: To ask the Secretary of State for Defence when he intends next to visit RNAD Broughton Moor to discuss the future use of the site. [26119]

Mr. Spellar: I visited the site on 13 August 1997 and have no current plans to do so again. However, I would be happy to meet my hon. Friend to discuss the future use of the site.

Christmas Island (Nuclear Testing)

Mr. Llew Smith: To ask the Secretary of State for Defence what assessment he has made of the dossier of information on the health effects of nuclear testing in the 1950s atomic test programme at Christmas Island, a copy of which has been sent to him. [28201]

Mr. Spellar: I assume my hon. Friend is referring to a letter from *The People* newspaper dated 13 January 1998, addressed to the Secretary of State for Defence, which enclosed copies of their recent articles about nuclear test veterans and letters from a small number of ex-Servicemen who had served on Christmas Island in the 1950s-60s. The letter invited a response on nuclear test veteran issues, with particular reference to work carried out at Dundee University.

My officials responded to the newspaper on 6 February. The reply drew attention to the fact that the studies carried out by the National Radiological Protection Board (NRPB) had proved conclusively that participation in the testing programme had not had a detectable effect on the participants' expectation of life or on their risk of developing cancer or other fatal diseases: and also referred to those matters which were covered in my response to my hon. Friend on 22 January 1998, *Official Report*, columns *625–26*.

Radiation-related Illnesses

Mrs. Ewing: To ask the Secretary of State for Defence if he will make a statement on potential linkage between illness and radiation exposure for workers at (i) Rosyth and (ii) Faslane; what is his policy on levels of compensation for workers who have radiation-related illnesses; and what medical checks he is undertaking in respect of these workers. [26070]

Mr. Spellar *[holding answer 3 February 1998]:* The risks of disease, including cancer, as a result of exposure to ionising radiation are well documented. Risk estimates for the UK population are published by the National Radiological Protection Board whose evidence is used to formulate national legislation. The exposure of MOD radiation workers at both Rosyth and Faslane has always been monitored and controlled in accordance with this legislation, the purpose of which is to limit the risk to workers to tolerable levels. As required by legislation, my Department's policy is to reduce risks to the lowest reasonably practicable level.

My Department's policy on compensation for radiation workers is to be a member of the nuclear industry's Compensation Scheme for Radiation Linked Diseases. This is a no fault scheme where there is no requirement for claimants to prove negligence on the part of the Department in order to receive compensation. The Scheme was set up and is run jointly by the participating employers and Trade Unions and does not affect the claimant's right to seek legal redress. It provides for the assessment of a case, on an agreed technical basis, in order to determine the probability that a cancer contracted by a radiation worker could have been caused by occupational radiation exposure. The amount of compensation payable in a successful case is determined by negotiation between the solicitors representing the parties, using as a basis the same guidelines as would apply if the case had proceeded to Court. However, the Scheme provides for payments to be made at lower levels of causation probability than would be allowed by the Courts. It does this by making a "full" payment at 50 per cent. causation probability similar to the Courts, and in addition making lesser payments down to a 20 per cent. causation probability. In this way the assessment of a case recognises that even below the balance of probability there is a chance that occupational exposure to ionising radiation played a role in causing the disease.

Within my Department, medical checks are undertaken at the discretion of the Appointed Doctor when considered necessary as part of the annual health review of classified radiation workers.

Precision-guided Weapons

Mr. Hancock: To ask the Secretary of State for Defence (1) what steps he has taken to ensure that United Kingdom precision-guided weapons cannot be blinded by enemy multi-spectral smoke shells; [26776]

(2) what assessment he has made of the extent to which multi-spectral smoke shells will obscure targets from targeting systems of precision-guided munitions. [26774]

Mr. Spellar: Research has been carried out into means of countering the effects of multi-spectral smoke shells on UK precision guided weapons. The effects of multi-spectral smoke shells on targeting systems have also been assessed in field trials using representative target acquisition equipment. The potential effects will be taken into account, where appropriate, in our future requirements for precision munitions. To release further details would harm national security or defence and I am therefore withholding them in accordance with exemption 1 of the Code of Practice on Access to Government Information.

Computer Hackers

Mr. David Atkinson: To ask the Secretary of State for Defence how many attempts by hackers to breach security in his Department's computers were detected in 1996 and 1997; and how many of these were successful. [27871]

Mr. Spellar: A comprehensive security policy on connectivity to public data networks is enforced throughout the MOD. There is no evidence of a successful incursion, from an external source, into any Departmental computer system in the period 1996–1997. There has been one instance known to us of a failed attempt over this period.

Radioactive Waste

Mr. Hancock: To ask the Secretary of State for Defence in what years Army personnel from 43 Command Workshop were ordered to dispose of low grade radioactive waste at Hilsea, Portsmouth; and what plans are available relating to the disposal. [27881]

Mr. Spellar: Army personnel from 43 Command Workshop disposed of low grade radioactive waste at Hilsea lines during 1978. Records dating from 1977 for this work are held in MOD files. The burial of the waste at Hilsea lines was approved by the Radiochemical Inspectorate of the then Department of the Environment. The Inspectorate then granted unrestricted access to the sites. Maps showing the locations at Hilsea lines of the buried waste were passed by the Ministry of Defence to the Property Services Agency of the Department of the Environment in 1985, prior to the sale of the site to Portsmouth City Council in 1986.

Arms Sales

Ann Clwyd: To ask the Secretary of State for Defence what estimate he has made of the value to Britain of arms sales to each of the top 10 recipient countries in each year since 1990. [26842]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Tomahawk Missiles

Mr. Hancock: To ask the Secretary of State for Defence what assessment his Department made of the *(a)* United States Navy exercise in January and June 1993 to test the accuracy of Tomahawk missiles and *(b)* the United States Defense Department publication Gulf War Air Power Survey findings in procuring Tomahawk missiles for Royal Navy submarines. [27505]

Mr. Spellar: The US Department of Defence has assured us that no Tomahawk exercise firings were conducted during either January or June 1993. The US Government reported in both January and June 1993 that Tomahawk attack operations were conducted against targets in Iraq under the auspices of UN Security Council Resolution 688. Information received from the US DoD about those operations was used with much other information in reaching the decision to procure the Tomahawk weapon system for the Royal Navy.

There is no record of the US DoD publication entitled 'Gulf War Air Power Survey' being used in relation to procurement of Tomahawk.

Publications

Mr. Gale: To ask the Secretary of State for Defence if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26330]

Mr. Spellar: The information is not held centrally in the form requested and could be obtained only at disproportionate cost. The vast majority of MOD

publications, both those published internally and externally, are however processed centrally. In the period specified they dealt with 12,335 Computer controlled publications and 2,713 Manually controlled publications.

MOD Publications are primarily Instructional Manuals/Technical Manuals and general Regulations including Complete Equipment Schedules, Naval Engineering Standards, Illustrated Parts Catalogues and Defence Council Instructions.

The Manually Controlled category includes in excess of 300 Classified Publications.

Conduct (Codes and Standards)

Mr. Key: To ask the Secretary of State for Defence what were the dates of publication of *(a)* the two previous and *(b)* the current paper from the Adjutant General on codes and standards of conduct. [28346]

Mr. Spellar: The Standards and Discipline paper for Army personnel was published by the then Adjutant General in October 1993. There were no previous papers specifically entitled codes and standards of conduct; but 'Man Management', a document which covers similar material, was published in September 1977 and was revised in 1986 and again in 1988.

Mr. Key: To ask the Secretary of State for Defence if he will place in the Library a copy of the current edition of the Adjutant General's paper on codes and standards of conduct. [28347]

Mr. Spellar: Yes. A copy of the Adjutant General's current Discipline and Standards Paper will be placed in the Library shortly.

Military Law Manuals

Mr. Key: To ask the Secretary of State for Defence when revised editions of the manuals of military law for each of the three services will be available; and if he will place them in the Library. [28342]

Mr. Spellar: The Royal Navy issued a revised edition of the Manual of Naval Law in April 1997. The Army's amendment to the Manual of Military Law is currently being printed and will be distributed shortly. The RAF are undertaking a major revision of the Manual of Air Force Law and Volume I, which contains the bulk of the primary legislation, is due to be published in early 1999. Each will be placed in the Library of the House.

Tank Transporters

Mr. Key: To ask the Secretary of State for Defence how many *(a)* main battle tank and *(b)* light tank transporter vehicles are (i) in service and (ii) operationally deployable; and if he will make a statement. [28349]

Mr. Spellar: The Army has 121 main battle tank transporters in service of which 112 are currently in unit hands.

There are 194 vehicles capable of being used to transport light armoured vehicles of which 43 are actually used for this purpose; of all these are unit hands.

Mr. Key: To ask the Secretary of State for Defence how many tank transporter vehicle drivers are *(a)* in service and *(b)* operationally deployed; and if this is designated protected A Trade employment. [28345]

Mr. Spellar: There are 477 tank transporter drivers in the Army. 39 are currently operationally deployed. This is not a protected trade, and I understand that the A Trade designation is no longer in use.

Departmental Cars

Mr. Key: To ask the Secretary of State for Defence how many Ford Mondeo cars his Department has purchased in the current financial year. [28488]

Mr. Spellar: Up to 6 February this financial year, my Department has purchased 134 Ford Mondeo cars.

Sponsored Reserves

Mr. Key: To ask the Secretary of State for Defence what is his policy on sponsored reserves in Her Majesty's forces; and if he will make a statement. [28343]

Mr. Spellar: We believe that the Sponsored Reserve concept has much potential, and we have been encouraged by the interest shown by Industry. My Department is taking forward the concept in a number of areas as one of the ways of supporting operationally essential services in partnership with the private sector. As part of the Strategic Defence Review, we are actively progressing the application of the Sponsored Reserve concept in a thorough examination of the costs and operational risk. No decisions have yet been reached.

Armed Forces (Morale)

Mr. Spring: To ask the Secretary of State for Defence what assessment he has made of morale in the armed forces; and if he will make a statement. [26123]

Mr. George Robertson: From my regular visits to Service units and those of my Ministerial colleagues, and discussions within the Ministry of Defence, I assess morale in the Armed Forces at present to be satisfactory. I greatly admire the achievements and sense of purpose of our Servicemen and women. In my experience, they are keen to get on with their jobs, are aware that they are highly valued by the nation and are committed to the operational challenges they face. There are undoubtedly some feelings of uncertainty, and problems in some areas caused, in large part, by longstanding overstretch and undermanning inherited by this administration. One of the main aims of the Strategic Defence Review is to balance our operational commitments and the needs of Service personnel and their families. The openness of the review process will have reassured our forces that it is different from other reviews.

AGRICULTURE, FISHERIES AND FOOD

Farm Tenancy Agreements

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the operation of the new farm business tenancy agreements; and if he will make a statement. [26995]

Mr. Morley: An independent policy evaluation of the Agricultural Tenancies Act 1995, commissioned by this Department and the Welsh Office, was carried out last year by the University of Plymouth, and the report was recently published. A copy was placed in the Library of the House. The results provide data for England and Wales separately and indicate that uptake of farm business tenancies has been encouraging.

Food Standards Agency

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food what steps he will take to ensure that the Food Standards Agency levy will be structured in such a way as not to penalise disproportionately small food producers and retailers. [27144]

Mr. Rooker: The Government will consult closely with key interested parties, including representatives of small businesses, in drawing up detailed proposals for a mechanism that would allow a greater part of the costs of food safety work to be passed from the taxpayer onto the food industry. In formulating their proposals, the Government will consider carefully the need to take into account the size of the business, among other factors.

BSE

Mr. Gray: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the Enfer scientific test available in the Irish Republic. [28622]

Mr. Rooker: We understand the test is capable of detecting abnormal PrP in central nervous system tissues of cattle which are already showing clinical signs of BSE. It has not been shown to be capable of identifying infected cattle early in the incubation periods as far as we are aware.

The Department has been in touch with Enfer Scientific since March 1997, but has been unable to obtain detailed information due to intellectual property issues. Tissues from experimentally infected cattle at known stages of incubation has been offered to Enfer to validate the test by the Department, but the offer has not yet been taken up.

SOCIAL SECURITY

Benefit Integrity Project

Mr. Swinney: To ask the Secretary of State for Social Security what is her policy in respect of the timescale and opportunity for future reassessment of the benefit payments for those claimants who have had their benefit reduced or set aside as a result of the Benefit Integrity Project. [27908]

Ms Harman: The Benefit Integrity Project helps ensure the correctness of awards of Disability Living Allowance (DLA). Up-to-date information is being gathered from beneficiaries about their care and mobility needs, so that we can check that they are receiving the correct amount of DLA.

It is important that decisions about benefit entitlement are made fairly and are seen to be fair. I am taking action to improve the quality of decisions made by the Project which involve a reduction or removal of benefit. In future, no decision resulting in reduction or removal of entitlement to DLA will be made solely on the evidence provided by the claimant—there will always be additional evidence to support the decision.

We have been liaising closely with organisations of and for disabled people from the early stages of the Project. This new initiative underlines our determination to act properly to get the benefit right and to listen and act upon any concerns. We will continue to involve these groups in the evaluation of the Project as it develops.

This Project is operating under the normal assessment and adjudication rules that are applied to all DLA cases. Anyone dissatisfied with a decision made in their case may ask for a review of that decision, on any grounds, within three months of the decision having been made. If they remain unhappy following review, they have the opportunity to appeal to an independent tribunal within three months of the review decision being made. Of course, a claimant may ask for a review of their entitlement at any time if they believe that there has been a change in their circumstances that may affect their entitlement to DLA.

Publications

Mr. Gale: To ask the Secretary of State for Social Security if she will list, by title, the publications produced by her Department between 1 May 1997 and 31 January 1998. [26337]

Mr. Field: A list of publications, by title, produced by this Department between 1 May 1997 and 31 January 1998 has been placed in the Library.

Respiratory Diseases

Mr. Clapham: To ask the Secretary of State for Social Security how many applicants for an award in respect of chronic bronchitis and emphysema have failed the FEV1 test since April 1997; and how many have been rejected since April 1997 because they did not meet the service qualification, broken down by coalfield area. [28265]

Mr. Denham: Figures are not available in the format requested. Such information as is available is set out in the table.

Industrial injuries disablement benefit—chronic bronchitis and/or emphysema unsuccessful claims from 1 April 1997 to 31 December 1997 by reason

	Area Directorate	*Failed FEV1 test*	*Failed 20 year*
AD1	East London and Anglia	1	6
AD2	Chilterns	1	2
AD3	London South	110	18
AD4	West Country	14	12
AD5	Mercia	2,885	183

Industrial injuries disablement benefit—chronic bronchitis and/or emphysema unsuccessful claims from 1 April 1997 to 31 December 1997 by reason

	Area Directorate	Failed FEV1 test	Failed 20 year[1]
AD6	West Midlands	246	33
AD7	Wales	1,606	253
AD8	North West Coast	146	24
AD9	Greater Manchester	276	21
AD10	Yorkshire	2,107	75
AD11	Tyne Tees	1,811	102
AD12	West of Scotland	595	49
AD13	East of Scotland	1,078	75
Total	Great Britain	10,876	853

[1] Relates to those who failed to meet the 20 year underground work rule.

Note:

1. Data are not collected by coalfield area, but are available by Benefits Agency Area Directorate.

Source:

100 per cent. count.

Mr. Clapham: To ask the Secretary of State for Social Security what was the total number of applicants for chronic bronchitis and emphysema awards *(a)* between September 1993 and April 1997 and *(b)* since April 1997; and what was the number of awards made in each of those periods. [28266]

Mr. Denham: The total number of claims for Industrial Injuries Disablement Benefit in respect of chronic bronchitis and emphysema for the period 13 September 1993 to 31 March 1997 was 50,195 and in the same period 5,428 awards were made. Since 1 April 1997, a further 22,984 claims have been received and 6,752 awards made.

Source:

100 per cent. count of claims and awards.

Mr. Clapham: To ask the Secretary of State for Social Security if she will provide a breakdown of the awards for chronic bronchitis and emphysema made between September 1993 and April 1997, by *(a)* coalfield area and *(b)* the level of disablement assessment, together with the same information for the period from April 1997 to date. [28264]

Mr. Denham: Information is not available in the format requested. Such information as is available is set out in the tables.

Data are not collected by coalfield area, but are available by Benefits Agency Area Directorate. The Area Directorates were altered from 1 April 1996.

Industrial injuries disablement benefit—chronic bronchitis and/or emphysema, by area directorate and level of disablement assessment. Awards made in the period 13 September 1993 to 31 March 1996

		13 September to 1 October 1994			2 October 1994 to 31 March 1996		
	Number of awards	Assessment percentage					
		14–24	25–34	over 34	14–19	20–25	over 25
Anglia	3	0	0	3	0	0	0
Chilterns	4	0	3	1	0	0	0
South London and West Sussex	—	—	—	—	—	—	—
West Country	6	1	0	2	0	3	0
East London and Essex	—	—	—	—	—	—	—
South East	34	4	3	25	0	0	2
Wessex	—	—	—	—	—	—	—
East Midlands	736	38	52	521	5	16	104
Midlands and South West	56	3	2	50	0	0	1
West	409	22	43	315	4	8	17
Wales	1,530	203	223	891	4	48	161
Merseyside	50	5	18	26	0	0	1
Greater Manchester	32	4	8	19	0	1	0
Lancashire and Cumbria	157	18	25	104	1	3	6
Tyne Tees	640	33	83	467	2	7	48
South Yorkshire and Humberside	878	57	96	620	3	15	87
North and West Yorkshire	447	61	65	294	1	3	23
Glasgow and Paisley	8	0	2	6	0	0	0
North, Central and West Yorkshire	64	3	12	45	0	0	4
East Scotland	103	1	10	83	1	1	7

Note:

Figures are provisional and subject to amendment.

Source:

1. 100 per cent. counts from the BA Bronchitis and Emphysema computer system 13 September 1993 to 1 October 1994.
2. BA Central Data Unit 2 October 1994 to 31 March 1996.

Awards made in the period 1 April 1996 to 31 March 1997

Area Directorate	Number of awards	Assessment percentage 14–19	20–25	over 25
East London and Anglia	—	—	—	—
Chilterns	—	—	—	—
London	1	1	0	0
West	2	0	0	2
Mercia	85	2	14	69
West Midlands	2	0	0	2
Wales	54	4	11	39
North West Coast	7	2	0	5
Greater Manchester	18	1	12	5
Yorkshire	84	2	5	77
Tyne Tees	12	0	1	11
West of Scotland	—	—	—	—
East of Scotland	6	0	1	5

Note:
Figures are provisional and subject to change.
Source:
100 per cent count of BA Central Data Unit.

Awards made in the period 1 April 1997 to 31 December 1997

Area Directorate	Number of awards	Assessment percentage 14–24	25–34	over 34
East London and Anglia	—	—	—	—
Chilterns	2	—	1	1
London	66	16	10	40
West	22	5	4	13
Mercia	1,765	119	164	1,482
West Midlands	127	6	15	106
Wales	1,406	163	214	1,029
North West Coast	112	25	22	65
Greater Manchester	181	18	27	135
Yorkshire	1,224	75	134	1,015
Tyne Tees	963	79	161	723
West of Scotland	257	37	46	174
East of Scotland	628	30	115	483

Note:
Figures are provisional and subject to change.
Source:
100 per cent. count BA Bronchitis and Emphysema computer system.

Disability Living Allowance

Mrs. Ewing: To ask the Secretary of State for Social Security how many people were in receipt of disability living allowance for each month since May 1997. [27534]

Mr. Denham: The information requested is set out in the table.

People in receipt of disability living allowance in 1997 by month.

	Number
30 June	1,915,600
31 July	1,930,600
31 August	1,943,700
30 September	1,955,000
31 October	1,968,200
30 November	1,979,900
31 December	1,988,600
31 January	1,996,200

Notes
Figures relate to all people with entitlement to benefit and include those where payment has been suspended.
Source:
Analytical Services Divisions: 100 per cent. data.

Mr. Burstow: To ask the Secretary of State for Social Security how many claimants for disability living allowance, whose predominant disability is deafness, are in the age groups *(a)* 0 to 4, *(b)* 5 to 15, *(c)* 16 to 24, *(d)* 25 to 29, *(e)* 30 to 34, *(f)* 35 to 39, *(g)* 40 to 44, *(h)* 45 to 49, *(i)* 50 to 54, *(j)* 55 to 59, *(k)* 60 to 64, *(l)* 65 to 69, *(m)* 70 to 74, *(n)* 75 to 79 and *(o)* over 80 years. [28357]

Mr. Denham: The information requested is set out in the following table.

People in receipt of disability living allowance whose main disabling condition is deafness[1,2]

	Number
All ages	17,580
0–4	1,740
5–15	7,340
16–24	1,980
25–29	820
30–34	840
35–39	880
40–44	680
45–49	680
50–54	880
55–59	660
60–64	700
65–69	280

People in receipt of disability living allowance whose main disabling condition is deafness[1] 2

	Number
70–74	100
75–79	—
80 and over	—

[1] Unrounded figures relate to 30 November 1997
[2] People who are deaf but do not list this as their main disabling condition may also receive Disability Living Allowance
Source:
Analytical Services Division: 5 per cent. data.

Pensioner Incomes

Mr. O'Hara: To ask the Secretary of State for Social Security if she will estimate the percentage and number of pensioners who have an annual income of £2,000 or less in addition to state benefits including the state pension. [28625]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

If pensioner units received a weekly income of £38.50 for 52 weeks of the year then their annual income would be £2,002.

Pensioner units with weekly income of less than £38.50 excluding state benefits

Percentage of pensioner units	Numbers (million)
52	3.7

Notes:
1. The information is based on gross unequivalised weekly income before housing costs and benefit income at July 1995 prices.
2. The Pensioners' Income Series gives estimates for pensioner units. A pensioner unit is defined as a single person over State Pension Age (SPA) or a couple where the man, defined as the head, is over SPA.
3. Numbers of pensioner units are rounded to the nearest 50,000, percentages to the nearest 1 per cent.
Source:
Pensioners' Income Series 1995–6.

CABINET OFFICE

Ministerial Visits

Mr. Wilkinson: To ask the Minister without Portfolio in what capacity he attended the British-Spanish Tertulias in Cambridge in November; what public expenditure was incurred by his participation; and if he will make a statement. [27892]

Mr. Mandelson: I attended the British-Spanish Tertulias following official advice from the Foreign and Commonwealth Office. The cost to public funds of my visit was approximately £21.

Ministerial Meetings

Mr. Edward Davey: To ask the Minister without Portfolio (1) how many meetings he has had with the Chancellor of the Exchequer since 2 May 1997; [28025]

(2) how many press briefings he has attended since 2 May 1997; [28015]

(3) how many meetings he has had with the Secretary of State for Health since 2 May 1997; [28014]

(4) how many meetings he has had with the Prime Minister since 2 May 1997; [28026]

Mr. Mandelson: I attend meetings with the Prime Minister and other Ministerial colleagues on a regular basis in the course of my duties. I have attended very few press briefings.

EDUCATION AND EMPLOYMENT

Achievement Targets

Mr. Dorrell: To ask the Secretary of State for Education and Employment for what reasons he uses data based on eligibility for, or uptake of, free school meals in setting achievement targets for primary and secondary schools. [26802]

Ms Estelle Morris *[holding answer 4 February 1998]:* The Government view is that poverty is no excuse for failure. It is for individual schools, in discussion with their LEAs, to set appropriately challenging achievement targets, which reflect national targets such as those for literacy and numeracy. All schools, regardless of the socio-economic characteristics of their pupils, are capable of improvement.

Local Authority Budgets

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the *(a)* overall education budget, *(b)* general schools budget and *(c)* aggregated schools budget for each local education authority in 1997–98. [27541]

Mr. Byers *[holding answer 5 February 1998]:* The following table sets out, for each local education authority in England, its education budget, General Schools Budget (excluding capital) and Aggregated Schools Budget for the year 1997–98. Capital and related expenditure has been excluded from GSB figures to ensure consistency with the education budget figures, which represent revenue expenditure only.

1997–98

£ million

Local authority	Education Budget[1]	GSB less Capital[2]	ASB[3]
City of London	3.2	1 0	0.6
Camden	83.7	67.9	51.1
Greenwich	112.5	102.0	83.3
Hackney	99.9	83.4	61.5
Hammersmith and Fulham	63.1	48.7	37.3
Islington	82.7	70.4	56.1
Kensington and Chelsea	50.8	32.2	24.7
Lambeth	104.7	65.0	49.9
Lewisham	114.6	97.7	78.0
Southwark	109.9	82.2	63.2
Tower Hamlets	126.3	113.9	82.1
Wandsworth	89.0	60.2	46.8
Westminster	73.1	56.2	42.5
Barking and Dagenham	75.2	71.0	56.6
Barnet	123.8	87.1	69.0
Bexley	86.0	72.2	58.9

1997–98

£ million

Local authority	Education Budget[1]	GSB less Capital[2]	ASB[2]
Brent	103.8	59.9	46.9
Bromley	116.5	48.6	38.7
Croydon	127.8	91.1	71.1
Ealing	114.2	86.7	66.3
Enfield	123.3	99.4	77.3
Haringey	98.0	95.5	68.1
Harrow	77.8	70.4	58.8
Havering	90.8	73.2	62.2
Hillingdon	92.7	49.2	40.6
Hounslow	92.1	86.1	68.6
Kingston	53.2	33.5	27.8
Merton	58.3	54.9	44.7
Newham	126.7	111.8	82.9
Redbridge	101.0	91.1	74.5
Richmond	50.1	46.6	39.8
Sutton	69.9	45.1	36.7
Waltham Forest	97.7	85.7	67.9
Birmingham	475.3	414.0	327.1
Coventry	130.6	123.2	98.6
Dudley	112.1	96.2	79.9
Sandwell	123.9	117.0	93.4
Solihull	77.5	77.9	64.9
Walsall	112.6	88.4	70.3
Wolverhampton	104.7	94.5	72.0
Knowsley	74.9	67.0	53.5
Liverpool	206.1	176.1	140.0
St. Helens	73.2	69.5	54.0
Sefton	110.5	109.8	87.3
Wirral	128.6	117.3	91.0
Bolton	104.9	96.4	73.1
Bury	61.5	62.2	49.0
Manchester	178.3	173.3	133.0
Oldham	99.1	98.3	77.2
Rochdale	83.5	70.4	55.2
Salford	90.8	83.7	65.3
Stockport	91.3	90.9	73.1
Tameside	81.0	73.0	56.5
Trafford	87.3	60.9	47.1
Wigan	117.4	120.5	96.1
Barnsley	72.6	73.4	55.7
Doncaster	119.2	121.0	91.2
Rotherham	97.8	97.3	78.7
Sheffield	167.1	159.5	120.9
Bradford	201.8	180.2	135.7
Calderdale	77.8	50.0	37.4
Kirklees	145.8	141.4	105.2
Leeds	278.7	260.3	212.4
Wakefield	111.7	112.1	85.1
Gateshead	75.9	71.5	54.8
Newcastle	112.4	96.0	75.0
North Tyneside	71.9	69.6	54.9
South Tyneside	58.6	55.6	43.4
Sunderland	112.9	108.5	90.5
Isles of Scilly	1.3	1.1	0.8
Bath and NE Somerset	61.5	56.3	44.9
Bristol	134.6	127.2	101.0
North Somerset	64.8	64.5	50.8
South Gloucestershire	85.9	87.7	71.2
Hartlepool	35.6	34.6	27.4
Middlesbrough	55.7	56.9	44.4
Redcar and Cleveland	57.3	57.4	44.8
Stockton on Tees	69.2	72.4	56.8
Hull	102.9	97.8	76.1
East Riding	112.1	114.5	88.5
North East Lincolnshire	64.0	65.1	51.1
North Lincolnshire	61.7	60.3	44.9
North Yorkshire	200.6	197.0	157.0
York	53.4	53.2	43.0
Luton	82.2	63.0	46.0
Milton Keynes	74.7	59.2	47.0
Derby City	84.1	64.9	47.0
Poole	45.0	28.5	23.4
Bournemouth	52.9	34.0	25.2
Darlington	33.9	32.9	25.4
Brighton and Hove	79.9	70.8	54.7
Portsmouth	64.0	56.8	45.3
Southhampton	78.5	69.4	56.9
Leicester City	117.1	114.7	87.5
Rutland	11.3	5.2	4.2
Stoke-on-Trent	86.8	82.1	64.1
Swindon	61.4	48.2	37.9
Bedfordshire	144.4	125.5	99.8
Berkshire	279.0	220.8	187.7
Buckinghamshire	181.0	141.9	115.4
Cambridgeshire	250.9	184.4	139.2
Cheshire	390.1	350.8	288.2
Cornwall	166.6	157.1	122.6
Cumbria	184.8	134.9	106.5
Derbyshire	242.9	207.8	156.0
Devon	352.4	325.4	256.9
Dorset	131.4	104.7	84.6
Durham	192.3	179.4	138.4
East Sussex	155.9	151.1	121.5
Essex	582.8	326.8	254.7
Gloucestershire	183.4	107.1	88.1
Hampshire	408.3	356.6	291.9
Hereford and Worcester	236.0	206.7	168.4
Hertfordshire	393.8	316.3	259.2
Isle of Wight	46.7	43.4	35.0
Kent	579.7	384.4	310.4
Lancashire	538.6	499.6	382.5
Leicestershire	209.8	203.8	159.1
Lincolnshire	228.1	151.0	120.3
Norfolk	256.7	223.2	177.9
Northamptonshire	222.3	184.4	153.9
Northumberland	114.2	113.5	88.2
Nottinghamshire	379.9	358.6	273.5
Oxfordshire	191.7	182.1	147.8
Shropshire	152.8	132.2	104.3
Somerset	166.0	147.8	121.6
Staffordshire	285.4	266.2	212.7
Suffolk	231.3	224.8	185.7
Surrey	319.5	256.6	201.5
Warwickshire	170.6	152.7	118.4
West Sussex	247.0	234.4	191.4
Wiltshire	144.0	100.5	74.3
England Total	18,414.4	15,749.1	12,438.1

[1] Taken from the Revenue Account (RA) returns which local authorities make to the DETR.

[2] The figures for the GSB and ASB are taken from the LMS budget statements which LEAs are required to submit to the Department under section 122 of the Education Act 1996 (formerly section 42 of the 1988 Act). These do not include expenditure on Grant Maintained Schools budgets which is recouped from LEAs.

Publications

Mr. Gale: To ask the Secretary of State for Education and Employment if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26328]

Dr. Howells: A list by title of the publications produced by the Department of Education and Employment between 1 May 1997 and 31 January 1998 has been placed in the Library.

Student Loans

Mr. Bermingham: To ask the Secretary of State for Education and Employment when the Education (Student Loans) Act 1998 will come into force; when he expects to make regulations; and if he will make a statement. [28960]

Dr. Howells: Sections 1, 4, 5, 6(1) and 7 came into force on Royal Assent on 27 January 1998. Sections 2, 3, and 6(2) and the Schedule to the Act will come into force on 1 March 1998. My right hon. Friends the Secretaries of State for Education and Employment and for Scotland laid the Education (Student Loans) Regulations 1998 before the House of Friday 6 February.

The Regulations protect borrowers and debt purchasers by fixing the key terms of all loans taken out under the Education (Student Loans) Act 1990 both before and after 1 March 1998. The Regulations also provide for new repayment terms for disabled borrowers. These terms were formerly exercised at the discretion of the loans administrator.

Employment Figures (Young People)

Mr. Letwin: To ask the Secretary of State for Education and Employment what procedures he proposes to establish to monitor the number of persons under the age of 25 years leaving benefit and entering work; and when those procedures will be in place. [26148]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Oliver Letwin, dated 9 February 1998:

The Secretary of State has asked me to reply to your question relating to procedures to be established to monitor the number of persons under the age of 25 leaving benefit and entering work and when these procedures will be in place. This is something which falls within the responsibilities delegated to me as Employment Service Chief Executive.

It may be helpful to explain that data on the reason why a claim to Jobseeker's Allowance comes to an end will continue to be collected by the Office for National Statistics. This is gathered on their statistical systems from information on the Jobseeker's Allowance Payments System and records a code categorising the reason. This process captures the number of people leaving benefit and entering work. It is possible for this information to be analysed by age and duration of claim.

The Office for National Statistics will be publishing a summary table at a national level in "Labour Market Trends" in February 1998. Further information will also be available through the National Online Manpower Information System. This information can be obtained on request from the Office for National Statistics.

I hope this is helpful.

Jobmatch Scheme

Mr. Fitzpatrick: To ask the Secretary of State for Education and Employment what is his estimate of *(a)* the costs and *(b)* the numbers who would gain if the jobmatch scheme was extended to people over 50 years who have been unemployed for six months. [26162]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Jim Fitzpatrick, dated 9 February 1998:

The Secretary of State has asked me to reply to your question about the costs and numbers involved in widening the eligible age group for Jobmatch to those aged 50 years and over, and who have been unemployed for six months. This is something that falls within the responsibilities delegated to me as Employment Service Chief Executive.

Jobmatch currently targets jobseekers between the ages of 18–24 years who are unemployed for 2 years or more. Using figures from the current operational year (for the 7 months up to the end of October) and assuming similar levels of interest for those aged over 50 years and unemployed for six months, it is estimated that in the same 7 month period 3,300 clients from this latter group might have received benefit from jobmatch, at a cost of some £4.3 million.

I hope this is helpful.

Disabled People (Rehabilitation)

Mr. Fitzpatrick: To ask the Secretary of State for Education and Employment how many disabled people have started a rehabilitation programme in the last 12 months; and what is his estimate of the average cost per place on an employment rehabilitation programme. [26163]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Jim Fitzpatrick, dated 9 February 1998:

The Secretary of State for Education and Employment has asked me to reply to your question relating to the number of disabled people who started a rehabilitation programme in the last 12 months, and his estimate of the average cost per place on an employment rehabilitation programme. This is something which falls within the responsibilities delegated to me as Employment Service Chief Executive.

In the 12 months to December 1997, 14,262 people with disabilities started employment rehabilitation programmes. In the same period, £9,526,000 was spent on the programme.

Unfortunately, the Employment Service do not hold information on the average cost per rehabilitation place as this is not a particularly meaningful measure in the context of this programme. This is because employment rehabilitation programmes are individually tailored to the needs of each person. The programme can therefore last a few days or a few weeks, and can be on a part time or full time basis. Whilst the majority of employment rehabilitation programmes are within daily travelling distance, there may also be instances where a period of more costly residential rehabilitation may be necessary.

I hope this is helpful.

Unemployment

Mr. Redwood: To ask the Secretary of State for Education and Employment when the United Kingdom Government will publish their proposals on tackling unemployment to be submitted to the EU meeting to discuss member states' plans. [28620]

Mr. Andrew Smith: All member states have agreed to present Employment Action Plans by 15 April so that an initial assessment can take place at the Cardiff European Council. These plans will set out each member state's proposals for implementing the Employment Guidelines agreed at the Luxembourg Jobs Summit attended by the Prime Minister last November. We intend to produce and publish the UK Employment Action Plan well in advance of the deadline.

TRADE AND INDUSTRY

European Labour Markets

Mr. Redwood: To ask the President of the Board of Trade which regulations and directives being negotiated in the Council of Ministers during the British presidency will *(a)* impose and *(b)* remove restrictions or controls on European labour markets. [28621]

Mr. Andrew Smith: I have been asked to reply.

The Government intend that all relevant dossiers being negotiated in the Social Affairs and Education Councils of Ministers during the UK Presidency should reinforce progress towards its objectives of employability, flexible and adaptable labour markets, fair minimum standards and job generation.

In the field of health and safety, proposals for a Chemical Agents Directive, a Carcinogens Worker Protection Directive, a Scaffolding Directive and proposals to amend the Asbestos Worker Protection Directive either are or will be subject to proper assessment to ensure that they are well targeted or scientifically justified. While they are not considered to have a major impact upon current practice in the UK, they should have the effect of raising standards elsewhere and in particular help to reduce the toll of 6,000 fatal accidents and thousands of cases of fatal disease each year in the EU.

The directive on part-time work, which is likely to be extended to the UK during our Presidency, will require employers to treat part-time workers no less favourably than equivalent full-time workers. By promoting part-time work and raising its status, the directive should increase flexibility in European labour markets. The Government are also consulting publicly about whether to seek amendments to the Acquired Rights Directive to make it more flexible, e.g. by allowing derogations agreed by the social partners in certain circumstances.

The proposal for a Supplementary Pensions Directive, the co-ordination of social security regulations for migrant workers who are EU citizens and the proposal to extend those regulations to all insured persons would neither impose nor remove restrictions on the labour market but may allow more labour market mobility within the EU, which is a positive step forward.

The Burden of Proof Directive would make very little difference to the way in which sex discrimination cases are *in practice* decided in the UK, or to the outcome of industrial tribunal cases. The European Company Statute would provide an alternative form of incorporation for companies but since it will be voluntary, it will not affect restrictions or controls on European labour markets.

Finally, the Government aim to secure a common position on the Commission's proposal for a third Directive on mutual recognition of professional qualifications, which will simplify procedures for seeking work in other member states. This proposal will further ease barriers to employment.

Millennium Compliance

Mr. David Atkinson: To ask the President of the Board of Trade what is the nature of the service to callers using the Action 2000 telephone hotline to obtain advice on millennium compliance of computer systems. [27876]

Mrs. Roche: The "Millennium Bug" campaign telephone hotline is run for Action 2000 by ICL Sorbus. The service is currently equipped to despatch Information Packs and direct callers to centres of expertise where they can obtain help and support. Plans are underway to increase the breadth of information available and provide on-line advice and guidance specific to a caller's needs.

Mr. David Atkinson: To ask the President of the Board of Trade what steps she is taking to ensure that public sector computer systems involved in the introduction of European Monetary Union are millennium compliant. [25376]

Mrs. Roche *[holding answer 4 February 1998]:* The Government attach major importance to tackling this problem effectively. My right hon. Friend the Prime Minister has set up a Ministerial Group on the millennium date change (MISC 4) to drive action across the public and private sectors to ensure that the national infrastructure is not damaged by the failure of electronic systems related to the year 2000 date change.

This objective applies to all public sector computer systems, including those which may be affected by Economic and Monetary Union.

Mr. David Atkinson: To ask the President of the Board of Trade what plans she has during the British presidency of the EU to propose the suspension or postponement until after 2001 of EU directives which would impede progress on the implementation of the action necessary to ensure the millennium compliancy of computer systems. [27879]

Mrs. Roche: I have no such plans at present, but propose to undertake a study which would enable the Government to assess the extent to which work on the millennium bug and other major tasks will absorb the skilled people available.

Mr. David Atkinson: To ask the President of the Board of Trade what controls her Department has on the use of the Action 2000 millennium computer compliance logo; and if she will make a statement. [27874]

Mrs. Roche: This scheme is the responsibility of Action 2000.

Mr. David Atkinson: To ask the President of the Board of Trade if her Department's initiatives to encourage awareness and action to ensure the millennium compliancy of computer systems take account of 2000 being a leap year; and if she will make a statement. [27880]

Mrs. Roche: Yes, for example, the leap year issue is picked up in the advice and good practice material disseminated by Action 2000. This directs people looking for more detailed information on this topic to specify advice from the Computing Services and Software Association, the British Standards Institute, the British Computer Society and the National Computing Centre.

Mr. David Atkinson: To ask the President of the Board of Trade what measures have been introduced to indicate the millennium compliance of computer products for sale; and if they are subject to independent certification. [27877]

Mrs. Roche: Action 2000 is devising a scheme based on a Millennium Safe logo. I understand that no decision has been taken on whether it would involve independent certification.

Mrs. Gillan: To ask the President of the Board of Trade how many times the Ministerial Committee on the year 2000 computer problem has met. [25373]

Mrs. Beckett *[holding answer 4 February 1998]:* In accordance with long standing practice, information about proceedings of the Cabinet and Cabinet Committee is not made public.

Mrs. Gillan: To ask the President of the Board of Trade what steps will be taken to prevent the Millennium Safe logo being used by businesses which are not millennium compliant. [27817]

Mrs. Roche *[holding answer 5 February 1998]:* This is a matter for Action 2000.

Mrs. Gillan: To ask the President of the Board of Trade what checks will be made on businesses before Millennium Safe logos are issued to them for use on their products. [27819]

Mrs. Roche *[holding answer 5 February 1998]:* This is an issue which I understand to be under consideration by Action 2000.

Mrs. Gillan: To ask the President of the Board of Trade what organisation is issuing the Millennium Safe logo; and how many have so far been issued. [27818]

Mrs. Roche *[holding answer 5 February 1998]:* The logo scheme is the responsibility of Action 2000. I understand that the precise operation of the scheme has not yet been finalised.

Mrs. Gillan: To ask the President of the Board of Trade upon what basis the Millennium Safe logo will be issued to businesses. [27816]

Mrs. Roche *[holding answer 5 February 1998]:* This is a matter for Action 2000. I understand that it is discussing the operation of the scheme with the Consumers Association.

Commercial Tenants (Protection)

Mr. Stunell: To ask the President of the Board of Trade what measures are in place to prevent excessive charges by landlords to commercial tenants for electricity and gas supplies; what plans she has for additional protection of commercial tenants; and if she will make a statement. [27469]

Mr. Nigel Griffiths: In the case of gas, the Director General of Gas Supply has a duty to set maximum resale prices. The Current direction requires the gas to be re-sold at no more than cost in all cases.

The Director General of Electricity Supply has a power to set a maximum resale price for electricity. He has, so far, only seen a necessity to do so in respect of domestic tenants.

Trademarks

Mr. Willis: To ask the President of the Board of Trade what plans she has to introduce legislation requiring the National Registry of Internet Domain Names to investigate each attempted registration for possible use by dealers to obstruct the company whose trademark the registered Domain Name is related to. [27710]

Mrs. Roche: There are no plans to introduce legislation requiring the National Registry of Internet Domain Names (Nominet) to investigate registrations in this way. Existing trademark law applies equally to domain names as to any other use of names, as illustrated by the recent "One in a million" judgment. Competition in the registration of domain names in the UK top-level domain is fully open, and Nominet has a dispute resolution procedure in place to deal with any conflicts over domain names. Nominet is also about to enter into collaborative agreements with conventional trademark watching services, so that they will be able to add domain names to the portfolios they oversee.

Export Licences

Mr. Faber: To ask the President of the Board of Trade, pursuant to her answer of 10 December 1997, *Official Report*, column *596*, what percentage of applications for export licences were processed by the Export Control Organisation according to their stated aims in the four week periods beginning *(a)* 15 November 1997 and *(b)* 13 December 1997. [26977]

Mrs. Roche *[holding answer 2 February 1998]:* Further to my answer of 10 December 1997, the figures to the nearest percentage point for the two periods are as follows:

4 week periods beginning	*15 November 1997*	*13 December 1997*
Applications circulated to other Government departments according to their policy requirements and completed in 20 working days	44	41
Applications not circulated to other Government departments and completed in 10 working days	73	73

Nuclear Fuel

Mr. Baker: To ask the President of the Board of Trade what is the total volume of reprocessed spent nuclear fuel exported for each year since 1990 broken down to show *(a)* high level, *(b)* intermediate level and *(c)* low level waste indicating countries of destination. [26980]

Mr. Battle *[holding answer 2 February 1998]:* I refer the hon. Member to my previous answer on 5 February 1998, *Official Report*, column 787. British Nuclear Fuels plc have, since 1990, imported 1,700 tonnes of spent nuclear fuel of reprocessing. The fuel is stored in ponds at the Sellafield site on receipt. The majority of the fuel imported since 1990 will be reprocessed during the coming years. Reprocessing involves using a number of chemical processes to separate the reusable uranium (96%) and plutonium (1%) from the 3% waste products contained in spent fuel. Reprocessing separates out the constituent parts of spent fuel, and material for export is not regarded as reprocessed spent nuclear fuel.

The UKAE have, since 1990, imported almost 4 tonnes of spent nuclear fuel for reprocessing. The nuclear material which will be separated as a result of reprocessing of this fuel (namely uranium and plutonium) may be returned to the country of origin. The total amount of nuclear material exported since 1990 is 1 tonne and countries of destination include Germany, Netherlands and France.

Since 1976, all new contracts for reprocessing of overseas spent fuel have contained option for the return of wastes. The Government intend that such options should be exercised and that such wastes should be returned to the countries of origin.

Mr. Chaytor: To ask the President of the Board of Trade what attempts are made by Her Majesty's Government to assess the adequacy of disposal facilities and plans for radioactive waste management in countries using United Kingdom reprocessing facilities in advance of approving applications for the import of spent nuclear fuel for reprocessing under contracts which include a return-to-sender commitment covering radioactive waste arising from reprocessing. [27989]

Mr. Battle: It has been the practice of successive Governments to obtain, before a contract for the reprocessing of foreign spent nuclear fuel is signed, assurances from the relevant government that it will take no legislative or regulatory steps to prevent the return of arising wastes under the contract. The adequacy of the facilities for managing those wastes is a matter for their owners and the regulatory authorities of the country concerned in accordance with the relevant legislation of that country.

Mr. Alan W. Williams: To ask the President of the Board of Trade what is the forecast demand for the mixed plutonium and uranium oxide fuel from the MOX plant at Sellafield; and which countries *(a)* have signed contracts and *(b)* expressed interest in contracting for the purchase of fuel. [28272]

Mr. Battle: Details of particular contracts for MOX fuel fabrication are a commercial matter for British Nuclear Fuels plc (BNFL) and their customers. However, BNFL have already supplied some of their European reprocessing customers with MOX fuel from the existing demonstration plant at Sellafield. As regards the expected demand for MOX fuel from the new plant, I refer the hon. Member to the report, produced by PA Consulting for the Environment Agency, entitled "Assessment of BNFL's Economic Case for the Sellafield Mox Plant: Public Domain Version" which is currently the subject of a public consultation being undertaken by the Agency. A copy of the report is in the House of Commons Library.

Mr. Alan W. Williams: To ask the President of the Board of Trade what assessment she has made of the financial consequences of recovering plutonium from spent nuclear reactor fuel. [28278]

Mr. Battle: The financial case for recovering plutonium from spent nuclear reactor fuel is for the owners of the spent fuel to assess, taking into account the need to satisfy the requirements laid down by the United Kingdom's regulatory authorities.

Theft and Fraud

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is her estimate of the cost of theft and fraud to *(a)* her Department, *(b)* its agencies and *(c)* non-departmental public bodies, in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27777]

Mrs. Beckett *[holding answer 5 February 1998]:* The estimated cost of theft and internal fraud to my department and its agencies in 1995–96 was £26,000 and £20,000 respectively and in 1996–97 was £1,000 and £260,000. Without incurring disproportionate cost, the data for 1997–98 will not be available until May 1998. Since 1 April 1996, we no longer hold the relevant data in respect of non-departmental public bodies.

The Department takes fraud very seriously. We take immediate and vigorous action if fraud is detected which also helps to deter other frauds.

We have in place procedures laid down by Treasury and regularly reviewed by Internal Audit and the National Audit Office that are designed to prevent fraud in the first place.

Periodicals

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is her estimate of the expenditure of her Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if she will list the newspapers and magazines purchased or subscribed to on a regular basis. [26596]

Mrs. Beckett *[holding answer 5 February 1998]:* Excluding its agencies, the Department's expenditure on newspapers and mass circulation journals for the years requested was as follows:

1995–96: £204,024

1996–97: £208,027

1997–98: £161,902 to date

1997–98: £194,283 estimate of full year

This includes expenditure on national daily and Sunday newspapers, regional newspapers, and mass circulation magazines and journals. A full list of titles cannot be supplied except at disproportionate cost. The titles taken change to meet the changing requirements of the Department. Changes in procurement procedures mean these figures are not directly comparable with those last provided to the hon. Member in January 1996.

Electricity Companies

Barbara Follett: To ask the President of the Board of Trade what statutory provision covers changes to a public electricity supplier's licence in the event of a takeover bid for a regional electricity company. [28160]

Mr. Battle: Modifications to public electricity supply licences are subject to sections 11 to 15 of the Electricity Act 1989.

Export Credits Guarantee Department

Mr. Redwood: To ask the President of the Board of Trade what proportion of bad debts ECGD is assuming on its Asian risks; and what was the corresponding figure in May 1997. [27860]

Mrs. Beckett *[holding answer 5 February 1998]:* Records readily available indicate that the level of ECGD's outstanding Claims Balances on Asian markets fell from £70.2m at 31 March 1997 to £36.1m at 5 February 1998. Equivalent figures of the position at 30 May 1997 are not available.

Mr. Redwood: To ask the President of the Board of Trade what proportion of total Asian ECGD risk is sovereign risk. [27857]

Mrs. Beckett *[holding answer 5 February 1998]:* 84% of ECGD's exposure on Asian markets is classified as sovereign and other public buyer risk.

Mr. Redwood: To ask the President of the Board of Trade what was the average premium rate for Indonesian ECGD cover *(a)* before and *(b)* after the December 1997 risk assessment. [27856]

Mrs. Beckett *[holding answer 5 February 1998]:* The premium rate for a typical medium-term loan guaranteed by ECGD was £3.40% prior to the December 1997 review and £3.76 afterwards. As no business has been signed since the last review it is not possible to compare average rates.

Mr. Redwood: To ask the President of the Board of Trade what proportion of ECGD's Asian risk is Sovereign risk; and what proportion private sector. [28586]

Mrs. Beckett: 84 per cent. of ECGD's exposure on Asian markets is classified as sovereign or other public sector risk, and the remaining 16 per cent. as private sector risk.

Dounreay

Mr. Savidge: To ask the President of the Board of Trade if she will assess the desirability of suspending particular categories of operations at Dounreay. [27999]

Mr. Battle: I refer my hon. Friend to the reply given to the right hon. Member for Wokingham (Mr. Redwood) on 2 February 1998, *Official Report,* column 484.

Mr. Savidge: To ask the President of the Board of Trade which nuclear waste storage facilities at Dounreay have been assessed to be unsafe; what is the estimated cost of clearing these up; which of these are still having waste added to them; and if she will estimate the effect of this on those costs. [27998]

Mr. Battle: All nuclear waste storage facilities at Dounreay are subject to strict independent regulation to ensure they do not pose an unacceptable risk to public health. No nuclear waste storage facilities at Dounreay have been assessed by the regulators as unsafe. Subject to continuing to meet the requirements laid down by the regulators, the operation of storage facilities at Dounreay is a matter for the UKAEA. All storage facilities on the Dounreay site, including the Wet Silo, will be emptied in due course as part of the programme of ultimate waste disposal and site remediation. As it is Government policy to ensure good value for money between a range of companies, the cost estimates for individual facilities are commercially confidential.

Sellafield

Mr. Alan W. Williams: To ask the President of the Board of Trade if it is her Department's normal practice to write off the capital cost of construction of a plant when considering its future viability; and what assessment she has made of the adoption of this practice by PA Consulting in its report on the MOX plant at Sellafield. [28279]

Mr. Battle: Responsibility for determining policy of the accounting treatment of fixed assets rests with the Board of British Nuclear Fuels plc (BNFL). The report by PA Consulting to which the hon. Member refers was commissioned by the Environment Agency as part of its consideration of the business case for the Sellafield MOX plant following BNFL's application to operate the plant. It is for the Agency to decide whether to accept the advice in the PA report.

Mr. Alan W. Williams: To ask the President of the Board of Trade if she will call in the plan to operate a MOX plant at Sellafield. [28275]

Mr. Battle: My right hon Friend has no powers to call in the application by BNFL for the commissioning and operation of the Mixed Oxide Fuel Plant at its Sellafield site. The Environment Agency is currently conducting a further public consultation on this application. It is for my right hon. Friend the Secretary of State for the Environment, Transport and the Regions to decide whether to call it in for his decision.

GDP (Cornwall)

Ms Atherton: To ask the President of the Board of Trade if he will list the gross domestic product of Cornwall for each year since 1968. [28177]

Mrs. Roche: GDP figures for counties are available only for selected years and from 1977 onwards. The available figures for Cornwall are as follows:

GDP at factor cost: current prices

£ million

Year	*GDP*
1977	715
1979	926
1981	1,207
1984	1,547
1987	2,105
1989	2,689
1991	2,886
1993	3,212
1995	3,625

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the President of the Board of Trade if she will list those items valued at more than £25 stolen or lost from her Department since 1 May 1997; and if she will make a statement. [27778]

Mrs. Beckett *[holding answer 5 February 1998]:* Details are not held centrally. The data of the year ending 31 March 1998 will be compiled from returns from each of my Department's Units and Agencies which will be used to complete the Annual Report to Treasury in May. It is the responsibility of each Head of a Management Unit or Agency to ensure that systems are in place to minimise the risk from theft and to ensure that appropriate action is taken should a theft occur.

Photocopier Industry

Mr. Redwood: To ask the President of the Board of Trade, pursuant to his answer of 3 February 1998, *Official Report*, column *611*, what factors led the Minister for Competition and Consumer Affairs to describe the BEUA as advisers to the right hon. Member for Wokingham. [28125]

Mr. Nigel Griffiths *[holding answer 6 February 1998]:* I refer the right hon. Gentleman to EDM 437 tabled in November last year.

I note that there is no evidence of the right hon. Gentleman disputing the terms of the EDM which stated he relied on this organisation for his briefings.

Minimum Wage

Mr. Redwood: To ask the President of the Board of Trade what assessment the Government have made of the impact of a minimum wage of £4 an hour on employment in the context of its evidence to the Low Pay Commission. [28128]

Mrs. Beckett *[holding answer 6 February 1998]:* We have asked the Independent Low Pay Commission to take into account all economic circumstances, including the likely effect on the level of employment, when formulating its recommendations to Government.

Second-hand Gas Appliances

Mrs. Brinton: To ask the President of the Board of Trade if she will make it her policy to introduce tighter restrictions on the sale of second-hand gas appliances. [28569]

Mr. Battle: My Department is presently carrying out a detailed analysis following a formal consultation exercise on proposed safety Regulations for second-hand gas appliances. Decision on future policy will be made when the analysis is complete.

In the meantime, the safety of second-hand gas appliances is currently regulated by a combination of Regulations covering specific products, the Gas Cooking Appliances (Safety) Regulations 1989 and the Heating Appliances (Fireguarding)(Safety) Regulations 1991. For other types of gas appliances the General Product Safety Regulations 1994 apply. Taken together, this legislation generally provides that suppliers of second-hand gas appliances must ensure that only safe appliances can be marketed.

Fair Competition

Dr. Cable: To ask the President of the Board of Trade what guidelines are issued to *(a)* the Meteorological Office, *(b)* Companies House and *(c)* the Ordnance Survey to ensure that they engage in only fair competition with private information providers who are also their customers. [26707]

Mr. Ian McCartney: The Meteorological Office is the responsibility of the Secretary of State for Defence. The Ordnance Survey is the responsibility of the Secretary of State for the Environment, Transport and the Regions.

Companies House is statutorily obliged to make information on companies, submitted to it under the provisions of the Companies Act, available to all who seek it. It does so through the offer of a range of products and services which are available to all, but which include some of particular benefit to private information providers and some equally appropriate to the needs of individual searchers.

Companies House is guided by its Framework Document, by the annual business plan that is submitted to and approved by Ministers, and by a range of other specific or generic guidelines issued to it as an Executive Agency.

British Inventors

Dr. Cable: To ask the President of the Board of Trade what proposals the Government have for supporting and promoting British inventors. [26708]

Mr. Battle: My Department has awarded the Institute of Patentees and Inventors (IPI) a grant of £30,000 for the period 1996/97–1998/99 to help them to maintain and improve the services which they provide. The Government have also introduced legislation to establish the National Endowment for Science, Technology and the Arts (NESTA). Funded by an endowment of £200 million from the National Lottery, NESTA will help talented individuals in the fields of science, technology and the arts to achieve their full potential and help to turn inventions or ideas into products or services. The Department's expenditure programmes which support innovation in business are being reviewed as part of the Comprehensive Spending Review.

Departmental Publicity

Mr. Bercow: To ask the President of the Board of Trade what has been the cost of media presentations and press conferences which he has given, other than those held at his Department. [25162]

Mrs. Beckett *[holding answer 23 January 1998]:* The cost of media presentations and press conferences which I and my Ministers have given outside my Department have normally been no more than the cost of a backdrop at most a few hundred pounds. The only occasions where the costs have been greater were the launch of the Business Link Enterprise Zone in November (£18k), and the regional events marking our EU Presidency in December (£6k).

Agenda 2000

Miss McIntosh: To ask the President of the Board of Trade what action the Government will take to ensure

those sectors of the British economy previously benefiting from European Structural Funding will continue to benefit under the new Agenda 2000 proposals, with particular reference to KONVER. [25765]

Mrs. Roche *[holding answer 27 January 1998]:* The Government welcome the European Commission's continuing support under the proposed new Objective 2 for regions undergoing restructuring. We would like to see a fair balance, ideally determined at the national or regional level, of the available resources between deprived industrial, urban and rural areas. The communication "Agenda 2000", published on 16 July 1997, outlined in general terms the Commission's approach to these regions. However, the details will not be clear until the Commission publishes detailed proposals for Structural Fund reform in March or April. In the negotiations that follow, we will be asking the Commission how the new Objective 2 will be sufficiently flexible in its approach to areas heavily dependent on a single sector, such as defence. The Government are currently undertaking regional consultations with interested parties to hear their views on the implications in the UK of Structural Fund reform.

Counterfeit Goods

Mr. Gordon Prentice: To ask the President of the Board of Trade what assessment she has made of the extent of the trade in counterfeit goods in the north west; and if she will make a statement. [23997]

Mr. Nigel Griffiths: My right hon. Friend the President of the Board of Trade has not made an assessment of the extent of the trade in counterfeit goods in the north west, but shares my hon. Friend's concern regarding the trade in counterfeit goods.

Trading Standards Officers and the Police are responsible for the enforcement of measures against the counterfeit trade. However, my Department is in regular contact with groups representing the interests of trade mark and copyright owners to ensure that the legal framework is supportive of their efforts.

Some information on the extent of counterfeit trade is available from the annual returns provided by Trading Standards departments.

From the 133 reports received for 1996–97	*Successful prosecutions*	
	Total	*North West*
Trade Mark Acts 1994	217	41
Copyright, Patents and Designs Acts	91	17

Mr. Gordon Prentice: To ask the President of the Board of Trade what assessment she has made of the extent of the counterfeit trade in automotive and aerospace spare parts. [23999]

Mr. Nigel Griffiths: My right hon. Friend the President of the Board of Trade has not made an assessment of the extent of the trade in counterfeit goods specifically in the North West, but shares my hon. Friend's concern regarding the trade in counterfeit goods.

Trading Standards Officers and the Police are responsible for the enforcement of measure against counterfeit trade contained in the Trade Marks Act 1994 and the Copyright, Patents and Designs Act 1988. Information from the annual returns provided by trading standards departments for 1996–97 show that there were 217 successful prosecutions under the Trade Marks Act and 91 successful prosecutions under the Copyright, Patents and Designs Acts.

No cases were reported involving automotive or aerospace parts and the Anti-Counterfeiting Group were not able to supply data on this either.

Coal Industry

Mr. Redwood: To ask the President of the Board of Trade what meetings the Minister for Science, Energy and Industry has held with *(a)* mining managements and *(b)* mining unions since 1 November. [24403]

Mrs. Beckett *[holding answer 20 January 1998]:* My hon. Friend the Minister of State for Science, Energy and Industry has held several meetings with representatives from Mining Unions and Management since 1 November and will continue to do so.

Special Advisers

Mr. Redwood: To ask the President of the Board of Trade what is the annual cost of the support staff, accommodation, personnel salaries and other overheads of her Department's special advisers. [25816]

Mrs. Beckett *[holding answer 27 January 1998]:* I refer the right hon. Member to the replies I gave to the hon. Member for Chesham and Amersham (Mrs. Gillan), 27 October 1997, *Official Report*, column *685*, and to the hon. Member for Surrey Heath (Mr. Hawkins), *Official Report*, 12 December 1997, *Official Report*, column *721*, in relation to the salaries of my Special Advisers, and to the answer provided by my right hon. Friend the Prime Minister to the hon. and learned Member for Harborough (Mr. Garnier) on 30 June 1997, in relation to the cost of support staff.

These are the only cost requested that are readily separable from other Department costs.

Design Protection Directive

Mr. Redwood: To ask the President of the Board of Trade what is the Government's policy on a repairs clause for the Parts Design Protection Directive. [26378]

Mrs. Beckett *[holding answer 30 January 1998]:* Last summer, when the Council adopted its Common Position on the proposed Directive on the legal protection of designs, following unanimous political agreement on this proposal at the Internal Market Council in March 1997, the United Kingdom made a formal statement regretting that the Council had been unable to agree harmonised provisions relating to the repair of complex products, such as motor vehicles and motorcycles. The proposed Directive is now to be the subject of conciliation which is likely to start during the current United Kingdom's Presidency.

Mr. Redwood: To ask the President of the Board of Trade what plans she has to seek to amend the Parts Design Protection Directive to allow competition in the supply of motorcycle parts. [26379]

Mrs. Beckett *[holding answer 30 January 1998]:* The Council's Common Position on the proposed Directive on the legal protection of designs as agreed last year already includes a provision allowing Member States to provide for competition in the supply of motorcycle parts. The Common Position gives Member States the option of maintaining in force or introducing any provision to allow anyone to copy the design of a part of, for example, a motorcycle, when that design is dependent on the appearance of the motorcycle and the copy part is used to restore the motorcycle's original appearance. This proposed Directive is to be the subject of conciliation which is likely to start during the United Kingdom's current Presidency.

Competition Bill

Mr. Redwood: To ask the President of the Board of Trade if she will make a statement on the role of the Minister for Trade and Competitiveness in Europe in relation to *(a)* oil industry and *(b)* brewing industry issues in the Competition Bill [*Lords*]. [26390]

Mrs. Beckett *[holding answer 30 January 1998]:* The Minister of State, my hon. Friend the Member for Makerfield (Mr. McCartney), the Minister for Competition and Consumer Affairs and I have policy responsibility for the Competition Bill. The Minister for Trade and Competition in Europe is the Minister responsible for the passage of the Bill through the House of Lords. The Bill applies to the economy at large, including the sectors referred to in the question.

Military Equipment Export Licences

Sir George Young: To ask the President of the Board of Trade what assessment she has made of progress towards meeting her targets for issuing export licences for military equipment. [26118]

Mrs. Beckett: Licences to export strategic goods are issued by the President of the Board of Trade and the Export Control Organisation of the Department of Trade and Industry is the Licensing authority. Relevant individual licence applications are circulated by the DTI to other government departments with an interest, as determined by them in line with their policy responsibilities. These include the Foreign and Commonwealth Office, the Ministry of Defence and the Department for International Development.

In his announcement of 28 July 1997, *Official Report*, cols *26-29* of new criteria of the assessment of export licence applications my right hon. Friend the Foreign Secretary made clear that the criteria would not be applied mechanistically and that individual applications would be considered case by case. In the months following the announcement, this led to an increase in the time taken to assess some applications. The Government appreciate the inconvenience and uncertainty that results from any delay in the processing of individual applications and my department together with the other departments involved, is continuing to work to reduce processing timescales generally.

Electricity Companies (Takeover Bids)

Dr. Gibson: To ask the President of the Board of Trade what methods she will use to examine bids for the Energy Group by *(a)* Nomura International and *(b)* Texas Utilities; if she will refer the bids to the Monopolies and Mergers Commission; and if she will make a statement. [28336]

Mr. Nigel Griffiths: Nomura International and Texas Utilities have separately announced publicly that each is in talks with The Energy Group which may lead to a bid for the Energy Group. Should either company make a bid, it will be necessary to establish which competition authorities have jurisdiction. If and to the extent that any bid falls to be considered under the Fair Trading Act 1973, my right hon. Friend the President of the Board of Trade will decide, in the light of the advice of the Director General of Fair Trading and the views of the Director General of Electricity Supply, whether or not to refer the bid to the Monopolies and Mergers Commission (MMC) for investigation. She has said that her general policy continues to be to refer mergers primarily on competition grounds, but that where, as part of a wider public interest scrutiny, important regulatory issues are raised, she may decide that a reference is warranted. Each case is considered on its merits.

Publications

Mr. Gale: To ask the President of the Board of Trade if she will list, by title, the publications produced by her Department between 1 May 1997 and 31 January 1998. [26334]

Mr. Nigel Griffiths: A list of those publications that have been notified to my Department's Publications Unit and published by my Department during this period has been placed in the Library of the House.

Industrial Tribunal Hearings

Mr. Boswell: To ask the President of the Board of Trade how many industrial (employment) tribunal hearings were held in each of the last three years; in what categories; and what proportion of complaints were *(a)* upheld and *(b)* rejected. [27980]

Mr. Ian McCartney: The information requested is available in published form for all years before 1996–97 in "Labour Market Trends", copies of which are available in the Library. Figures for 1993–94 and 1994–95 are given in the July 1996 issue; figures for 1995–96 in the April 1997 issue. Figures for industrial tribunal outcomes for 1996–97 will be available in the spring.

Insolvency Practitioners

Mr. Vaz: To ask the President of the Board of Trade if there will be a consultation process in respect of investigations into remuneration of insolvency practitioners. [27294]

Mr. Hoon: I have been asked to reply.

Although policy on insolvency is the responsibility of the Secretary of State for Trade and Industry, I have been asked to reply to this question because my Department is responsible for providing the secretariat for a working party, chaired by Mr. Justice Ferris, which is considering the way in which the remuneration of office holders, including insolvency practitioners, should be determined.

The working party, which itself comprises members from a range of interests, has no plans to undertake a formal consultation exercise on this issue.

Mr. Vaz: To ask the President of the Board of Trade if she will make a statement on the progress of Mr. Justice Ferris's working party on remuneration of insolvency practitioners. [27293]

Mr. Hoon: I have been asked to reply.

Although policy on insolvency is the responsibility of the Secretary of State for Trade and Industry, I have been asked to reply to this question because my Department is responsible for providing the secretariat for Mr. Justice Ferris's working party. The working party has met on three occasions and a further meeting is scheduled for 16 February, to consider the way in which the remuneration of office holders, including insolvency practitioners, should be determined. It intends to report to the Vice-Chancellor no later than the autumn of 1998.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Livingstone: To ask the Minister without Portfolio what studies *(a)* the Government and *(b)* the National Millennium Experience Company have undertaken on the impact of the Millennium Dome exhibition on other visitor attractions, with particular reference to those that do not benefit from central Government grants; and if he will make them available to those attractions. [27289]

Mr. Mandelson *[holding answer 6 February 1998]:* In response to a recommendation by the Culture, Media and Sport Select Committee, the Government have commissioned a study from the English Tourist Board, who in consultation with colleagues in Scotland, Wales and Northern Ireland, will look at the impact of the Millennium Dome on other UK visitor attractions. The study will cover a full range of attractions, not just those that receive funding from the public purse. When the study has been completed its findings will be made public.

Mr. Wigley: To ask the Minister without Portfolio what steps he will take to ensure that the culture of Welsh people is represented within the Millennium Dome. [27143]

Mr. Mandelson: The content of the Millennium Experience at Greenwich will appeal to, and be relevant to, people of all ages and interests wherever they may live in the United Kingdom. It will engage, inspire and educate all who visit.

In addition, there will be a national programme associated with the Experience. This will have the same overarching theme of "Time to Make a Difference", and will encourage participation of individuals in all areas of the United Kingdom. The New Millennium Experience Company is setting up teams in Wales, Scotland, Northern Ireland and the nine regions of England. Once these teams are in place, I shall ensure all hon. Members have the relevant details.

Mr. Baker: To ask the Minister without Portfolio if he will give a breakdown by budget head of the sums allocated to the Millennium Dome projects by *(a)* personnel costs excluding consultants, *(b)* building costs, *(c)* external infrastructure costs, *(d)* consultants' costs, *(e)* design costs, *(f)* publicity costs and *(g)* other costs. [28133]

Mr. Mandelson: The New Millennium Experience Company (NMEC) is currently finalising its Corporate Plan, which will contain budgets for the component parts of the Millennium Experience project covering the years 1997/98 (actual) and 1998/99 to 2000/01 (forecast). The aim is to publish the Plan at the end of this financial year following its approval by NMEC's Board and by the Millennium Commission. Copies will be placed in the Library of the House immediately on publication.

Written Answers to Questions

Tuesday 10 February 1998

ATTORNEY-GENERAL

Ministerial Travel

Mr. Baker: To ask the Attorney-General if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28928]

The Attorney-General: The information is as follows:

13 January: Law Centre: by car

15 January: Inner London Crown Court: by car

21 January: Argentine Embassy: by car

26 January: London Welsh Association: by car

27 January: US Embassy: by car

28 January: BP, Britannic House: by car

28 January: Law Society: by car

All engagements were in London.

CULTURE, MEDIA AND SPORT

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for Culture, Media and Sport if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27854]

Mr. Tom Clarke: Taking "major" to mean at a cost of more than £20,000, the information is as follows:

DCMS

Collection Management System

Budget cost: £64,000

Actual cost: £64,000

Planned go live date: 8/94

Actual go live date: 8/94

Library System

Budget cost: £36,000

Actual cost: £36,000

Planned go live date: 3/94

Actual go live date: 4/94

National Lottery System

Budget cost: £32,000

Actual cost: £32,000

Planned go live date: 5/94

Actual go live date: 5/94

Departmental Financial System

Budget cost: £295,000

Actual cost: £260,000

Planned go live date: 01/10/96

Actual go live date: 01/11/96

Planned Systems for 1998/99

Purchase Order Processing System

Budgeted cost: £72,000

Actual cost: Not yet known

Planned go live date: 01/04/98

Actual go live date: On Target

Replacement E-Mail System

Budgeted cost: Commercial in confidence

Actual cost: Not yet known

Planned go live date: 01/07/98

Actual go live date: On Target

Historic Royal Palaces Agency

Cfacs financial system

Budgeted cost: £231,000

Actual cost: Not yet known

Planned go live date: 01/04/98

Actual go live date: On Target

Royal Parks Agency

Formation of Agency in 93/94

Initial system set up cost: £288,596

Wide Area Data Network

Actual cost: £23,270

Actual go live date: May 1995

CARM Computer Aided Resource Management System

Actual cost: £25,051

Purchased: September 1995

Actual go live date: February 1996

Finance and Accounting System

Actual cost: £33,041

Purchased: October 1995

Actual go live date: October 1995

Works Maintenance System

Actual cost: £66,435

Planned go live date: September 1996

Actual go live date: Replaced by below

Works Maintenance System

Actual cost: £25,304

Planned go live date: November 1997

Actual go live date: November 1997

Upgrade planned: March 1998

Estimated cost of upgrade: £43,000

Planned Systems for 1998–99

Replacement of RPA's PCs and office suite

Estimated cost: £200,000

Dates: not yet planned

New Personnel and Payroll System

Estimated cost: £30,000

Dates: not yet planned

New Health and Safety System

Estimated cost: £30,000

Dates: not yet planned

New Mapping System

Estimated cost: £50,000

Dates: not yet planned

Non Departmental Public Bodies

This information is not available centrally and could be collected only at disproportionate cost.

National Heritage Memorial Fund

Sir Patrick Cormack: To ask the Secretary of State for Culture, Media and Sport how many projects allocated funds by the National Heritage Memorial Fund have not claimed their full grants; what is the total sum involved; and what percentage this represents of the money allocated. [28512]

Mr. Tom Clarke: The National Heritage Memorial Fund encompasses two separate funds: the Heritage Lottery Fund, which distributes the heritage tranche of the proceeds from the National Lottery, and the Heritage Memorial Fund, which serves as a fund of last resort for the support of heritage projects throughout the United Kingdom. The number of completed projects which have been awarded grants by the Heritage Lottery Fund, but where the full value of the grant has not been claimed, is 93. The total value of grants awarded was £46.7 million. The total amount unclaimed was £1.3 million, or 2.7 per cent. of the total.

The Heritage Memorial Fund does not keep information on unclaimed grants in a readily accessible format.

Heritage Projects

Sir Patrick Cormack: To ask the Secretary of State for Culture, Media and Sport what is the total sum allocated for heritage projects since the inception of the National Lottery; and how many projects have been assisted. [28511]

Mr. Tom Clarke: The Government expect each of the good causes to receive £1.8 billion over the period of the current licence. The Heritage Lottery Fund, which distributes the heritage tranche of the Lottery proceeds, has so far made grants to a value of £892.6 million for 1,558 projects. Several of the other distributing bodies have also made grants to heritage projects but do not keep separate records.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for Culture, Media and Sport what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28380]

Mr. Tom Clarke: My Department has not acquired or specified any mahogany in 1996 or 1997.

Royal Opera House

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport when he expects to make public the results of Sir Richard Eyre's review of the Royal Opera House. [28868]

Mr. Chris Smith: Sir Richard Eyre is due to report to me by 1 May 1998. I will make public the results of his review once I receive it.

Appointments

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what steps his Department is taking to implement the recommendations of the Nolan Committee on appointments; and what impact these measures have had on the time taken for appointments to be made. [28851]

Mr. Chris Smith: My Department has acted on the guidance issued by the Commissioner for Public Appointments, whose appointment was recommended by the Nolan Committee on Standards in Public Life.

We have established an appointments unit charged with overseeing the implementation of the Commissioner's recommendations. The unit also maintains a register of people who have expressed an interest in public appointment, acts as the secretariat for the advisory panels which provide independent scrutiny of shortlisted candidates, and co-ordinates advertising and executive search to fill posts where necessary, in accordance with the Commissioner's principle of proportionality.

These measures have inevitably lengthened the appointments process.

Museum Admissions Policy

Mr. Fabricant: To ask the Secretary of State for Culture, Media and Sport what is the date of publication for the Government's review of admissions policy to museums. [28189]

Mr. Fisher *[holding answer 6 February 1998]:* My right hon. Friend the Secretary of State made an interim announcement about the review of access to museums and galleries on 8 December 1997, *Official Report*, columns 652–53. As noted at that time, further consideration is being given to this issue in the context of the Government's Comprehensive Spending review, which will be completed in the summer. A further announcement will be made then.

Lyric Theatre

Mr. Pond: To ask the Secretary of State for Culture, Media and Sport what is the membership of the working group Sir Richard Eyre has appointed to support him in his review of the future of lyric theatre in London. [29039]

Mr. Chris Smith: Sir Richard has appointed the following members of his working group:

David Brierley CBE
Hilary Carty
Mark Elder CBE
Matthew Evans
Gavin Henderson
Melanie Leech
Deborah MacMillan
Kathryn McDowell
Colin Nears CBE
John Newbigin
Trevor Phillips
Michael Ratcliffe
Graham Vick

The following representatives of the Royal Opera House and English National Opera are also participating in the review:

Royal Opera House:

Michael Berkeley

Mary Allen

English National Opera:

Bob Boas

Paul Daniel

Sir Richard and his working group are consulting individually practitioners of both art forms and a wide range of experts in the fields.

HOME DEPARTMENT

Cannabis

Fiona Mactaggart: To ask the Secretary of State for the Home Department what proportion of those under the age of 21 years in the Metropolitan Police area whose first offence is connected to cannabis were *(a)* charged, *(b)* cautioned, *(c)* convicted and *(d)* imprisoned in the last 12 months for which figures are available. [28725]

Mr. George Howarth: This information is not available since data are not routinely collected on whether a particular offence is the first or a subsequent one committed by an individual.

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department when he expects to reply to the letter from the right hon. Member for North-West Cambridgeshire of 18 December on behalf of Mr. Turner. [28733]

Mr. Straw: I regret that there is no record of the letter dated 18 December from the right hon. Member being received in the Home Office. A letter dated 14 December from Mr. Turner was received in the Home Office on 18 December. He will receive a reply very soon. I will ensure that a copy of that reply is sent to the right hon. Member.

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department when the Minister intends to answer the letters from the hon. Member for Truro and St. Austell on behalf of Mr. and Mrs. Capell, 8 Wedgewood Road, St. Austell, dated 27 November and 22 December. [27953]

Mr. Michael: The reply was incorporated in my composite letter of 30 January to each hon. Member about the present position on the firearms compensation scheme. I regret that the volume of correspondence received about the progress of individual claims had prevented an earlier reply from being sent.

Official Cars

Mr. Bercow: To ask the Secretary of State for the Home Department how many official cars are available for use by Ministers in his Department; and how many new cars have been acquired for the use of Ministers in his Department since 1 May. [25150]

Mr. Straw *[holding answer 23 January 1998]:* Eight cars are available for use by Home Office Ministers, the same number as were available before 1 May 1997. Two new cars have been paid for by the Department since 1 May 1997, one ordered prior to that date and one since.

Overseas Visits

Mr. Bercow: To ask the Secretary of State for the Home Department how many times his wife has accompanied him on overseas visits; and what was the cost of her travel and other expenses. [25148]

Mr. Straw *[holding answer 23 January 1998]:* None.

Official Entertainment

Mr. Bercow: To ask the Secretary of State for the Home Department how many receptions have been held *(a)* in his Department and *(b)* at his official residence since he took office; how many people have attended; and what was the total cost of these events. [25186]

Mr. Straw *[holding answer 23 January 1998]:* Since 1 May 1997, I have hosted four receptions attended by approximately 300 people at a cost of £3,700. I do not have an official residence. Three of the receptions were held at the Home Office. The fourth, a reception for the recipients of police gallantry awards, was held at the House of Commons and accounted for 150 of the guests and for £1,870 of the costs.

Ethnic Minorities

Mr. Colvin: To ask the Secretary of State for the Home Department what are his plans for the extension of Section 11 funding for schools with ethnic minorities; and if he will make a statement. [27706]

Mr. Mike O'Brien: I refer to the reply which my right hon. Friend gave my hon. Friend the Member for Leicester, South (Mr. Marshall) on 16 December 1997, *Official Report*, columns *86–87*.

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26678]

Mr. Straw *[holding answer 5 February 1998]:* The information requested is as follows:

1995–96: £135,000

1996–97: £166,000

1997–98 (to 31 December 1997): £112,000

1997–98 (estimated full-year expenditure): £135,000

These figures relate to expenditure on newspaper and magazines purchase on subscription by the Home Office's information and library services (from 1 July 1997, by Home Office Communication Directorate's Resource Management Group), and include expenditure for the Prison Service and the Immigration and Nationality Directorate. These figures also include expenditure for the Forensic Science Service. No central record is held of

materials purchased from Directorates' budgets, or for non-departmental public bodies (other than the Forensic Science Service) for which my Department is responsible.

My Department purchases or obtains free of charge a wide range of newspapers and periodical publications. A list of the titles taken by the central Home Office, including the Prison Service and Immigration and Nationality Directorate, together with a list of titles taken by the Forensic Science Service, has been placed in the Library.

Ministerial Travel

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27786]

Mr. Straw *[holding answer 5 February 1998]:* The estimates available to me for the costs, borne by the Home Office, of Ministers' cars are as follows:

Year	*£000*
1995–96	296,752
1996–97	323,900
1997–98 to date	417,963
1997–98 estimate	503,963

Some years, the figures will of course include the cost of the periodic replacement of cars as well as their maintenance and other running costs. This is the case in 1997–98: costs for two new cars have been incurred in 1997–98, one ordered before 1 May 1997 and one since. The information available to me about the Department's use of taxis is incomplete and I will write to the hon. Member as soon as possible.

Stolen Property

Mrs. May: To ask the Secretary of State for the Home Department (1) if he will review the powers of the courts to retrieve stolen property where it has inadvertently been returned to the offender and not to the owners; [27996]

(2) how many incidents there have been in the past year where the police have returned stolen property to the offender and not to the owner of the property; and what action has been taken to ensure that such incidents do not occur in the future. [27995]

Mr. Michael: The Police (Property) Act 1897 provides that any person claiming ownership of property seized and retained by the police may make an application to a magistrates' court for ownership to be determined and for delivery of that property to the person appearing to the court to be the owner. The Act maintains the right of any person to seek an order for recovery of property within six months after the date of the legal proceedings but any such right will cease at the expiry of that period of time. It is also open to the police to make application under the Act to determine ownership.

Property seized and retained by the police and subsequently used as evidence in connection with a person's conviction is not returned to the offender but is disposed of in accordance with the Act. Property retained by the police and unclaimed after a period of 12 months, or, in the case of forfeited property, six months, may be sold at auction and the proceeds of sale placed in the Police Property Act Fund. Moneys from the Fund are, among other things, donated to local good causes and victim support groups.

I am satisfied that these arrangements are fair and that they generally work well. Information is not held centrally on the number of occasions the police have mistakenly returned property to the wrong person and the relevant time for correcting the mistake has passed. Where this happens, the police would be expected to pay compensation to the rightful owners.

CS Gas Canisters

Dan Norris: To ask the Secretary of State for the Home Department (1) what medical advice he has received in relation to the use of gas canisters by the police since their introduction; [28161]

(2) what assessments of injuries sustained by members of the public he has evaluated since the introduction of CS gas canisters; [28163]

(3) what plans he has to review the use of CS gas canisters by the police; [28164]

(4) what medical advice his Department obtained prior to introducing the use of CS canisters by the police. [28162]

Mr. Michael: All available scientific and medical data were evaluated by experts from the Home Office Police Scientific Development Branch, the Department of Health and the Chemical and Biological Defence Establishment before operational trials of CS spray were undertaken between 1 March and 31 August 1996. It was found during the trials that the risk of injury from the use of CS spray was much lower than that from police batons. Of the 99 injuries believed to have been caused by CS, six resulted in subjects being taken to hospital, although none was detained there more than briefly. There has been no subsequent centrally co-ordinated assessment of injuries sustained as a result of exposure to CS spray.

My right hon. Friend studied all of the pathologists' reports and other medical and toxicological evidence submitted to the inquest which was held last year into the death of Mr. Ibrahima Sey. In the light of reading that material, my right hon. Friend confirmed his full support for the operational use of CS spray by the police. The use of CS spray and other equipment is kept under review by the Self Defence and Restraint Committee of the Association of Chief Police Officers.

Asylum Seekers

Mr. Singh: To ask the Secretary of State for the Home Department if he will make it his policy that asylum seekers should have a right to legal representation at appeal hearings. [28185]

Mr. Mike O'Brien: Asylum appellants already have the right, under section 23(3) of the Immigration Act 1971 and Rule 26 of the Asylum Appeals (Procedure) Rules 1996, to be legally represented at appeal hearings.

Mr. Singh: To ask the Secretary of State for the Home Department what financial provision he is making to ensure that asylum appellants may receive legal representation for their appeals. [28186]

Mr. Mike O'Brien: In the current year, a total of £6,737 million has been made available to the Refugee Legal Centre (RLC) and the Immigration Advisory Service (IAS) under section 23 of the Immigration Act 1971, as follows:

	£ million	
	RLC	*IAS*
Core Funding	3.082	2.592
Spend to Save	0.563	0.500

Mr. Singh: To ask the Secretary of State for the Home Department what assessment he has made of the effect on asylum appellants of his withdrawal of special funding from *(a)* the Immigration Advisory Service and *(b)* the Refugee Legal Centre. [28187]

Mr. Mike O'Brien: I refer my hon. Friend to the reply I gave to a question from the hon Member for Sheffield, Hallam (Mr. Allan) on 9 February 1998, *Official Report*, columns *24–25*.

Mr. Singh: To ask the Secretary of State for the Home Department how many people have successfully appealed against the refusal of asylum since 1992. [28184]

Mr. Mike O'Brien: During the period 1 January 1994 to 31 December 1997, a total of 44,360 appeals against the refusal of asylum were determined by Adjudicators of the Immigration Appellate Authority. Of these, a total of 2,030 were allowed. I regret that equivalent information for years prior to 1994 is not available.

Handguns (Compensation)

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department what is the anticipated average period from receipt of claims for payment of compensation for handguns surrendered (i) under section (a), (ii) under section (b), (iii) under section *(c)* and *(d)* for .22 handguns. [28280]

Mr. Michael: The present average processing time for claims under Options A and B of the compensation scheme for large calibre handguns and for applications under the voluntary ex gratia payment scheme for small calibre pistols is around 22 weeks from the date of receipt in the Firearm Compensation Section. Regular processing of claims and applications under Option C of the schemes has begun, starting with those received at the beginning of July.

EU Immigration and Nationality Department

Ms Oona King: To ask the Secretary of State for the Home Department how many people on average were employed in the EC group of the Immigration and Nationality Department between 1 February 1996 and 31 January 1997; and how many are currently employed in the group. [28292]

Mr. Mike O'Brien: On 1 February 1996, 20 members of staff were employed in the European Community Group of the Immigration and Nationality Directorate. On 31 January 1997, the number was 20 and on 31 January 1998, 26. These figures are on a head count basis and do not take account of part-time working or job sharing.

Turkish Workers

Ms Oona King: To ask the Secretary of State for the Home Department what steps have been taken in the UK to give legal effect to the right of Turkish workers as regards residence and employment in accordance with Article 6 (3) of the Association Council Decision 1/80 adopted under the Turkey/EC Association Agreement 1963 and its Protocol. [28291]

Mr. Mike O'Brien: Effect is given to Article 6 through instructions to caseworkers which ensure that Turkish nationals who are able to benefit from rights under the Agreement are granted leave to remain in the United Kingdom where appropriate.

Residence Documents

Ms Oona King: To ask the Secretary of State for the Home Department how many applications for residence documents or endorsements by third country national spouses of Community nationals exercising Treaty rights have been refused on the basis that the Secretary of State considered the marriage to be one of convenience since 1 February 1997. [28293]

Ms Quin: This information is not available. Statistics for the refusal of a residence document do not distinguish between reasons for refusal.

Ms Oona King: To ask the Secretary of State for the Home Department what is the length in time of residence documents or endorsements given to third country national spouses of EC nationals exercising Treaty rights who have been granted ILR. [28305]

Ms Quin: Where a European Economic Area (EEA) national has been granted indefinite leave to remain, the third country national spouse may apply either for leave to remain under the Immigration Rules on the basis of marriage to a person present and settled in the United Kingdom or for a residence document in accordance with European Community law. In the former case the applicant, if successful, would be granted 12 months' leave to remain in the first instance: in the latter case, the third country national spouse may apply for a residence document which, if issued, would have the same validity as any extant residence permit issued to the EEA spouse. If the EEA spouse no longer holds a valid residence permit, one would be issued with five years' validity as the basis for the issue of a residence document of the same validity to the third country national.

Ms Oona King: To ask the Secretary of State for the Home Department if he will estimate how many EC nationals have exercised Treaty rights of residence in the UK since 1 February 1997. [28307]

Ms Quin: European Economic Area nationals who enter the United Kingdom in order to exercise a Treaty right are not required to apply for a residence permit. It is therefore not possible to provide an estimate.

Ms Oona King: To ask the Secretary of State for the Home Department how many applications for residence permits for EC nationals exercising Treaty rights have been issued for a period of less than five years in the last five years. [28295]

Ms Quin: Under European Community law, a residence permit is normally issued with a validity of five years. In the case of students and members of their family, however, a residence permit is issued with a validity of 12 months or, where the course of study is for a longer period, for the duration of the course. Information is not held as to how many residence permits with a validity of less than five years have been issued.

Ms Oona King: To ask the Secretary of State for the Home Department what has been the average time for consideration of applications for *(a)* residence documents for EU nationals and *(b)* residence documents or evidence of residence made by third country national family members of EC nationals exercising Treaty rights in the United Kingdom since 1 February 1997. [28299]

Ms Quin: The timeliness of completion of residence permits and residence document applications is expressed as a proportion of cases completed within one, two and six months. From 1 February 1997 to 31 January 1998, the averages were as follows:

	Per cent.
Residence permits	
within 1 month	26
within 2 months	48
within 6 months	73
Residence documents	
within 1 month	16
within 2 months	33
within 6 months	53

Ms Oona King: To ask the Secretary of State for the Home Department how many applications for residence documents by *(a)* EC nationals and *(b)* third country national family members of EC nationals exercising Treaty rights have been (i) made and (ii) granted since 1 February 1997. [28304]

Ms Quin:

	Made	*Granted*
Residence permit applications	2,848	1,819
Residence document applications	1,850	2,664

Note:
In the case of a residence document application an accompanying residence permit application is required, except in certain specific circumstances involving British or Irish nationals. Such residence permit applications are not separately recorded. The data for residence permit applications relate to those cases where an European Economic Area national applies for a residence permit without any application for a residence document being made by a third country national.

EU Nationals

Ms Oona King: To ask the Secretary of State for the Home Department how many letters have been sent to European Community nationals in the United Kingdom advising them that they are no longer considered to be exercising Treaty rights and should therefore leave the United Kingdom since 1 February 1997. [28298]

Ms Quin: None.

Coroners

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer of 15 January 1998, *Official Report*, column *280*, how many full-time coroners are women. [28899]

Mr. George Howarth: There is one full-time coroner who is female—the coroner for Inner London South.

Visa Appeals

Mr. Goggins: To ask the Secretary of State for the Home Department what plans he has to restore the right of appeal to those who are refused visas when applying to visit close relatives. [26456]

Mr. Mike O'Brien: We are committed to providing a streamlined right of appeal for visitors denied a visa and we are examining the options for achieving this.

European Court of Human Rights Rulings

Mr. McNamara: To ask the Secretary of State for the Home Department what steps he has *(a)* taken and *(b)* intends to take to comply with the decisions of the European Court of Human Rights in the case of (i) McCann and others *v.* UK and (ii) Murray *v.* UK. [27410]

Mr. Fatchett: I have been asked to reply.

We paid the applicants' costs in the case of McCann, as required by the judgment of the Court. No further measures needed to be taken by the Government as a result of the judgment. The Committee of Ministers' Deputies adopted a resolution on 20 March 1996 stating that the United Kingdom had complied with the terms of the judgment. In the case of John Murray, we have paid the costs and expenses of the applicant as required by the judgment of the Court. Further measures in response to the breach found by the Court are under consideration.

DUCHY OF LANCASTER

Benevolent Fund

Mr. Cohen: To ask the Chancellor of the Duchy of Lancaster what are the *(a)* assets and *(b)* annual income of the Duchy of Lancaster's Benevolent Fund; and which (i) individuals and (ii) organisations have received money from the fund since 1992. [27630]

Dr. David Clark: I am not a trustee of the Duchy Benevolent Fund. As it is a registered charity, details of the charity's income and donations are submitted to the Charity Commissioners each year and I have asked the Secretary of the Fund to send my hon. Friend the details he requires.

Property (Public Access)

Mr. Cohen: To ask the Chancellor of the Duchy of Lancaster if he will list the property owned by the Duchy of Lancaster which is *(a)* open to and *(b)* not open to the public. [27631]

Dr. David Clark: The Duchy owns Tutbury Castle and Halton Castle which are open to the public. The Duchy owns other historical monuments which are in the Guardianship of, or are leased to, local authorities or to English Heritage. These are also open to the public.

The majority of the property owned by the Duchy comprises tenanted farms, woodland, private houses, and commercial properties such as shops and offices. Much of the farmland and woodland is accessible to the public by rights of way or by voluntary access arrangements: the property is not "open to the public" in the literal sense of the term.

Intestacy

Mr. Cohen: To ask the Chancellor of the Duchy of Lancaster what changes there have been since 1992 in respect of the treatment of the estates of people who die intestate in the Duchy of Lancaster. [27629]

Dr. David Clark: There has been no change since 1992 in the treatment of the estates of people who die intestate in the County Palatine of Lancaster.

Environment Information

Mr. Rhodri Morgan: To ask the Chancellor of the Duchy of Lancaster if he will list the principal points of difference between the rights of access to information provided for at present under *(a)* the non-statutory Code of Practice on Open Government and *(b)* the statutory right of access to information on environmental matters contained in the Environment Information Regulations 1992. [28924]

Dr. David Clark: The principal differences between the access provisions under the Code of Practice on Access to Government Information and under the Environmental Information Regulations 1992 (which give effect to EC Directive 90/313) are as follows:

(a) the Code of Practice is non-statutory; the Regulations have the force of law;

(b) appeals against non-disclosure under the Code of Practice are referable to the Parliamentary Commissioner for Administration; the appeals mechanism for the Regulations would be by judicial review;

(c) the formal coverage of the Code of Practice is determined by the jurisdiction of the Parliamentary Commissioner for Administration; the coverage of the Regulations is determined by the definition of "relevant person" in Regulation 2(3);

(d) the Code of Practice applies to all information held by the bodies concerned; the Regulations apply only to information which relates to the environment, as defined in Regulation 2(2);

(e) there are some minor differences in the wording of the exemptions from disclosure, although in practice the exemptions cover similar areas;

(f) the exemptions in the Code of Practice are discretionary i.e. they allow certain information to be withheld from disclosure; the Regulations contain provision for certain mandatory exemptions i.e. they require that certain information must be withheld from disclosure.

The Government are considering how best to incorporate the requirements of the Environmental Information Directive 90/313 into the wider Freedom of Information policy proposed in the White Paper "Your Right to Know". Our aim will be to simplify and streamline the present arrangements for both applicants and holders of environmental information.

Civil Service (Sickness)

Mr. Steinberg: To ask the Chancellor of the Duchy of Lancaster what is the overall level of sickness absence in the Civil Service. [29153]

Dr. David Clark: The average number of working days sickness absence per staff-year in 1996 was 10.2.

I have placed in the Libraries of the House copies of the report prepared for my Department by OHSA Limited on Sickness Absence in the Civil Service during 1996, which contains a comprehensive analysis of the figures about the Civil Service.

My Department regularly encourages Departments and agencies to review their approaches to sickness absence management.

Freedom of Information

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster if he will list those individuals or organisations who requested that their submission to the consultation document "Your Right to Know", should not be published; and if he will indicate the reasons given by the submitting parties for the withholding from publication. [28170]

Dr. David Clark: By Friday 6 February I had received 107 submissions from individuals and organisations in response to the White Paper *Your Right to Know*. Only two correspondents so far have requested that their submission be treated in confidence. In accordance with their wish for confidentiality, I do not intend to publish any details about these submissions.

Mr. Llew Smith: To ask the Chancellor of the Duchy of Lancaster if he will ensure that departmental submissions to the White Paper "Your Right to Know", will be published on the appropriate website on receipt. [28171]

Dr. David Clark: The White Paper *Your Right to Know* contains the Government's collectively agreed proposals for a Freedom of Information Act and is the result of detailed discussion within Government. The current period of consultation on the White Paper is therefore designed to enable the public, not Government Departments, to submit their views on the Government's proposals. Except in those cases—so far only two out of 107—where confidentiality is requested, these submissions will be published on the "Informing Government" website (http://foi.democracy.org.uk).

NORTHERN IRELAND

Unemployment

Mr. Barnes: To ask the Secretary of State for Northern Ireland when she will publish the results of the Government's review of long-term unemployment in Northern Ireland; and if she will make a statement. [28624]

Mr. Worthington: Responsibility for the subject in question has been delegated to the Training and Employment Agency under its Chief Executive, Mr. Ian Walters. I have asked him to arrange for a reply to be given.

Letter from Ian Walters to Mr. Harry Barnes, dated 10 February 1998:

The Secretary of State for Northern Ireland has asked me, as Chief Executive of the Training and Employment Agency, to reply to your question about the current consultation process on long-term unemployment in Northern Ireland.

Work on the review of long-term unemployment was temporarily overtaken during the Autumn by the overriding priority of the New Deal. We have been examining how existing programmes for the long term unemployed could be best aligned with the New Deal while taking account of the outcome of last year's consultation exercise. I expect an announcement will be made shortly on the future shape of existing programmes and services.

Correspondence

Mrs. Ewing: To ask the Secretary of State for Northern Ireland what is her policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28061]

Mr. Worthington: My right hon. Friend the Secretary of State has not sought to establish a policy for responding to letters received in the languages specified in the question because Northern Ireland Departments and Agencies have not indicated a need for such guidance.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Oaten: To ask the Minister without Portfolio what plans are being made for disabled access to the Millennium Dome. [28141]

Mr. Mandelson: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Erith and Thamesmead (Mr. Austin) on 29 October 1997, *Official Report*, column 822. Since then, the Advisory Group has met four times; most recently on 29 January 1998.

Mr. Maude: To ask the Minister without Portfolio if the entry price for the Millennium Dome will exceed £10. [28923]

Mr. Mandelson: There will be a full range of entrance ticket prices covering adults, senior citizens, children, students, families and group rates. The detailed definitions and prices will be determined and announced in due course.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Car Driving Test Failures

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what was the percentage failure rate in 1997 for car driving tests; and of the total failed, what percentage were attributed in whole or part to *(a)* speeding and *(b)* driving too slowly. [27475]

Ms Glenda Jackson: I refer the hon. Member to the answer I gave on 21 January 1998, *Official Report*, column 549. Statistics for overall pass/fail rates for the remainder of 1997 will not be available until March.

An analysis of faults committed on a sample of 420,000 tests conducted between 1 June 1997 and 31 January 1998 shows that inappropriate use of speed was wholly or partly the reason for a candidate being failed 0.5 per cent. of tests. The computerised fault analysis system does not record whether a candidate was assessed as driving too quickly or too slowly.

Copthall Stadium

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce his decision on whether to call in the proposed Copthall Stadium development, Mill Hill. [27828]

Mr. Caborn: Very shortly.

Millennium Compliance

Mr. David Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure that local authorities prepare contingency plans for the provision of services to vulnerable groups in the event of the failure of computer systems to be millennium compliant; and if he will make a statement. [28237]

Angela Eagle: Each local authority is responsible for ensuring its own millennium compliance. Authorities have access to high quality advice on this issue through the Local Government Management Board, the professional body of local government IT officers (SOCTIM) and other professional bodies. During the course of their last annual audit programmes authorities' external auditors were advised by the Audit Commission to evaluate the plans authorities had in place to identify the extent of the year 2000 problem and for any necessary remedial action.

Biodiversity

Mr. Bennett: To ask the Secretary of State for the Environment, Transport and the Regions (1) what steps the Government have taken to meet their obligations under the Action Plan for 1996 to 2000 for the Pan-European Biological and Landscape Diversity Strategy; what further action will be taken in the period to 2000; and if the Government will make an annual report on progress to the House; [27976]

(2) to what extent the Government have participated in international monitoring of the implementation of the Pan-European Biological and Landscape Diversity Strategy. [27977]

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions (1) what action the Government have taken to meet their obligations under the Action Plan for 1996–2000 for the Pan-European Biological and Landscape Diversity Strategy; [28316]

(2) in what manner and with what frequency he will report to Parliament on the actions taken to meet the Government's obligations under the Pan-European Biological and Landscape Diversity Strategy; [28317]

(3) if he will make a statement on participation in the international institutional arrangements for the implementation of the Pan-European Biological and Landscape Diversity Strategy. [28318]

Angela Eagle: The Pan-European Biological and Landscape Diversity Strategy is non-binding and does not lay down specific obligations. The Government are nevertheless strongly supportive of the Strategy process. In November we hosted the 'Planning for Biodiversity' Workshop for Central and Eastern European countries, providing a forum for the exchange of knowledge, experience and expertise in the development and implementation of national biodiversity strategies and action plans, and for discussion on other primary elements of the Strategy.

The Government have participated in international monitoring of the Pan-European Strategy through its membership of the Executive Bureau set up to guide and review the implementation of the Strategy process. The Government are also a member of the Council for the Strategy which is responsible for devising a policy to direct, guide, support and co-ordinate its implementation and further development.

The Government will continue to participate fully in the further development and implementation of the Strategy, and will play a leading role in the 'Environment for Europe' Ministerial Conference at Aarhus in June, which will review progress and take decisions about the way forward for the Strategy process to 2000. The Government will inform the House of the outcome.

Mr. Bennett: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government have taken in furtherance of (i) the Convention on Biological Diversity, (ii) the Bern Convention on the Conservation of European Wildlife and Natural Habitats, (iii) the Bonn Convention on the Conservation of Migratory Species of Wild Animals, (iv) the Ramsar Convention on Wetlands of International Importance and (v) the EU Habitats Directive. [27975]

Angela Eagle: The steps taken by the Government in relation to the Conventions and Directive mentioned are set out in the United Kingdom's First National Report to the Convention on Biological Diversity dated 31 December 1997, a copy of which is available in the Library.

Radioactive Waste

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what steps Her Majesty's Government have taken to implement the decision taken by the International Maritime Organisation in December 1997 to make mandatory the INF code for the safe carriage of irradiated nuclear fuel, plutonium and high-level radioactive waste in flasks on board ships; and if he will make a statement on the implications for the safety arrangements for such nuclear shipments of implementation of the INF code. [27987]

Ms Glenda Jackson: While the International Maritime Organisation (IMO) has decided to make the INF Code mandatory, the work to give effect to this decision has yet to be completed. The Government support the IMO's decision and are participating actively in the work to implement it.

In the meantime, compliance with the INF Code remains voluntary. However, UK registered ships engaged in the carriage of relevant cargoes have documents of compliance issued by my Department's Marine Safety Agency. All foreign ships carrying INF Code materials to or from the UK have had similar documents issued by the appropriate maritime administration.

Making the code mandatory will ensure that all ships engaged in the trade meet the high safety standards currently met by UK ships and will enhance our enforcement powers.

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what quantities of radioactive waste have been returned to Spain since 1980 as a result of the processing of uranium-contaminated filter papers for the Spanish National Uranium Company; what forms of transport have been used for these shipments; how many such shipments have taken place; and what indication he has received as to plans by BNFL to increase the imports of such uranium residues. [27990]

Ms Glenda Jackson: The commercial and operational arrangements between BNFL and its customers are a matter for the companies involved, subject to meeting the relevant regulatory requirements. However, I understand from BNFL that they do provide a service to a number of customers for the recovery of uranium residues from various materials. I am satisfied that the transport of these materials and the return of any wastes are carried out in accordance with the appropriate regulations.

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Blaenau Gwent (Mr. Smith), of 4 November 1997, *Official Report*, column *147*, concerning the International Atomic Energy Agency annual general conference, what indication he has received as to when the report on the transport of radioactive materials will be available from the International Atomic Energy Agency. [28227]

Ms Glenda Jackson: As called for in IAEA General Conference resolution GC(41)/RES/12, the IAEA report on legally binding and non-binding instruments and regulations concerning the safe transport of radioactive material is expected to be available for the 8–12 June 1998 meeting of the Board of Governors. The usual practice is for Board documents to be circulated to Member States of the Agency approximately one month in advance of the meeting.

Mr. Alan W. Williams: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government has to construct a long-term underground storage facility for radioactive waste. [28277]

Angela Eagle: The Government have been considering radioactive waste management in the light of the former Secretary of State's decision to dismiss Nirex's appeal against the refusal of planning permission for a rock characterisation facility at Longlands Farm, near Sellafield. The House of Lords Select Committee on Science and Technology has now started an inquiry into nuclear waste management. The Government will want to see the Select Committee's report, which is expected in the summer, and to undertake widespread consultation, before coming to a firm view about the construction of a long term underground storage facility for radioactive waste.

Housing (Easington)

Mr. Cummings: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the number of empty housing units in the district of Easington in *(a)* 1995, *(b)* 1996 and *(c)* 1997 (i) in total and (ii) by sector. [28243]

Mr. Raynsford: The numbers of vacant local authority and housing associations dwellings in Easington 1 April are set out below alongside the local authority's estimates of private and other public sector vacant dwellings.

	1995	*1996*	*1997*
Local authority[1]	433	495	579
Housing association[2]	74	36	49
Other public sector[1]	126	3	0
Private sector[1]	1,089	1,095	1,096
Total	1,722	1,629	1,724

[1] *Source:* Annual Housing Investment Programme (HIP1) returns.
[2] *Source:* Annual HAR10/1 returns.

Telecommunications Licences

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the environmental impact of licences granted to code system operators under the Telecommunications Act 1984. [27942]

Mr. Raynsford: My Department is aware that code system operators licensed under the Telecommunications Act 1984 are required to develop a telecommunications network under the terms of their licence. The potential impact on the environment of the different forms of development involved is a key factor in forming Government policy on telecommunications planning. This is set out in my Department's Planning Policy Guidance note 8, supplemented by Appendix E to Circular 9/95 and by the answer given by my hon. Friend the Minister for the Regions, Regeneration and Planning on 4 November 1997 *Official Report*, columns *152–53*. The general policy is to facilitate the growth of such systems while protecting the environment. It is important that operators and local planning authorities work together to ensure that network rollout is not carried out at disproportionate environmental cost.

Sheffield Supertram

Mr. MacShane: To ask the Secretary of State for the Environment, Transport and the Regions if he will instigate a review of the financial history of the Sheffield supertram project. [28235]

Ms Glenda Jackson: Financial approval for Sheffield Supertram was given in December 1990. Government grant under Section 56 of the Transport Act 1968 was provided, together with borrowing approval for other approved costs. The scheme was built on time and to budget.

The High Court ruling on 19 January 1998 made it clear that the Government were not committed to funding outstanding Supertram debt. It will be for the South Yorkshire Passenger Transport Authority, who co-ordinate public transport in their area, to decide whether a financial review should be undertaken.

Sellafield

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the advantages of creating a joint environmental bilateral inspectorate with the Irish Republic to monitor the activities at radioactive discharges from Sellafield. [28172]

Angela Eagle: While the regulation of discharges from UK nuclear installations must remain a matter for the UK competent authorities, a UK-Irish Contact Group meets biannually to provide a forum for officials from both countries to discuss matters relating to radioactivity. This includes the exchange of monitoring data on levels of radioactivity in the Irish Sea.

In addition, Article 37 of the Euratom Treaty requires the European Commission to determine whether the implementation of any plan for the disposal of radioactive waste is liable to result in the radioactive contamination of the water, soil or airspace of another Member state.

Mr. Alan W. Williams: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for *(a)* 1970, *(b)* 1980, *(c)* 1990 and *(d)* 1997 the volume of (1) highly active, (2) intermediate level and (3) low level radioactive waste stored at Sellafield. [28276]

Angela Eagle: Apart from 1980, we do not have estimates of the volumes of wastes stored at Sellafield for the years requested. Data for the years 1974, 1980, 1984, 1989 and 1994 are given in cubic metres in the table.

	[1]*1974*	[2]*1980*	[3]*1984*	[4]*1989*	[5]*1994*
High-level waste	550	900	1,100	1,317	[6]1,476
Intermediate-level waste	12,000	23,320	27,514	30,543	[7]39,997
Low-level Waste	n/a	n/a	n/a	601	1,633

[1] Cmnd 6618, Sixth Report of the Royal Commission on Environmental Pollution, HMSO, 1976
[2] Duncan, A G and Brown, SRA. Nuclear Energy Vol 21, 3 p161–166, 1982
[3] Fairclough, M P et al DOE/RW/85.009, The joint DOE/Nirex Radioactive Waste Inventory: January 1984, 1985
[4] DOE/RW/89.110, The 1989 United Kingdom Radioactive Waste Inventory, 1990
[5] DOE/RAS/96.001, The 1994 United Kingdom Radioactive Waste Inventory, 1996
[6] includes 78m³ of conditional waste
[7] includes 2,179m³ of conditional waste.

A copy of the summary of The 1994 United Kingdom Radioactive Waste Inventory called *Radioactive Waste Arisings in the UK - A Summary* is in the Library. The next inventory—for 1998—will be published in 1999.

Rural Poverty

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to make the Index of Local Conditions more sensitive to rural poverty. [28373]

Mr. Raynsford: My Department is currently consulting with a wide range of external organisations, including local authorities, on proposals put forward by Professor Brian Robson of the University of Manchester to update the Index of Local Conditions to a 1996 base and to incorporate methodological improvements. Professor Robson's recommendations include a number of changes to the Index which will make it more sensitive to the identification of deprivation in rural areas and which have been proposed by groups and individuals concerned with rural regeneration. These proposed changes include removing indicators on car ownership and children in flats, adding a new indicator on the receipt of housing benefit and council tax benefit and changing the way that the overall index value is calculated so that high levels of deprivation on certain indicators are not cancelled out by low levels on other indicators. It is hoped to publish the new Index of Local Deprivation in the Spring.

Housing (Hampshire)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received in the last three years from *(a)* public bodies, *(b)* voluntary organisations, *(c)* the private sector and *(d)* local associations in the Portsmouth City Council area about housing needs in that area. [27550]

Mr. Raynsford *[holding answer 6 February 1998]:* The Secretary of State receives a number of representations from groups and information is not held centrally in the format requested about housing needs.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the number of properties that are under-occupied in Portsmouth; and if he will make a statement. [27898]

Mr. Raynsford *[holding answer 6 February 1998]:* Neither the Secretary of State nor the Local Authority has made any robust assessment of the number of properties that are under-occupied in Portsmouth.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received in the last three years from *(a)* public bodies, *(b)* voluntary organisations, *(c)* the private sector and *(d)* local associations in the Southampton City Council area about housing needs in that area. [27559]

Mr. Raynsford *[holding answer 9 February 1998]:* The Secretary of State receives a number of representations from groups and information is not held centrally in the format requested about housing needs.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many units of social housing have been built in the Southampton City Council area in each of the last five years. [27556]

Mr. Raynsford *[holding answer 9 February 1998]:* The table shows figures of housebuilding completions (i.e. new build only) as reported to the Department by Southampton City Council and the National House Building Council.

Southampton City Council: social housing new build: completions

Numbers of dwellings

	Registered Social Landlords: Housing Associations	*Local authority*
1993	18	21
1994	37	0
1995	0	0
1996	5	0
1997	8	0

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the number of properties that are under-occupied in Southampton City; and if he will make a statement. [27900]

Mr. Raynsford *[holding answer 9 February 1998]:* Neither the Secretary of State nor the Local Authority have made any robust assessment of the number of properties that are under-occupied in Southampton City.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many units of social housing have been built in the East Hampshire District Council area in each of the last five years. [27562]

Mr. Raynsford: The table shows figures of housebuilding completions (i.e. new build only) as reported to the Department by East Hampshire District Council and the National House Building Council:

East Hampshire District Council: social housing new build: completions

Number of dwellings

	Registered Social Landlords: Housing associations	*Local authority*
1993	16	28
1994	25	0
1995	25	0
1996	88	0
1997	45	1

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received in the last three years from *(a)* public bodies, *(b)* voluntary organisations, *(c)* the private sector and *(d)* local associations in the East Hampshire District Council area about housing needs in that area. [27563]

Mr. Raynsford: The Secretary of State receives a number of representations from groups and information is not held centrally in the format requested about housing needs.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many properties formerly owned by Government Departments have been made available to *(a)* the council and *(b)* housing associations in the East Hampshire District Council area. [27564]

Mr. Raynsford: This information is not held centrally.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing waiting list of East Hampshire District Council; and what were the equivalent figures at the same time in each of the last five years. [27566]

Mr. Raynsford: The table shows figures of housebuilding completions (i.e. new build only) as reported to the Department by Southampton City Council and the National House Building Council:

Southampton City Council: Social housing new build: Completions

Numbers of dwellings

	Registered Social Landlords: Housing associations	*Local authority*
1993	18	21
1994	37	0
1995	0	0
1996	5	0
1997	8	0

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions (1) what is the total number of registered homeless people in the East Hampshire District Council area; [27567]

(2) how many people have been accepted on to the homeless register of East Hampshire District Council in each of the last five years. [27568]

Mr. Raynsford: The table provides the available data on the numbers of households accepted as homeless and in priority need under the homelessness provisions of the 1985 and 1996 Housing Acts in East Hampshire for the calendar years 1992 to 1996 and the first nine months of 1997.

	Homelessness acceptances
1992	109
1993	75
1994	71
1995	164
1996	113
1997[1]	119

[1] data for the first 3 quarters only.

Under Part VI of the Housing Act 1996 authorities must establish and maintain a housing register for the purpose of allocating their housing accommodation but there is no statutory obligation for local housing authorities to hold a register of homeless applicants. Accommodation secured as a discharge of a homelessness duty need not be a tenancy allocated under Part VI of the 1996 Act.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the number of properties that are under-occupied in East Hampshire District; and if he will make a statement. [27914]

Mr. Raynsford: Neither the Secretary of State nor the Local Authority have made any robust assessment of the number of properties that are under-occupied in East Hampshire District.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing transfer list of the East Hampshire District Council, and what were the equivalent figures at the same time in each of the last five years. [27915]

Mr. Raynsford: The information requested is not collected centrally.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people have been accepted on to the homeless register of *(a)* New Forest District, *(b)* Eastleigh Borough, *(c)* Havant Borough and *(d)* Test Valley Borough councils in each of the last five years. [28148]

Mr. Raynsford: The table provides the available data on the numbers of households accepted as homeless and in priority need under the homelessness provisions of the 1985 and 1996 Housing Acts for the calendar years 1992 to 1996 and the first 9 months of 1997.

Homelessness acceptances

	New Forest	*Eastleigh*	*Havant*	*Test Valley*
1992	366	231	262	197
1993	360	176	289	152
1994	279	186	220	163
1995	273	166	277	161
1996	304	142	318	180
1997[1]	207	80	231	85

[1] data for the first three quarters only.

Under Part VI of the Housing Act 1996 authorities must establish and maintain a housing register for the purpose of allocating their housing accommodation but there is no statutory obligation for local housing authorities to hold a register of homeless applicants. Accommodation secured as a discharge of a homelessness duty need not be a tenancy allocated under Part VI of the 1996 Act.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many properties formerly owned by Government departments have been made available to *(a)* the council and *(b)* housing associations in the Hart District Council area. [28360]

Mr. Raynsford: This information is not held centrally.

Trains (Power Failures)

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions how many incidents there were in 1997 of power failure aboard trains *(a)* nationally and *(b)* in the Connex South Central region. [28607]

Ms Glenda Jackson: This is an operational matter for train operating companies. We do not collect the information centrally. Connex South Central have given my officials to understand that the Company reported 64 instances of total power loss on its trains in 1997. We understand further that there were 355 instances where one or another on-train system was affected by some form of power loss, but this did not in all cases cause delays.

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions how many incidents of electricity failures there were on Railtrack-owned track in 1997. [28606]

Ms Glenda Jackson: This information is not available in the form requested. Operational matters such as this are a matter for Railtrack, which has published information relating to the causes of train delays. From that I understand that, for the 24 weeks commencing 30 March 1997, out of a total of 301,974 delays to trains exceeding three minutes, 951 were attributed to causes connected with power supply maintenance and renewal for which Railtrack is responsible.

Public Opinion Research

Mr. Duncan: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the companies which bid for each public opinion research contract awarded since 1 May 1997; and what was the value and duration of each contract. [28876]

Angela Eagle: Details of the companies which bid for public opinion research contracts and the duration of these contracts are not held centrally and can be obtained only at disproportionate cost.

However, details of all market research commissioned by the Department since 1 May 1997 and the value of such contracts are lodged in the House of Commons Library in response to a question from the hon. Member for Gordon (Mr. Bruce) answered on 5 February 1998, *Official Report*, column *728*.

Public Investment

Rev. Martin Smyth: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the levels of public investment in the constituencies of *(a)* Birmingham, Ladywood, *(b)* Liverpool, Riverside and *(c)* Tottenham for the last three years for which figures are available, excluding social security payments. [27967]

Mr. Raynsford: Information on public expenditure is not held at constituency level.

Keighley Driving Test Centre

Mrs. Ann Cryer: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the long-term future of the Keighley Driving Test Centre. [28043]

Ms Glenda Jackson *[holding answer 9 February 1998]:* The Keighley Driving Test Centre will close at the end of February while detailed inspections and essential repairs are carried out on the building. A search for alternative premises in the town is underway. In the meantime, driver testing operations will be transferred to Skipton; however, the intention is to retain a driver testing service in Keighley in the long term.

Correspondence

Mr. Swayne: To ask the Secretary of State for the Environment, Transport and the Regions when the Minister of the Environment plans to answer the letter of Mr. Keith Duell dated 5 December 1997 regarding Verely Lake. [28862]

Angela Eagle: The Government Office for the South East replied to Mr. Duell's letter on 30 January 1998.

Mrs. Ewing: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28050]

Angela Eagle: The Department of the Environment, Transport and the Regions has a translation service for incoming correspondence of all languages into English, and replies can be made in the language of the original letter.

Greater London Assembly

Mr. Duncan: To ask the Deputy Prime Minister if he will publish *(a)* details of money paid by his Department to the yes campaign for a London mayor, *(b)* details of meetings between yes campaign officials and ministers, including names and dates and *(c)* details of contracts which his Department has with (i) individuals who hold positions on the yes campaign and (ii) companies which employ individuals who hold positions on the yes campaign. [28833]

Mr. Raynsford: On parts *(a)* and *(b)* of the question, I refer the hon. Member to the answers given to the hon. Member for Lichfield (Mr. Fabricant) on Friday 6 February 1998, *Official Report*, columns *835–36*.

On part *(c)* of the question, although I am aware of the existence of putative "Yes" and "No" campaigns, my Department does not have access to comprehensive details of those companies or individuals which may or may not be associated with, employed by or hold positions in those campaigns.

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions if he will place the first version of the report on the electoral system for the Greater London Assembly commissioned from Professor Patrick Dunleavy in the Library. [28687]

Mr. Raynsford: Copies of the report we received from Professor Patrick Dunleavy and Dr. Helen Margetts—"Electing the London Mayor and the London Assembly"—were placed in the Library on Tuesday 3 February as I said in the House on 3 February 1998, *Official Report*, column 624. In line with usual practice, we do not propose to make available incomplete and uncorrected earlier drafts of the report.

Transport Expenditure

Dr. Brand: To ask the Secretary of State for the Environment, Transport and the Regions what is the expenditure by the Exchequer through central Government agencies in the current financial year, expressed in terms of money per estimated passenger mile, on *(a)* motorways, *(b)* railways and *(c)* ferries. [28046]

Ms Glenda Jackson: The information is not available in the format requested. The table shows the resources which the Department is providing towards motorways and trunk roads, railways and ferries in the current financial year, and the estimated volume of traffic on those modes:

Mode	*Description of Expenditure*	*1997–98 (estimated outturn) £m*[1]	*Estimated passenger miles*
Motorways and Trunk Road	Highways Agency Programme Expenditure	1,473	120bn in 1996[2]
National Railways	Office of Passenger Rail Franchising support to train operating companies	1,434	20bn in 1996–97
	DETR Grants to English Passenger Transport Executives	250	
	Support to local authority heavy rail schemes[3]	10	
London Underground	Grant to London Underground	543	4bn in 1996–97
Urban Light Rail	Support for urban light rail schemes	128	282m in 1996–97
Ferries	Woolwich Ferry	5	680,000 in 1997–98

Other than the Woolwich Ferry service, the Department of the Environment, Transport and the Regions does not financially support the cost of operating ferry services. In 1996 an estimated 342 million passenger miles were undertaken on all domestic ferry routes (including inter island and river crossings and the Woolwich Ferry).

[1] Rounded to the nearest £1 million.

[2] This figure has been estimated for 1996 using figures from Table 1.1 and 4.9 in Transport Statistics Great Britain (1997 Edition)—the implied occupancy rate (passenger miles divided by vehicle miles) has been applied to mileage on motorways and trunk roads for buses and coaches, cars and vans, and motorcycles.

[3] Figures do not include support towards local authority heavy rail projects from the Single Regeneration Budget, Capital Challenge and TPP "Package" strategies, figures for which are not held centrally.

[4] Government pays grant to London Transport, who are responsible for allocating resources as between London Underground and other businesses.

Mines and Minerals (North Yorkshire)

Mr. McLoughlin: To ask the Secretary of State for the Environment, Transport and the Regions if he will issue new planning guidelines to take account of the recent court decision involving North Yorkshire County Council on the subject of mines and minerals; and if he will make a statement. [28675]

Mr. Raynsford: I assume that the hon. Gentleman is referring to the "Wensley Quarries case"—ex parte Brown. I will decide whether any action is needed, and if so, what form it should take, when I have been able to consider the full judgment in this case.

Railway Safety

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that automatic train protection is introduced as soon as possible on high speed lines. [28830]

Ms Glenda Jackson: I am advised by the Health and Safety Executive (HSE) that Automatic Train Protection (ATP) schemes are installed on the Chiltern and Great Western Lines and on the Heathrow Express. Versions of ATP will be fitted to the West Coast Main Line and the Channel Tunnel Rail Link. Railtrack is considering alternative train protection measures for other lines and HSE is monitoring progress with Railtrack's strategy for the provision of these measures.

Local Government Finance

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions how many and which councils have *(a)* written off and *(b)* not written off arrears of community charge in each of the last three years; and if he will assess what factors have led them to do so. [28200]

Mr. Raynsford: The Department does not collect information about the amounts of community charges written off by local authorities, and I have no plans to carry out an assessment of the factors which would led them to do so. Local authorities should only write-off debts where they are uneconomic to pursue.

The Chartered Institute of Public Finance and Accountancy Statistical Information Service publish figures each year for the amounts of community charges written off by those authorities which respond to their survey. Copies of the publications for the last three years are available in the Library.

Vessels (Health and Safety)

Mr. Tredinnick: To ask the Secretary of State for the Environment, Transport and the Regions what steps were taken by his Department to ensure that the penalties imposed by the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 (SI 1997/2962) are consistent with those imposed by the Health and Safety at Work, etc. Act 1974 and regulations under it. [28686]

Ms Glenda Jackson: I have asked the Chief Executive of the Marine Safety Agency, Mr. R. Bradley, to write to the hon. Member.

Letter from R. M. Bradley to Mr. David Tredinnick, dated 10 February 1998:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your question about consistency between the penalties imposed by the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 and those imposed by the Health and Safety at Work Act 1974.

The Regulations were copied to other interested departments during their preparation, and the differential was pointed out at that stage. However, our priority was to ensure compatibility of the penalties imposed with those to which employers are subject under other merchant shipping legislation.

Housing Fitness Standard

Mr. Alan Keen: To ask the Secretary of State for the Environment, Transport and the Regions what progress his Department is making in reviewing the housing fitness standard. [28988]

Ms Armstrong: My Department has today issued a consultation paper on the housing fitness standard to seek the views of the local government associations and other relevant bodies on a range of proposals and options for change. The proposals have been drawn up taking into account responses received to an earlier initiating discussion paper; the results of research undertaken by Warwick University and the Building Research Establishment; and discussions with practitioner bodies and housing professionals.

It should be the aim of any housing fitness standard to provide a means for identifying, and thereby enabling action to be targeted on, those sections of the housing stock where the health and safety risks are the greatest. The main proposal, outlined in more detail in the consultation paper, is for a fitness rating approach to be developed and tested as a successor to the current standard. This would given an overall rating to a property based on an assessment of a range of housing characteristics, rather than the current pass/fail on one or more requirements. A fitness rating approach would surpass the existing standard by encompassing all the important health and safety risks in the home but also by distinguishing the varying severity of those risks. As a result it would have the potential for providing a more effective mechanism for the evaluation of the housing stock, both nationally and locally, and for the targeting of resources as well as for determining where intervention and public resources are needed most.

I have arranged for copies of the consultation paper and the research to be placed in the Library of each House.

Emergency Towing Vessels

Mr. Ainger: To ask the Secretary of State for the Environment, Transport and the Regions what his intentions are for the future provision of emergency towing vessels around the United Kingdom; and when he will publish the trials report and the cost benefit analysis report on emergency towing vessels. [29037]

Ms Glenda Jackson: The Government will continue to station, for winter periods only, three Emergency Towing Vessels around the UK. Emergency Towing Vessels are stationed in the Dover Strait, the Minches and the South Western Approaches. My officials are arranging new contracts to cover the next few winters. These contracts will commence in October 1998.

The report of the three year trial (1994 to 1997) and the report of the cost benefit analysis on Emergency Towing Vessels are both released today. Copies have been placed in the Libraries.

Driving Licences (Diabetes)

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Wakefield (Mr. Hinchliffe) of 1 December 1977, *Official Report*, column *48*, on driving licences for insulin dependent diabetics, if he will establish a compensation scheme for those insulin dependent diabetics who were previously employed as drivers of vehicles in Category C1. [26191]

Ms Glenda Jackson *[pursuant to her reply, 6 February 1998, c. 833–34]:* The Government sympathise with any insulin-treated diabetics who lose their jobs as drivers following the expiry of their entitlement to drive category C1 vehicles. The change in legislation has been made in the interests of road safety, and it is not normal to provide compensation for those who may be affected by such changes.

TREASURY

Dorneywood

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer on how many occasions Dorneywood has been used by Ministers since 1 May; if he will list in each case *(a)* the Ministers present, *(b)* the dates in question and *(c)* the purpose of the visit; and if he will make a statement. [25769]

Mr. Gordon Brown *[holding answer 27 January 1998]:* Neither I nor any Treasury Ministers have used Dorneywood since 1 May. It has been used by my right hon. Friend the Deputy Prime Minister on several occasions.

Income Tax

Mr. Cousins: To ask the Chancellor of the Exchequer what are the cost benefits of introducing a 10 pence tax rate *(a)* assuming revenue neutrality in means tested benefits and *(b)* assuming adjustments in means-tested benefits to pass the full benefit to claimants in bands of income of £500, assuming that the 10 pence rate (i) is in addition to the existing 20 pence tax rate and that the starting rate of tax is the same and (ii) substitutes for the existing 20 pence tax rate and (iii) is additional for the first £1,000 and then substitutes for the 20 pence tax rate; and if he will estimate the distribution of revenue forgone in each decile of income tax payers ranked by income. [26939]

Dawn Primarolo: I regret that such an analysis could be provided only at disproportionate cost.

Ms Keeble: To ask the Chancellor of the Exchequer what was the cost to the Treasury last year of maintenance allowance in relation to income tax. [27492]

Dawn Primarolo: The cost of tax relief in respect of maintenance payments in 1996–97 is estimated at £80 million.

Inheritance Tax

Mr. Lepper: To ask the Chancellor of the Exchequer if he will list all *(a)* buildings, *(b)* works of art, *(c)* land and *(d)* other property in (i) the Brighton Pavilion constituency and (ii) East and West Sussex which are subject to public access or examination by the public as a condition of exemption from inheritance tax; what steps have been taken to inform the public about access to these; and what is the value of conditional exemption from inheritance tax for each year between 1979–80 and 1996–97 relating to *(a)* to (d) in (i) and (ii). [23938]

Dawn Primarolo: The statutory rules on taxpayer confidentiality prevent me from listing the specific details requested about conditionally exempt assets.

Owners of conditionally exempt assets are primarily responsible for publicising the arrangements for public access to such assets according to the terms of the relevant undertakings. In general, steps required to publicise access may include, for example, advertising in an appropriate national publication, in the local tourist office or town hall, or in the case of scenic land in England, displaying a map board at all points of entry on to the land showing the agreed public access.

For conditionally exempt works of art and other objects to which public access is by appointment only the Inland Revenue's Register provides relevant details. The computerised Register is available on the Internet at www.cto.eds.co.uk. Copies of the Register may be purchased from the Inland Revenue, and are also available for consultation at the Victoria and Albert Museum, London, the National Library of Scotland, Edinburgh, the National Museum of Wales, Cardiff, and the Ulster Museum, Belfast.

The Inland Revenue have published a leaflet about the Register, "Our heritage—your right to see tax exempt works of art", IR 156, and a related poster. The leaflet is available from Tax Inquiry Centres.

I regret that information about the value of conditional exemption for each year between 1979–80 and 1996–97 is not readily available in the form requested and could be obtained only at disproportionate cost.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if he will publish by county the names of landowners who receive conditional exemption from inheritance tax because they allow public access. [24575]

Dawn Primarolo: I refer to the reply I gave my hon. Friend on 6 June 1997, *Official Report*, column *278*.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what estimate he has made of the number of landowners who restrict public access to their land despite receiving conditional exemption from inheritance tax. [24577]

Dawn Primarolo: The Inland Revenue is not aware of any landowners of conditionally exempt land who restrict public access to the land contrary to the terms of their undertakings. If my hon. Friend has any information on this issue, the Inland Revenue would be pleased to receive the details.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if the names of individuals and the location of the land and buildings which are conditionally exempt from inheritance tax by reason of public access will be included in the scope of the proposed Freedom of Information legislation. [24667]

Dawn Primarolo: As explained in the White Paper "Your Right to Know", the proposed Freedom of Information Act will contain provision for access to official information generally. It will not list particular types of information. The information that my hon. Friend mentions will be within the scope of the Act. Its disclosure would depend, as for all information, *(a)* on decisions on the continuation of any relevant statutory prohibitions to disclosure and *(b)* on the substantial harm and public interest tests integral to the Act's access provisions.

Tax Relief (Pension Contributions)

Mr. Martin Bell: To ask the Chancellor of the Exchequer if he will estimate the reduction in Government spending which would have occurred in 1997–98 if tax relief on pension contributions had been restricted to the basic rate of taxation. [25754]

Dawn Primarolo: Information for 1998–99 was given in my reply to the hon. Member for Northavon (Mr. Webb) on 27 January 1998, *Official Report*, column *148*.

Sustainable Development

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25898]

Mr. Geoffrey Robinson: The Treasury's aim is to raise the rate of sustainable growth, and achieve rising prosperity, through creating economic and employment opportunities for all. Sustainable development is an important factor in framing the Government's economic priorities. The comprehensive spending review of the Treasury will report on how the Department's organisation and resources are to be devoted to the achievement of this aim and its other objectives.

Ministers (Company Directorships)

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer which Ministers in his Department have held company directorships since 1 May 1997; and if he will make a statement. [26722]

Mr. Gordon Brown *[holding answer 3 February 1998]:* The Ministerial Code says that

"Ministers must resign any directorships they hold when they take up office".

All Treasury Ministers have complied with the Ministerial Code.

Tax Changes

Dr. Cable: To ask the Chancellor of the Exchequer what *(a)* short run and *(b)* long run price elasticity of demand is assumed by the Treasury in its analysis of the impact of tax changes in respect of (i) cigarettes, (ii) beer, (iii) wine, (iv) spirits, (v) petrol, (vi) domestic gas, (vii) domestic electricity and (viii) domestic energy as a whole. [27476]

Dawn Primarolo: The costings for tax changes for the current year and the following two years are published in the Financial Statement and Budget Report. In preparing these costings, Customs and Excise use the following elasticities: cigarettes -0.201, beer -0.963, wine -1.048, spirits -1.070 and petrol -0.272. Domestic gas, domestic electricity and domestic energy as a whole are grouped under domestic fuel and power. All use an elasticity of -0.187.

Foreign Income Dividends

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will estimate the effect on the income of charities of the increase in the number of foreign income dividends since July 1997. [27721]

Mr. Geoffrey Robinson: This information is not available.

Advance Corporation Tax

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will assess the likely change in the capital structure of companies following the reform of advance corporation tax. [27723]

Mr. Geoffrey Robinson: I refer the right hon. Gentleman to the response I gave the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) on 20 January 1998, *Official Report*, column *476*.

Corporation Tax

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will assess the effect on companies with seasonal profits of a move to quarterly payments of corporation tax. [27722]

Mr. Geoffrey Robinson: We have received representations on this issue as part of the consultation on quarterly instalment payments of corporation tax. We shall carefully consider those and other representations that have been made, and my right hon. Friend the Chancellor of the Exchequer will announce the outcome in his Budget.

Insurance Premium Tax

Mrs. Ewing: To ask the Chancellor of the Exchequer what estimate he has made of the number of jobs lost in *(a)* travel agency sector and *(b)* retail sector since the introduction of higher rate insurance premium tax; and if he will make a statement. [22623]

Dawn Primarolo: The effect of the introduction of the higher rate of insurance premium tax on all sectors is being monitored.

Mrs. Ewing: To ask the Chancellor of the Exchequer what is the total revenue raised for each year since its introduction of *(a)* insurance premium tax and *(b)* higher rate insurance premium tax. [22619]

Dawn Primarolo: Receipts of insurance premium tax since its introduction on 1 October 1994 are as follows:

Year	*£ million total*	*of which at higher rate*
1994–95	117	n/a
1995–96	635	n/a
1996–97	671	n/a
1997–98 (to November)	745	65

Mrs. Ewing: To ask the Chancellor of the Exchequer what estimates he has for the proportion of higher rate insurance premium tax revenue raised from travel insurance. [22621]

Dawn Primarolo: It is not possible to estimate accurately the actual yield of Insurance Premium Tax from the separate sectors.

Mr. Keetch: To ask the Chancellor of the Exchequer when he expects the monitoring by Customs and Excise of the introduction of the higher rate of insurance premium tax relating to the travel industry to reach its conclusions; if he will publish those conclusions; and if he will make a statement. [27346]

Dawn Primarolo: I have not set an end date for the monitoring, and I would expect Customs and Excise to continue to keep the higher rate of insurance premium tax under review. The findings of Customs will not be published since they contain commercially sensitive material.

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer if he will make its his policy to charge a flat rate of IPT on all insurance on motor vehicles, travel and electrical retail goods; and if he will make a statement. [28137]

Dawn Primarolo *[holding answer 9 February 1998]:* I cannot anticipate my right hon. Friend's Budget Statement.

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer what rate of IPT applies to guarantees for *(a)* motor vehicles and *(b)* electrical retail products provided by the sellers of the product; and if he will make a statement. [28136]

Dawn Primarolo *[holding answer 9 February 1998]:* IPT applies only to contracts of insurance. Guarantees do not constitute such contracts and are therefore outside the scope of the tax.

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer what meetings he has held with representatives of *(a)* the travel sector, *(b)* the electrical retail and rental sectors and *(c)* the motor vehicle sector to discuss the impact of higher rate IPT on their businesses; if he will meet representatives of these industries prior to the Budget to discuss higher rate IPT; and if he will make a statement. [28138]

Dawn Primarolo *[holding answer 9 February 1998]:* I have met with representatives of the travel industry to discuss their concerns regarding higher rate IPT. I have no plans currently to meet further with industry representatives but I have asked officials in Customs and Excise to monitor the effect of higher rate IPT which has involved them in maintaining contact with trade bodies.

Excise Duty

Mrs. Lait: To ask the Chancellor of the Exchequer what is his current estimate of excise duty forgone by the successful smuggling or bootlegging of *(a)* alcohol and *(b)* tobacco and its products in each year since 1991. [27932]

Dawn Primarolo: HM Customs and Excise estimates of the revenue lost to the Exchequer through cross-Channel smuggling of alcohol and tobacco products in 1996 and 1997 are set out in the table:

£ million

Product type	*Excise duty*	*VAT*	*1996 Total*	*Excise duty*	*VAT*	*1997 Total*
Alcoholic drinks	135	60	195	135	65	195
Tobacco products	510	130	640	550	135	690
Total	645	190	835	685	200	885

Figures have been independently rounded to £5 million. Components may not therefore sum to the totals shown.

Figures for estimated revenue losses use Customs assumption that 70–80 per cent. of smuggled alcoholic drinks substitute for similar products in the UK. Effectively 100 per cent. of smuggled tobacco is assumed to substitute for UK purchases.

The above estimates exclude any amounts for revenue lost on alcoholic drinks and tobacco products involved in commercial fraud, smuggling in freight consignments or by air passengers. There are no official estimates for the extent of these activities. Similarly, there were no official estimates for the extent of smuggling prior to 1996.

Governor of the Bank of England

Mr. Vaz: To ask the Chancellor of the Exchequer when he will announce a new contract for the Governor of the Bank of England. [28241]

Mr. Gordon Brown: I refer my hon. Friend to the answer given by the Economic Secretary on 22 January to the hon. Member for Gordon (Mr. Bruce), *Official Report*, column *642*.

Bonus Payments

Dr. Cable: To ask the Chancellor of the Exchequer if he will review the present arrangements for the taxation of bonus payments made to United Kingdom nationals by international banks operating in London but headquartered overseas in the light of recent cases. [28230]

Mr. Geoffrey Robinson: The policy for the taxation of employees is kept under constant review. There are no plans to carry out a specific review into the taxation of bonus payments.

Low Pay

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what assessment he has made of the Canadian scheme for special tax credits for low-income working families; and if he will make a statement. [27688]

Dawn Primarolo *[holding answer 5 February 1998]:* As the Chancellor of the Exchequer said in his Pre-Budget Statement, the Government are considering the introduction of a "Working Families Tax Credit" to help make work pay for families on low incomes. And systems used in other countries, including Canada, have been looked at as part of that process.

Mr. Gavyn Davies

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer (1) what role Mr. Gavyn Davies of Goldman Sachs has in the formulation of the Government's economic policy; and if he will make a statement; [27694]

(2) what meetings he has had with Mr. Gavyn Davies of Goldman Sachs in the last three months; what meetings are scheduled over the next three months; and if he will make a statement; [27692]

(3) what meetings with Mr. Gavyn Davies of Goldman Sachs have taken place over the last three months at which one or more of his special advisers were present; and if he will make a statement. [27693]

Mr. Gordon Brown *[holding answers 5 February 1998]:* During the course of my duties I meet a wide range of economists and business people, including Mr. Gavyn Davies.

Minimum Wage

Mr. Redwood: To ask the Chancellor of the Exchequer if, following the setting of a minimum wage, the public sector will buy goods and services from overseas companies paying their employees less than the United Kingdom minimum wage. [28127]

Mr. Geoffrey Robinson *[holding answer 6 February 1998]:* The Government's policy on public procurement is to obtain value for money for the taxpayer. The public sector will buy the goods and services which provide the optimum combination of whole-life cost and quality.

LORD CHANCELLOR'S DEPARTMENT

Correspondence

Mrs. Ewing: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28051]

Mr. Hoon: The Lord Chancellor's Department does not have a written policy for responding to letters received in languages other than English and Welsh, other than that every effort should be made to respond to them. In cases where letters are written in Welsh, the practice of the Lord Chancellor's Department is to respond in Welsh to the same standards as if the reply was in English.

EU Conventions

Mr. Mitchell: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to the answer of 17 November 1997, *Official Report*, column *57*, on the European draft convention concerning harmonisation of court documents and procedures, what changes of Rules of Court will be required; with whom discussions took place in March and April 1997; what parliamentary procedure will govern the ratification of revised Rules of Court; and what discussions he *(a)* has held and *(b)* proposes to hold on their implementation; and with which bodies. [28948]

Mr. Hoon: A Consultation Paper was issued in March 1997 to 50 individuals and organisations, representing a wide range of interests. Further consultation will take place before implementation with a similarly wide range of bodies. Until our plans for implementation have been finalised it is not known what changes to rules of Court might be required. Under section 3 of the Civil Procedure Act 1997, any changes would be made by Statutory Instrument, subject to annulment in pursuance of a resolution of either House of Parliament.

FOREIGN AND COMMONWEALTH AFFAIRS

Exports

10. **Mr. Spring:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of the Government's ethical foreign policy on British exports since 1 May 1997. [26440]

Mr. Robin Cook: Since this Government took office, we have stepped up Foreign Office support for British exports and I have lobbied on behalf of British Companies from Central Europe to South-East Asia. We have responded to the report of the Export Forum, introduced a new scheme of short-term secondment of business executives to our embassies, and invited Chief Executives of 30 major companies to undertake promotional events for British business while abroad. We see no conflict between our drive to expand British exports and trade, and commitment to preventing British arms from being used to repress human rights and democracy.

27. **Mr. Barry Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the ways in which his Department assists the sales of British-manufactured goods abroad. [26458]

Mr. Fatchett: We assist the sale of British-manufactured goods abroad through the work of our 217 commercial posts in 140 markets. They provide information on overseas markets and help British companies to find local business contacts. They help promote products and services, and assist British companies who wish to participate in trade fairs and missions. Posts also give political and economic briefings.

International Criminal Court

20. **Mr. McCabe:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy in respect of excluding crimes involving the use of *(a)* nuclear weapons and *(b)* land mines from the remit of the proposed international criminal court. [26450]

Mr. Doug Henderson: The UK supports proposals for the Court to be able to try war crimes which are recognised under customary international law. The use as such of nuclear weapons or land mines does not come into this category. But nuclear weapons and land mines, like any other weapon, might be used in a way that would contravene international law. Under the proposals we support, this could well lead to the user being prosecuted at the International Criminal Court.

Israel

21. **Mr. Caplin:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's relations with Israel. [26451]

Mr. Fatchett: We enjoy friendly relations with Israel.

34. **Dan Norris:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's relations with Israel. [26464]

Mr. Fatchett: Britain enjoys friendly relations with Israel.

Algeria

22. **Fiona Mactaggart:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the European Union's role in Algeria during the course of the United Kingdom presidency. [26452]

Mr. Fatchett: I refer my hon. Friend to the oral answer I gave earlier to my hon. Friend the Member for Clwyd, West (Mr. Thomas).

26. **Mr. Blunt:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Algeria before 30 June. [26457]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has no current plans to visit Algeria.

BBC World Service

23. **Mr. Baker:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans next to meet representatives of the BBC World Service to discuss *(a)* future funding and *(b)* future language transmission policy. [26453]

Mr. Fatchett: Officials regularly meet with World Service to discuss such matters. My noble Friend the Parliamentary Under-Secretary of State and I have had several discussions recently with the Managing Director. My right hon. Friend the Foreign Secretary hopes to do so in the near future.

Iraq

24. **Ms Squire:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on developments in Iraq. [26454]

Mr. Fatchett: We and our Security Council partners are actively pursuing a diplomatic solution to the crisis. But we cannot rule out a resort to force if our diplomatic efforts fail to shift Saddam's intransigent stance.

Saddam Hussein has a horrifying arsenal of Weapons of Mass Destruction and we know from past experience that he is prepared to use them. It is vital for regional and international peace and security that UNSCOM be allowed full and unrestricted access to all suspected WMD sites and that his WMD capability is destroyed. A paper detailing UNSCOM's achievements and the need for its continuing unrestricted operation has been placed in the Library of the House and sent to all Members.

Mr. Campbell-Savours: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date his Department's officials were first informed of the use of chemical weapons at Halabja in Iraq. [26399]

Mr. Fatchett *[holding answer 3 February 1998]:* According to Foreign Office files, the FCO first became aware of the use of chemical weapons at Halabja on 19 March 1988.

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports Her Majesty's Government have received of the terms of negotiations between Russian Foreign Minister Primakov and the Iraqi regime in the last six months; what reference was made to the prospect of the ending of sanctions in return for compliance with UN resolutions with particular reference to access for weapons inspectors; what agreement was reached; what consideration Her Majesty's Government gave to this; and if he will make a statement. [28588]

Mr. Fatchett: We welcome the initiatives of Russian envoys and others in trying to find a diplomatic solution to the crisis with Iraq.

The Iraqi regime has offered a one-off inspection of Presidential sites to be conducted by UNSCOM and representatives of the P5. This offer falls short of the Security Council's demand for full and unrestricted access to UNSCOM for all sites that it wishes to inspect. It is not for Iraq to set conditions for its co-operation with UNSCOM.

All Council members agree that the process of ending sanctions cannot begin until Iraq complies with relevant Security Council resolutions.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral answer of 2 February 1998, *Official Report*, column 719–20, what progress has been made in tabling the draft Security Council resolution; and what is the current text of the resolution. [28884]

Mr. Fatchett: We continue to take the lead in discussions with Security Council partners. Our aim remains to send a tough and united message to Saddam Hussein. It would not be right to make public the precise text before we have discussed it with Council partners.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will establish an independent inquiry into the activities of *(a)* British banks and *(b)* subsidiaries of foreign banks based in Britain in the funding of the sale of British manufactured military or military capable technology to Iraq since 1980. [28168]

Mr. Fatchett: No. But we would be interested to see any information that my hon. Friend feels should be brought to our attention.

China

28. **Mr. Bill O'Brien:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's relations with China. [26459]

Mr. Fatchett: As my right hon. Friend the Foreign Secretary said when he visited China in January, there is new life in Britain's relations with China. We have made a fresh start down a broad road. We need a healthy relationship which allows us to address together the full range of issues, including difficult areas such as human rights.

Camilla Carr and Jon Jones

29. **Mrs. Virginia Bottomley:** To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has obtained about the whereabouts of Camilla Carr and Jon Jones; and if he will make a statement. [26460]

Mr. Doug Henderson: We do not know where or in what conditions Camilla Carr and Jon James are held. With the Centre for Peacemaking and Community Development, we are doing all we can to bring about their safe release. My right hon. Friend the Prime Minister has raised the case several times—most recently with President Yeltsin on 9 January. The President promised that Russia would do all it could to help. My right hon. Friends the Foreign Secretary and the Home Secretary have also contacted their Russian counterparts. The British Ambassador in Moscow is in frequent contact with the Russian and Chechen authorities to emphasise the high priority we attach to resolving this distressing [illegible] swiftly and peacefully. A British police team visited Moscow and Nazran in December for discussions with the Russian and Chechen security authorities.

United States of America

30. **Mr. Alan W. Williams:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's relations with the United States. [26461]

Mr. Doug Henderson: The United Kingdom's relations with the United States are excellent.

Middle East

31. **Mrs. Ellman:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Department's assessment of likely progress in the middle east peace process. [26462]

33. **Mr. Wyatt:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Department's assessment of likely progress in the middle east peace process. [26463]

Mr. Fatchett: I refer my hon. Friends to the oral answer my right hon. Friend the Foreign Secretary gave to my hon. Friend the Member for Leicester, South (Mr. Marshall).

35. **Mr. Clappison:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received about the middle east peace process. [26465]

Mr. Fatchett: My right hon. Friend the Prime Minister met President Arafat on 26 January. He reaffirmed the EU/UK view that the parties must respect their commitments under existing agreements, particularly with regard to Israeli redeployments from the West Bank. I visited Israel and the Occupied Territories on 14–16 January. In Israel I met Netanyahu, Mordechai (Defence Minister), Bentsur (MFA PUS-equivalent), and senior Labour politicians. On the Palestinian side, I met Arafat, Sha'ath (Minister of Planning and International Cooperation) and Faisal Husseini.

Arms Trade

32. **Mr. Wells:** To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanisms for consultation between EU member states on granting and denying export licences are proposed in the United Kingdom's text on an EU code of conduct on arms sales. [26512]

Mr. Doug Henderson: Under our draft text, any state denying an export licence according to the Code of Conduct would circulate details of the denial to other Member States. Partners would then be required to consult the denying state before deciding whether to issue a licence for essentially the same goods to the same destination.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to introduce a central database of accredited arms dealers from whom the Government purchase equipment. [27884]

Mr. Spellar: I have been asked to reply.

The MOD has no current plans to introduce a central database of defence suppliers.

EU Delegations

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list for each mission sent by the European Union to *(a)* India, *(b)* Nepal, *(c)* Sri Lanka, *(d)* Pakistan, *(e)* Afghanistan, *(f)* Bangladesh and *(g)* other South Asian countries (i) who was on the delegation, (ii) who led the delegation and (iii) what were the activities of the delegation. [27948]

Mr. Fatchett: There have been no special EU Ministerial missions in the past twelve months.

Schengen Agreement

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 30 January 1998, *Official Report*, column *439*, which member states United Kingdom officials approached on the issue of Schengen opt-in procedures; and what exchange of documents took place. [28513]

Mr. Doug Henderson: It would not be appropriate for Ministers to report the details of all diplomatic contacts between officials of the UK and other Governments.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 30 January 1998, *Official Report*, column *439*, for what reasons Coreper discussed the opt-in procedure to Schengen on each occasion; at whose instigation; and on what dates. [28515]

Mr. Doug Henderson: Coreper discussed this matter on 2, 10, 17 and 25 July as part of its work, under the chairmanship of the Luxembourg Presidency, to finalise the text of the draft Treaty of Amsterdam.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his meeting at Denver with the Dutch Foreign Minister concerning the opt-in procedures for Schengen countries. [28571]

Mr. Doug Henderson: It would not be appropriate for me to comment in detail on the content of every meeting which my right hon. Friend the Foreign Secretary or I have with another Foreign Minister.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 30 January 1998, *Official Report*, column *439*, for what reasons he consulted the Irish Foreign Minister on the issue of the Schengen opt-in procedure; if any joint approach was agreed; if there was agreement on the version of events; and if he will make a statement. [28514]

Mr. Doug Henderson: I consulted with the Irish Foreign Minister on the Schengen opt-in procedure as a matter of mutual interest. It would not be appropriate to publish details of our discussions.

Ms Gaynor Regan

Mr. Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs from what budget the cost of the flight which Mrs. Regan took from Heathrow to Edinburgh on 9 October was originally met. [28331]

Mr. Robin Cook: The ticket for the flight was purchased privately by myself and at no stage was payment made from this Department's budget.

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 19 January 1998, *Official Report*, column *439*, to the hon. Member for East Worthing and Shoreham (Mr. Loughton), concerning overseas visits by Ms Gaynor Regan, if the permission from the Prime Minister was given in writing in each case. [28395]

Mr. Robin Cook: The only occasion when I was accompanied on a visit overseas at public expense by my spouse or partner was when Mrs. Margaret Cook went with me to Hong Kong from 27 June to 1 July. My right hon. Friend the Prime Minister's permission was given in writing on 25 June. Ms Regan has never accompanied me on an overseas trip at public expense.

European Union

Mr. Hesford: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department is taking to provide information to those under 18 years old on the European Union and its institutions. [28375]

Mr. Doug Henderson: This Department worked with the DfEE on an information and curriculum pack which has been sent to all schools, giving a basic introduction to the EU and its institutions and explaining our plans for

the UK Presidency. This department is also running a Presidency website, which schools and others can access for further information.

European Economic Area (Permits)

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the average processing time of applications by non-EEA national family members applying for EEA permits since 1 February 1997. [28300]

Mr. Fatchett: Statistics recording average processing times for EEA family permit applications are not held centrally and could be obtained only at disproportionate cost.

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs how many EEA family permits have been granted to non-EEA family nationals since 1 February 1997. [28290]

Mr. Fatchett: Between 1 February and 31 December 1997, 9,019 applications for EEA family permits were issued at entry clearance Posts overseas.

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs how many non-EEA family member nationals have applied for EEA family permits since 1 February 1997; and how many were refused. [28297]

Mr. Fatchett: Between 1 February and 31 December 1997, 9,127 applications for EEA family permits have been received and 105 applications were refused at entry clearance Posts overseas.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28378]

Mr. Fatchett: No Brazilian mahogany has been *(a)* acquired or *(b)* specified by this Department in (i) 1996 and (ii) 1997.

Execution (Texas)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received over the decision of the US state of Texas to execute Karla Tucker. [28572]

Mr. Fatchett: This Department received three telephone calls from members of the public on 4 February protesting about the decision of the US State of Texas to execute Karla Tucker. One of these callers also wrote to his MP, who has written to my noble Friend the Parliamentary Under-Secretary of State about the case.

Sri Lanka

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations between Britain and Sri Lanka. [28592]

Mr. Fatchett: The UK has had a long and close relationship with Sri Lanka. We look forward to maintaining and expanding our links on every level.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British policy towards the civil conflict in Sri Lanka. [28574]

Mr. Fatchett: We believe a lasting solution to this tragic conflict can only be achieved through a political settlement. We have said publicly that we stand ready to help in the resolution of the conflict if both sides ask us to play a role.

Chagos Archipelago

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the numbers of native Chagossians at present in exile due to the existence on the Chagos Archipelago of a USA military base. [28829]

Mr. Fatchett: According to our records approximately 1,200 'Ilois' left the British Indian Ocean Territory for Mauritius, and a 'handful' for the Seychelles, between 1965 and 1973. We do not know how many are still alive.

Brazilian Rainforest

Mr. Sheerman: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to discuss the activities of Malaysian logging companies in the Brazilian rainforest areas with the Malaysian Government. [27094]

Clare Short: I have been asked to reply.

I have taken no such steps. However, as members of the International Tropical Timber Organisation (ITTO), both Malaysia and Brazil are committed to the Year 2000 Objective, which states that all tropical timber entering international trade shall, by the year 2000, come from sustainably managed sources. Both countries have also subscribed to ITTO's recently revised Action Plan, which, among other things, calls for member countries to estimate the extent of undocumented trade and prepare national codes of conduct for all types of forestry operations.

SCOTLAND

Compulsory Competitive Tendering

Mr. Jenkin: To ask the Secretary of State for Scotland what estimate he has made of the amount of money saved to date by *(a)* each of the current unitary and island local authorities in Scotland and *(b)* the former regional, district and island councils in Scotland as a result of compulsory competitive tendering. [23828]

Mr. Macdonald: This information has not been collected centrally for Scotland.

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for Scotland how many non-career civil servants have been appointed to his Department since 1 May 1997. [25842]

Mr. Dewar: The number of casual, fixed-term appointees and Special Advisers appointed to my Department and its Agencies since 1 May 1997 is 870.

Benefit (False Declarations)

Mr. Sarwar: To ask the Secretary of State for Scotland how many persons were prosecuted for making a false declaration in respect of benefit in *(a)* 1986 and *(b)* 1996. [25643]

Mr. McLeish: The available information is set out in the table. Prior to 1989, information held centrally does not separately identify the relevant statutory offences and information for 1996 is not yet available. In addition to prosecutions for the statutory offences listed in the table, some prosecutions under the common law offence of fraud involved an offence of making a false declaration in respect of benefit.

Persons proceeded against by main offence, Scotland, 1989 and 1995

Main Offence	*Date of sentence/ acquittal*	
	1989	*1995*
Social Security Act 1975, Section 146	78	1
Supplementary Benefits Act 1976, Section 21	240	0
Social Security Act 1986, Section 55	604	26
Social Security Administration Act 1992, Section 112	—	1,328

Domestic Violence

Mr. Chisholm: To ask the Secretary of State for Scotland when the research report commissioned by his Department on service provision for women experiencing violence will be published. [26418]

Mr. McLeish *[holding answer 30 January 1998]:* We hope to publish the report in early March.

Tuition Fees

Mr. Öpik: To ask the Secretary of State for Scotland if he will estimate the gross cost of setting up mechanisms for the means testing of citizens of other EU member states to assess their eligibility to pay tuition fees. [27715]

Mr. Wilson: In Scotland it is not proposed to set up a separate mechanism for the means testing of EU students' eligibility to pay tuition fees. It will be carried out alongside the means testing of tuition fee support for Scottish domiciled students. The additional costs cannot be separately identified, but are minimal.

Export Market Development

Mr. Wigley: To ask the Secretary of State for Scotland what powers, and under which statutory provisions, the Scottish Office has which enable it or its agencies to help firms located in Scotland to develop export markets overseas. [27641]

Mr. Wilson: My Department, through Scottish Trade International, a joint organisation between The Scottish Office and Scottish Enterprise, assists the delivery to Scottish-based companies of support from the Government's Overseas Trade Service, funded by my right hon. Friend the President of the Board of Trade. In addition, Scottish-companies benefit from export advice and assistance from Scottish Enterprise on the basis of section 1(a) of the Enterprise and New Towns (Scotland) Act 1990 and from export advice now funded by my own Department under the Industrial Development Act 1982.

Local Authority Boundary Review

Mr. Salmond: To ask the Secretary of State for Scotland what proposals he has to proceed with the boundary review for Scottish local authority elections; and if he will make a statement. [28124]

Mr. Macdonald *[holding answer 6 February 1998]:* The Local Government Boundary Commission for Scotland (LGBC) are currently reviewing local authority electoral boundaries, as required by legislation. So far, the LGBC have sent the Secretary of State reports for Angus and East Lothian and we are expecting them to send in reports for all other authorities within the next few months. We will consider all these reports and decide whether to implement them as they stand or with modifications.

Transport Expenditure

Dr. Brand: To ask the Secretary of State for Scotland what the expenditure by the Exchequer is in the current financial year, expressed in terms of money per estimated passenger mile, on *(a)* motorways, *(b)* railways and *(c)* ferries. [28045]

Mr. McLeish: It is not possible to provide the information precisely in the form as requested. The table shows:

expenditure by The Scottish Office en motorways and an estimate of expenditure per passenger mile in the current year based on vehicle miles travelled and estimated vehicle occupancy figures.

the Franchise payment to ScotRail (who operate 96 per cent. of all passenger rail services in Scotland including the Anglo-Scottish Sleeper) and an estimate of expenditure per passenger mile for ScotRail services;

expenditure by The Scottish Office on ferry services provided by Caledonian MacBrayne Co (Clyde and Hebrides) and P&O Scottish Ferries Ltd (Northern Isles), and estimated cost per passenger mile information. The subsidy provided by The Scottish Office supports, as well as passengers, the carriage of accompanied cars and, in the case of Caledonian Macbrayne, commercial vehicles, buses coaches, livestock and freight also. In producing this estimate, Revenue Deficit Grant, capital grants for vessels, piers and harbours grants, and National Loan Fund repayments have all been taken into account.

Mode	*1997–98 (estimated outturn £m)*	*Estimated cost per passenger mile 1997–98 (£)*
Motorways	37.114	0.012
Railway	280.0	0.11
Ferries	32.218	0.45

The information on railways concerns only ScotRail. The same information for cross border services operated by Great North Eastern Railway and Virgin Rail cannot be apportioned separately for Scotland.

Similarly, information on ferries is confined to those directly funded by central government. Some local ferry services are also supported by certain local authorities in Scotland.

Public Investment

Rev. Martin Smyth: To ask the Secretary of State for Scotland if he will list the levels of public investment in the constituencies of Glasgow *(a)* Maryhill, *(b)* Shettleston and *(c)* Springburn for the last three years for which figures are available, excluding social security payments. [27968]

Mr. Dewar: Information on public expenditure is not held at constituency level.

HEALTH

Health Authorities Programme

Dr. Harris: To ask the Secretary of State for Health if he will estimate the cost to the NHS of purchasing and maintaining the new Health Authorities Programme and the number of eligible schemes that have yet to have access to the new Health Authorities Programme; and what plans he has to improve the access and efficiency of the new Health Authorities Programme. [27027]

Mr. Milburn: The New Health Authorities Programme was created to re-align health authorities' primary care systems, and the data held within them, with their new boundaries created in April 1996. The resultant changes will be implemented between July 1998 and July 1999.

The total cost of this work programme is £3.85 million, spread across 1996–97, 1997–98 and 1998–99. The outcome is a set of one-off changes to meet the requirements of primary legislation, but the software developed will enable any further health authority boundary changes to be implemented more quickly and at less cost.

Information Management

Dr. Harris: To ask the Secretary of State for Health if he will estimate the cost to the NHS of the measures to improve information management in the NHS announced in the White Paper, the New NHS; when he expects these measures to be fully operational; and if he will estimate how much of the NHS will be covered by these new measures. [27024]

Mr. Milburn: The overall cost of the wide range of measures mentioned in the White Paper will depend on the outcome of our Information Management and Technology strategy for the National Health Service. This will provide the necessary planning framework.

Dr. Harris: To ask the Secretary of State for Health when the review on the role of the Information Management Group will report; if he will list the members of the review committee and publish its remit; and if he will make a statement on information management in the NHS. [27022]

Mr. Milburn: The review of the Information Management and Technology (IM&T) strategy for the National Health Service is being carried out by Mr. Frank Burns who has been seconded to the NHS Executive for 12 months from his substantive appointment as Chief Executive of the Wirral Hospital NHS Trust.

Mr. Burns started his review in June 1997 under the auspices of the NHS Executive Board and its IM&T Policy Sub-Committee. His review is based on extensive and direct personal consultation with all the major NHS and public 'stakeholders'.

We expect to receive his report within the next 2 months.

Administrative Register

Dr. Harris: To ask the Secretary of State for Health if he will estimate the cost to the NHS of purchasing and maintaining the Administrative Register and the number of eligible schemes that have yet to have access to the Administrative Register; and what plans he has to improve the access to and efficiency of the NHS Clearing Service. [27025]

Mr. Milburn: National Health Service Administrative Register functions will be offered to NHS organisations through the NHS Strategic Tracing Service. The purpose of the tracing service is to enable any NHS organisation, within agreed access and security protocols, to determine a patient's NHS number and other related administrative data.

The tracing service is currently the subject of a public and private partnership procurement, with the expectation that a contract will be awarded early in the next financial year. It is not possible to publish the costs of using the tracing service, and its integral administrative register functions, until the procurement process is complete. The tracing service will bring to fruition the successful pilot operation of the NHS administrative register throughout the NHS in Wales.

The Department is working closely with NHS trusts to ensure that they all submit complete, timely and accurate data to the NHS Clearing Service, and that full use is made of electronic transfer of data via the NHS-wide network, NHSnet.

Exeter System

Dr. Harris: To ask the Secretary of State for Health if he will estimate the cost to the NHS of purchasing and maintaining the Exeter system and the number of eligible schemes that have yet to have access to the system; and if he will give details of future plans he has to improve access to and the efficiency of the system. [27026]

Mr. Milburn: The Exeter System is supported by the Family Health Systems (FHS) organisation, which is part of the National Health Service Executive. The cost of maintaining and supporting the system for all health authorities in England and Wales was £5.8 million for 1997–98. Development costs vary annually according to business requirements stemming from legislative and policy changes.

We will be considering the longer term future of the Exeter System in the context of the changes set out in "The New NHS, Modern and Dependable" White Paper.

Dental Services

Mr. Paul Marsden: To ask the Secretary of State for Health how much additional Government money is available to Shropshire Health Authority for establishing extra NHS dentists. [27154]

Mr. Milburn: We have made £9 million available to health authorities in England for Investing in Dentistry schemes in 1997–98 and a further £10 million for 1998–99. This is not apportioned to health authorities, but will be spent according to need as proposals are received and considered. Shropshire Health Authority has submitted eight Investing in Dentistry proposals, of which one has so far been approved at a cost of £45,000.

Meningitis

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many cases of meningitis have been reported in the Northumberland Health Authority area since 1991. [28208]

Mr. Milburn: The cases of meningitis reported in the Northumberland Health Authority area since 1991 are as follows:

	All Meningitis
1991	11
1992	25
1993	8
1994	8
1995	19

Source:
Public Health Laboratory Service.

Ambulance Service (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many staff were employed by the Northumberland Ambulance Service in each year since 1991. [28210]

Mr. Milburn:

National Health Service Hospital and Community Health Services: all staff directly employed by Northumbria Ambulance Service as at 30 September for each year

	Whole-time equivalent
1991	680
1992	700
1993	680
1994	730
1995	750
1996	730

Note:
Figures are rounded to the nearest ten.
Source:
Department of Health non-medical workforce census.

Registered Mental Health Nurses

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many registered mental nurses were employed by Northumberland Health Authority in each year since 1994; and what was the percentage change in each year. [28211]

Mr. Milburn: It is not possible separately to identify registered mental health nurses from other qualified nurses working in the mental health area of work in the Department of Health's annual non-medical workforce census. The figures for all qualified nurses working in the mental health area of work are in the table.

National Health Service Hospital and Community Health Services qualified nurses working in the mental health area of work employed by Northumberland Health Authority as at 30 September 1996.

Year	*Whole-time equivalents*
1994	270
1995	290
1996	270
Percentage change	
1994–95	[1]—
1995–96	-6.3

[1] Not applicable.
1. Whole-time equivalents are rounded to the nearest ten; per cent. changes were calculated using unrounded figures.
2. Due to the introduction of new occupation codes in 1995, figures for 1995 and 1996 are not directly comparable with earlier years.
Source:
Department of Health annual non-medical workforce census.

Beta Interferon

Mr. Cotter: To ask the Secretary of State for Health (1) if he will list the district health authorities which provide to NHS trusts earmarked funding for the prescription of the drug Beta Interferon; and if he will make a statement; [28021]

(2) what research his Department has *(a)* commissioned and *(b)* evaluated into the effectiveness of Beta Interferon in the treatment of patients with multiple sclerosis; and if he will increase the resources available to district health authorities to fund the provision of Beta Interferon to patients with multiple sclerosis; [28020]

(3) how many patients with multiple sclerosis in each district health authority he estimates might benefit from the provision of Beta Interferon. [28019]

Mr. Milburn: Details of all the health authorities which have earmarked funding for National Health Service trusts for the treatment of multiple sclerosis patients with Beta Interferon are not available. Health authorities determine their own priorities with regard to funding particular treatments, including whether to ring-fence resources for prescribing particular treatments. The Department does not usually allocate funding to health authorities for specific drug treatments, but allocates funding according to a formula calculated to meet expected patient need in each health authority.

As part of the Department's health technology assessment programme, an evaluation and pharmaco-economic analysis project is being undertaken on Beta Interferon. It is not possible to estimate at this stage how many patients might benefit from treatment with the drug.

NHS Anniversary

Sir Richard Body: To ask the Secretary of State for Health if he will estimate the charge upon public funds that will be made to mark the 50th year of the National Health Service. [28608]

Mr. Milburn: I refer the hon. Member to the answer given to my hon. Friend the Member for Falkirk, West (Mr. Canavan) on 19 December 1997, *Official Report*, columns *389–90*.

Public Health

Mr. Hammond: To ask the Secretary of State for Health, pursuant to his oral answer of 5 February 1998, *Official Report*, columns 1229–30, if he will list, for each of the target headings listed in the Green Paper, "Our Healthier Nation", the target reduction in mortality, expressed as a percentage, contained within the Green Paper and the corresponding target or targets, where sub-headings are applicable, for those headings within the White Paper, "The Health of the Nation". [28852]

Ms Jowell: Although there are similarities between the priority areas covered in "Our Healthier Nation" and the old key areas in "The Health of the Nation", the targets differ because they cover different time periods, different combinations of diseases, different age groups (for cancers) and, in the case of accidents, a morbidity measure rather than one for mortality. "Our Healthier Nation" focuses on health outcome measures, while "The Health of the Nation" targets contained a mixture of outcomes and determinants.

Circulatory diseases

Our Healthier Nation target proposed:

To reduce the death rate from heart disease and stroke and related diseases (i.e all circulatory diseases combined) among people aged under 65 by at least one third (33 per cent.) by the year 2010 from a baseline at 1996.

Related Health of the Nation targets:

To reduce the death rate from coronary heart disease among people aged under 65 by at least 40 per cent. by the year 2000 from a baseline at 1990.

To reduce the death rate from stroke among people aged under 65 by at least 40 per cent. by the year 2000 from a baseline at 1990.

Cancers

Our Healthier Nation target proposed:

To reduce the death rate from all cancers combined among people aged under 65 by at least one fifth (20 per cent.) by the year 2010 from a baseline at 1996.

Related Health of the Nation targets:

To reduce the death rate from breast cancer in the population invited for screening (measured using females aged 50–69) by at least 25 per cent. by the year 2000 from a baseline at 1990.

To reduce the death rate from lung cancer by at least 30 per cent. in men aged under 75 by 2010 from a baseline at 1990.

To reduce the death rate from lung cancer by at least 15 per cent. in women aged under 75 by 2010 from a baseline at 1990.

Suicide and undetermined injury

Our Healthier Nation target proposed:

To reduce the rate of suicide and undetermined injury deaths for all ages by at least one sixth (17 per cent.) by the year 2010 from a baseline at 1996.

Related Health of the Nation target:

To reduce the rate of suicide and undetermined injury deaths for all ages by at least 15 per cent. by the year 2000 from a baseline at 1990.

Accidents

Our Healthier Nation target proposed:

To reduce the rate of occurrence of "major" accidents (defined as those accidents requiring medical attention at a hospital or by a family doctor) for all people aged 2 and above by at least one fifth (20 per cent.) by the year 2010 from a baseline at 1996.

The Health of the Nation targets on accidents were in terms of *mortality*, not morbidity, and so no direct comparisons are possible.

In each case, the baseline "at 1996" means the three year average mortality rate (adjusted to account for differences in the age structure of the population) for the years 1995/96/97, and the Health of the Nation baselines "at 1990" were the three year average mortality rates for the years 1989/90/91.

Turnberg Report

Mr. Maples: To ask the Secretary of State for Health if the Turnberg Report, which he published on Tuesday 3 February, was exactly the same as the text of the report originally submitted to him in November by Professor Turnberg. [28674]

Mr. Milburn: Yes. The Turnberg Report was submitted to Ministers on 18 November 1997. It was published in its original form, subject to minor typographical amendments.

WALES

Nurses

Mr. Barry Jones: To ask the Secretary of State for Wales how many qualified nurses are employed in *(a)* trusts and *(b)* private health establishments. [27271]

Mr. Win Griffiths: At 30 June 1997, there were approximately 16,900 whole-time equivalent qualified nurses, midwives and health visitors directly employed by NHS Trusts in Wales. The latest detailed information provided by private health establishments indicated that there were about 2,700 whole-time equivalent qualified nurses at 31 March 1995, although it is believed that this may be an under-estimate.

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he has taken to improve the morale of nurses. [27270]

Mr. Win Griffiths: I hope that nurses will have been heartened by the steps the Government have taken to cut back on unnecessary bureaucracy, by the ending of divisive local pay for staff on national contracts, by our search for a better, more robust approach to NHS pay in the longer term, and by the publication of our White Paper "Putting Patients First". This sets out plans for replacing the wasteful internal market, and includes commitments to involve community nurses more in organising health services for their patients and to develop a Strategic Framework for Nursing and a new Human Resources Strategy.

I am glad that we have been able to accept the recommendations of the independent Nurses' Pay Review Body for a rise of 3.8 per cent., the highest for six years. Nurses stand to receive 2 per cent. from 1 April, rising to 3.8 per cent. from 1 December.

By staging the increase, we can meet pay costs within the resources available to the NHS without prejudicing the planned level of service delivery.

NHS Internal Market

Mr. Wigley: To ask the Secretary of State for Wales how much money he estimates will be saved in Wales by the abolition of the internal market in the NHS; and how much of this sum will be spent on building community hospitals in Wales. [27147]

Mr. Win Griffiths: Together with the proposed reconfiguration of NHS trusts in Wales, the abolition of the NHS internal market will create estimated savings of up to £50 million over the lifetime of the current Parliament. These savings will be reinvested in frontline patient care, including services in community hospitals where appropriate. Individual capital projects are judged on their own merits and against the framework of commissioning authorities; strategic plans. Generally, capital schemes will be developed through the Private Finance Initiative.

New Deal (Older Unemployed People)

Mr. Barry Jones: To ask the Secretary of State for Wales what skills training older unemployed people entering the New Deal will receive; and if he will make statement. [27647]

Mr. Hain: From June, people aged 25 and over who have been unemployed for two years or more will be able to train towards an approved, employment-related qualification for up to a year while remaining on Jobseeker's Allowance.

In addition, an employer subsidy of £75 a week for up to six months will be made available to people from this group. My right hon. Friend the Chancellor recently announced his intention to pilot measures by which employers facing skills shortages will be able to receive up to 75 per cent. of this subsidy as an up-front payment towards training costs.

Both of these measures are designed to work in tandem with existing ES and TEC provision.

We announced on 5 January our intention to invest more money from the windfall levy to enable us to develop Gateway opportunities for the older unemployed who have been out of work for a year or 18 months. Variants of the New Deal approach will be introduced through pilots, trying proposals out in selected areas.

Diabetes

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the number of people currently suffering from diabetes; and if he will make a statement. [27650]

Mr. Win Griffiths: A health survey of adults was carried out in Wales during 1995 and one of the questions asked was 'Are you being treated for diabetes?'. The results showed that diabetes was reported by 3.2 per cent. of the adult population. Respondents were also asked if any children, under the age of 18 years, in their household were being treated for diabetes and the responses suggested that this was the case for approximately 0.3 per cent. of children.

Apprenticeships

Mr. Barry Jones: To ask the Secretary of State for Wales how many apprenticeships he estimates the New Deal will provide in Wales; and if he will make a statement. [27646]

Mr. Hain: It is not possible to give an accurate estimate of the number of apprenticeships that will be made available under the New Deal over the period of its implementation. Some young people will access to apprenticeship-type training as part of the New Deal employment option and others will progress onto apprenticeships when completing their period on the New Deal. All young people will have access to quality training to improve their skills and employment prospects.

Welsh Development Agency

Mr. Wigley: To ask the Secretary of State for Wales what powers the Welsh Development Agency has to assist companies in Wales to develop export markets; and if he will make a statement. [27478]

Mr. Hain: Section 1 of the Welsh Development Agency Act 1975 provides the necessary statutory powers for the activities of the Agency. The Agency has a number of initiatives and schemes which assist companies in Wales to develop overseas business opportunities. I will arrange for the Chief Executive of the Agency to write to the right hon. Member with details of these initiatives and schemes. A copy of his letter will be placed in the Library of the House.

North-South Road Links

Mr. Wigley: To ask the Secretary of State for Wales what proposals he has to upgrade north-south road communications within Wales; what plans are being developed to accelerate such a programme following the establishment of the national assembly; and if plans to upgrade north-south road communications will be material to his decision on the location of the national assembly's permanent home. [27642]

Mr. Hain: The extent to which improvements are needed to the road network between north and south Wales was one of the main issues raised for consideration in the recent consultation exercise on the review of the Welsh trunk road programme. The review process is still at an early stage and it is not possible to say when we will be able to give any indications as to the size, composition and overall strategy of the future trunk road programme. Given this, it would not be appropriate to draw any connection between an, as yet, undetermined strategy for the trunk road network in Wales and the current debate on the location of the National Assembly.

Crickhowell House

Mr. Wigley: To ask the Secretary of State for Wales how much rent his Department currently receives from Crickhowell House in Cardiff; and if he will make a statement. [27481]

Mr. Ron Davies: My department receives no rent from Crickhowell House. The Welsh Office is the leaseholder of the property which is occupied by the Welsh Health Common Services Authority who are responsible for the payment of rent to the landlord, Grosvenor Waterside Ltd.

Teachers

Mr. Llwyd: To ask the Secretary of State for Wales how many teachers in each local education authority in Wales have had their employment terminated during the past year. [28011]

Mr. Hain: The information requested is not collected centrally.

Casualty Units

Mr. Llwyd: To ask the Secretary of State for Wales what steps he is taking to reduce the waiting times in casualty units in Wales; and if he will make a statement. [27970]

Mr. Win Griffiths: Latest available information to the end of September 1997 shows that 94 per cent. of patients at Accident & Emergency departments were assessed within 10 minutes of arrival; 95 per cent. of patients were admitted into the main hospital within 2 hours of the decision to admit; and 95 per cent. of patients received treatment within 4 hours.

Further improvements to this performance will be considered during the development of a new NHS Charter for Wales which is currently the subject of consultation in the NHS in Wales.

Local Government Finance

Mr. Wigley: To ask the Secretary of State for Wales what representations he has received on the impact of the changes in the distribution formula for the Welsh Office's funding of local government in Wales from the poorest unitary authorities, with particular reference to social deprivation and council tax income; and what further consideration he is giving to this matter. [27997]

Mr. Win Griffiths: My hon. Friend has received 27 representations. He and the Welsh Local Government Association (WLGA) accepted the recommendations of the joint review group instigated at the request of the WLGA, following an eighteen month examination of the issues that drive the need for local authority expenditure on services. Acceptance was conditional upon the commissioning of a joint independent review of the concept of local authority spending need in readiness for the National Assembly for Wales. The review will be commissioned shortly.

Learning Difficulties

Mr. Barry Jones: To ask the Secretary of State for Wales how many people with learning difficulties will have places in the New Deal; and if he will make a statement. [27645]

Mr. Hain: It is not possible to give an accurate estimate of the number of people with learning difficulties who will benefit from the New Deal over the period of its implementation. All young people who are eligible, or who become so, will be offered opportunities to participate in a job, training or useful work experience.

Young people who have special needs, including those with reading, writing and numeracy problems, will be able to join the New Deal early (ie they will not have to be unemployed for 6 months). They will have access to the help they need to improve their skills and employment prospects.

Teacher Training Students

Mr. Barry Jones: To ask the Secretary of State for Wales how many students are currently in teacher training; and how many of them are men. [27644]

Mr. Hain: The latest available figures for the number of students on courses of Initial Teacher Training at higher education institutions in Wales relate to the academic year 1996/97. There were 6,022 students on courses of initial teacher training as at 1 December 1996, of whom 1,581 were male.

National Assembly for Wales

Mr. Wigley: To ask the Secretary of State for Wales what evidence he has assessed on the campaigning activities of senior civil servants for the location of the National Assembly. [28312]

Mr. Ron Davies: I have not asked Welsh Office officials to campaign for any particular location for the National Assembly for Wales, and I have no evidence of them doing so.

Household Population Growth

Mr. Edwards: To ask the Secretary of State for Wales what is the predicted total growth in the all-Wales private household population over the period 1998 to 2016 *(a)* as a percentage and *(b)* as a numerical value. [28143]

Mr. Win Griffiths: It is estimated from the 1994 based household projection that the total private household population in Wales will rise from 2,889,000 in 1998 to 2,913,000 in 2016. This represents a growth of *(a)* 0.8 per cent. *(b)* 24,000 compared with 1998. Details of the method used in the projection and notes on the reliability of the estimates can be found in 1994 Based Household Projections for Wales, a copy of which is in the Library.

Mr. Edwards: To ask the Secretary of State for Wales what are the projected annual private household numbers for the county of Monmouthshire each year from 1994 to 2019–20. [28147]

Mr. Win Griffiths: Household estimates from the 1994 based household projection for the county of Monmouthshire for each year from 1994 to 2016, the last year of projection, are shown in the following table. Details of the method used in the projection and notes on the reliability of the estimates can be found in 1994 Based Household Projections for Wales, a copy of which is in the Library.

Projected households for county of Monmouthshire

Year [1]	*Number*
1994	33,400
1995	34,000
1996	34,500
1997	35,500
1998	35,500
1999	36,100
2000	36,600
2001	37,100
2002	37,600

Projected households for county of Monmouthshire

Year [1]	*Number*
2003	38,100
2004	38,600
2005	39,200
2006	39,700
2007	40,200
2008	40,700
2009	41,200
2010	41,700
2011	42,200
2012	42,600
2013	43,100
2014	43,600
2015	44,000
2016	44,400

[1] At 30 June each year.

Mr. Edwards: To ask the Secretary of State for Wales what is the predicted total growth in the private household population in Monmouthshire over the period 1998 to 2016 *(a)* as a percentage and *(b)* as a numerical value. [28146]

Mr. Win Griffiths: It is estimated from the 1994 based household projection that the total private household population in Monmouthshire will rise from 85,800 in 1998 to 97,700 in 2016. This represents a growth of *(a)* 13.8 per cent., *(b)* 11,900 compared with 1998. Details of the method used in the projection and notes on the reliability of the estimates can be found in 1994 Based Household Projections for Wales, a copy of which is in the Library.

Mr. Edwards: To ask the Secretary of State for Wales what are the projected annual net migration rates into Wales for the private household population for each of the years 1990–91 to 2019–20. [28144]

Mr. Win Griffiths: The available estimates from the Office for National Statistics' mid-year estimates and the Government Actuary's Department's 1996-based population projections relate to all civilian migration, not just private households. The figures are shown in the following table:

Estimated net civilian migration into Wales[1]

Year	*Net inward migrants*
1991	9,000
1992	1,800
1993	2,200
1994	3,800
1995	3,500
1996	5,700
1997	7,000
1998	6,000
1999	5,500
2000	5,500
2001	5,500
2002	5,500
2003	5,500
2004	5,500
2005	5,500
2006	5,500
2007	5,500
2008	5,500
2009	5,500
2010	5,500
2011	5,500
2012	5,500
2013	5,500
2014	5,500
2015	5,500
2016	5,500
2017	5,500
2018	5,500
2019	5,500
2020	5,500

[1] In 12 months to 30 June each year.

Sources:

1990–91 to 1995–96: Office for National Statistics' mid year estimates.

1996–97 to 2019–20: Government Actuary's Department's 1996-based national population projections.

Mr. Edwards: To ask the Secretary of State for Wales in what circumstances a unitary authority would be permitted to provide for substantially less new housing than is predicted in the Welsh Office household apportionment. [28145]

Mr. Win Griffiths: The Welsh Office's 1994 Based Household Projections for Wales are essentially trend based and do not make allowances for the effects of local or central government policies. They should be used as a base for policy projections.

Where a local planning authority's policy based provisions differ from these projections the differences should be fully justified in the development plan. The Secretary of State will consider intervening where the justification for the development plan figures is either unsound or unacceptable.

Public Opinion Research

Mr. Duncan: To ask the Secretary of State for Wales how many contracts for public opinion research his Department has awarded since 1 May; if he will indicate the *(a)* purpose, *(b)* cost, *(c)* value and *(d)* duration of each contract; and which companies (i) bid for and (ii) were awarded each contract. [28880]

Mr. Ron Davies: The following contracts for public opinion research have been awarded by my Department since 1 May 1998:

Business and Environment Campaign—Phase 2: Telemarketing Exercise

Purpose: Telemarketing research exercise to around 3,000 decision makers within Welsh SMEs to gauge their awareness of the Department's Business and Environment Campaign.

Cost: £18,071 plus VAT

Value: £18,071 plus VAT

Duration: 5 February to 20 March 1998

Two companies submitted formal bids for the contract—Golley Slater Telephone Marketing Ltd. and Pell and Bales Ltd. The contract was awarded to Golley Slater Telephone Marketing Ltd.

Contracts Awarded by Central Office of Information on Behalf of the Welsh Office

Understanding Devolution

Purpose: To inform development of the "Voice for Wales" white paper

Cost: £12,986 including VAT

Value: £12,986 including VAT

Duration: July 1997

The project was not competitively tendered as the timetable did not allow it. The project was awarded directly to Andrew Irving Associates because of their established record of researching in Wales and evidence of adequate recruitment resources.

Devolution Campaign Evaluation

Purpose: To evaluate the effectiveness of the Welsh Office's campaign to promote the referendum

Cost: £23,148 including VAT

Value: £23,148 including VAT

Duration: August 1997

The project was not competitively tendered because there was insufficient time. The contract was awarded to Beaufort Research, the only contractor offering an omnibus service within Wales.

Both these contracts were one off projects, completed within 4–6 weeks of commissioning. The costs shown include management time.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Wales if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28941]

Mr. Ron Davies: I undertook the following engagements, outside the Office, during January:

2 Business Dinners in Cardiff.

1 Business Lunch in Cardiff.

Meeting with European Commissioners at Lancaster House, London.

Presentation at Hydro Aluminium Alupres at Bedwas, Caerphilly.

Economic Social Committee Dinner at Cardiff Castle.

Dinner with Transport and General Workers Union (Wales) at House of Commons.

1 Business Lunch in London.

Official opening of Hydro Power at Elan Valley, Powys.

Visit to Red Kite Centre and Farmtrail at Gigrim Farm, Powys.

Opening of Golwg Magazine Offices, Lampeter.

On each occasion I travelled by official car.

I frequently use the train to travel between Gwydyr House in London and the Welsh Office in Cardiff.

INTERNATIONAL DEVELOPMENT

Public Opinion Research

Mr. Duncan: To ask the Secretary of State for International Development how many contracts for public opinion research her Department has awarded since 1 May; if she will indicate the *(a)* purpose, *(b)* cost, *(c)* value and *(d)* duration of each contract; and which companies (i) bid for and (ii) were awarded each contract. [28873]

Clare Short: The Department engaged Opinion Leader Research Ltd. to carry out public opinion research in the autumn. The purpose was to test public attitudes towards and awareness of what the Department is doing and what we are trying to achieve. It repeated a similar exercise undertaken under the previous Administration. There was no Ministerial involvement in the design or awarding of the contract.

No other bids for this work were invited. The work was carried out over a period of a few weeks at a cost of around £43,000.

A summary document of the research has been placed in the Libraries of both Houses.

Papua New Guinea

Mr. Luff: To ask the Secretary of State for International Development what assistance her Department has provided to Papua New Guinea to relieve the effects of the drought and prevent starvation; and if she will make a statement. [28610]

Clare Short: We have contributed over £400,000 to assist those affected by the drought. These funds have been channelled through Non-Government Organisations such as World Vision UK, Christian Aid, UK Foundation for the South Pacific and the Salvation Army and have concentrated mainly on the provision of food and water. We will continue to monitor the situation closely through our High Commission in Port Moresby and the Office for the Co-ordination of Humanitarian Affairs in Geneva.

AGRICULTURE, FISHERIES AND FOOD

Ministerial Meetings

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food how many farmers' meetings Ministers have attended since 1 May. [22646]

Dr. John Cunningham: I and my Ministerial team have attended a total of 76 farmers' meetings since 1 May.

Beef Imports

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food (1) what quantity of beef imports into the United Kingdom was physically examined for compliance with the SRM ban and the OTMS requirements in the period 1 to 16 January; what were the countries of origin of the inspected meat; which organisations undertook each of these checks; and if he will publish the results of these examinations; [25460]

(2) how many individual shipments of beef to the United Kingdom there were in the period 1 to 16 January; how many such shipments received only a documentary examination; what the countries of origin of these shipments were; and if he will publish the results of these examinations; [25461]

(3) what quantities of beef were imported into the United Kingdom in the period 1 to 16 January; from which country they came; and what were the quantities in the same period in 1997; [25459]

(4) pursuant to his answer to the hon. Member for North Tayside (Mr. Swinney) on 20 January 1998, *Official Report*, column *495*, how he is notified about checks made on beef imports into the United Kingdom; [25500]

(5) pursuant to his answer to the hon. Member for North Tayside (Mr. Swinney) on 20 January 1998, *Official Report*, column *495*, what information he collates to ascertain that checks are being made to ensure that beef coming into the United Kingdom complies with the *(a)* SRM and *(b)* OTMS requirements and is microbiologically safe; and for what reason his Department keeps no central records of the number and results of checks made on beef imports into the United Kingdom; [25498]

(6) pursuant to his answer to the hon. Member for North Tayside (Mr. Swinney) on 20 January 1998, *Official Report*, column *495*, where the records of its checks made on beef imports into the United Kingdom are held; [25499]

(7) if he will list the points of entry to the United Kingdom where checks have been carried out since 1 January to ensure that beef coming into the United Kingdom complies with the *(a)* SRM ban and *(b)* OTMS requirements; [25501]

(8) what physical checks are made on beef coming into the United Kingdom to establish that it is not over 30 months old and meets the SRM requirements; [25504]

(9) how many consignments of beef have been rejected on the grounds that they did not comply with the *(a)* OTMS Scheme and *(b)* SRM ban since 1 January; [25502]

(10) for what reasons the proposal to lift the beef ban in Northern Ireland has been based upon beef off the bone. [28533]

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the inspection of imported beef. [26688]

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for Taunton (Mrs. Ballard) of 26 January 1998, *Official Report*, column *98*, how many random checks were carried out on consignments of beef imported to the United Kingdom from EU and non-EU countries on each day since 1 January 1998 at ports in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland; and how many consignments failed to meet the Government's unilateral controls in relation to specified risk material. [26862]

Mr. Walter: To ask the Minister of Agriculture, Fisheries and Food how many consignments of beef imported from other European Union member states were inspected between 1 and 22 January to ensure that they did not contain specified risk materials and that their import certification was accurate, and in accordance with the Specified Risk Material Order 1997. [27003]

Dr. John Cunningham *[holding answers 26 and 27 January 1998]:* Official Overseas Trade Statistics on the quantities and country of origin of beef imported into the United Kingdom are available only for complete calendar months. Statistics for January 1998 are not yet available. Official Overseas Trade Statistics for January 1997 are set out in the table.

All consignments of animal products imported directly into the United Kingdom from outside the European Union (EU) are subject to documentary checks at designated Border Inspection Posts (BIPs), including checks on the certification relating to specified risk materials. Some consignments are also subject to physical checks, the levels of which are laid down in Community law. Most Border Inspection Posts are operated by local authorities. At those which are not, checks are carried out by the State Veterinary Service.

Single Market rules permit only random spot-checks at destination on animal products traded within the Community. Consistent with those rules, a daily sample of randomly selected consignments from EU member states are subject to documentary checks by Ministry officials for conformity with the new unilateral controls relating to specified risk material.

Data on the number, type and results of veterinary checks on beef consignments at Border Inspection Posts, and on the number and outcome of the random documentary spot-checks on beef consignments arriving from or via other EU Member States, are being collated on a monthly basis from 1 January 1998, the date when the Specified Risk Materials Order came into force. No data are available yet. They will be published in the Department's BSE Enforcement Bulletin which is place in the Library of the House.

There are no restrictions on the import of beef from animals over 30 months of age. The Fresh Meat (Beef Controls) (No.2) Regulations 1996 prohibit the sale for human consumption of all meat derived from bovine animals which at the time of slaughter were more than 30 months old. This measure applies to all bovines slaughtered on or after 29 March 1996, whether in the UK or overseas, other than those born, reared and slaughtered in those third countries specifically excluded by the Regulations and UK animals from the Beef Assurance Scheme.

UK imports of fresh beef and beef offal: January 1997

	Tonnes
European Community	
Irish Republic	4,896
Netherlands	1,325
France	608
Germany	596
Spain	149
Belgium-Luxembourg	105
Other	87
Total EC Imports	7,764
Non-European Community	
Uruguay	954
Australia	518
Argentina	720
Zimbabwe	341
Brazil	218
USA	172
Namibia	161
New Zealand	245
Other	22
Total Non-EC Imports	3,352
Total Imports	11,116

Notes:

All data are provisional and subject to amendment.

The above data include an estimate of below threshold trade but exclude an estimate for non-response.

Source:

Business and Trade Statistics Limited

Ministerial Engagements

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food if he will list his official engagements during the period of the United Kingdom presidency of the European Council of Ministers. [26935]

Dr. John Cunningham: My diary for the duration of the Presidency is, of necessity, incomplete and provisional. It would serve no purpose to provide details of meetings which might or might not take place.

Small Holdings

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what plans he has to give direct financial aid to farmers of small holdings; and if he will make a statement. [26994]

Mr. Morley: None. It is not our policy to discriminate between farms on the basis of size of holding.

Civil Servants

Mr. Forth: To ask the Minister of Agriculture, Fisheries and Food how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26922]

Mr. Morley: Since 1 May 1997 there have been no resignations. One member of the Senior Civil Service in the Department retired before pensionable age; he had responsibilities to my noble Friend the Minister responsible for Farming and the Food Industry, Lord Donoughue, and myself. No senior staff have changed responsibility.

Hill Livestock Compensatory Allowance

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food when before Easter farmers will receive their HLCA and enhanced suckler cow payments. [25675]

Dr. John Cunningham *[holding answer 28 January 1998]:* I refer the right hon. Member to the reply given to my hon. Friend the Member for High Peak (Mr. Levitt) on 3 February 1998, *Official Report*, columns *591–92*.

Ritual Slaughter

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food how many animals were killed for ritual slaughter in the United Kingdom during 1997. [26052]

Mr. Morley: Information is not held separately on the numbers of animals killed without prior stunning by the Jewish or Muslim methods.

Farming Co-operatives

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the impact of the provisions of the Competition Bill [*Lords*] on farming co-operatives. [26000]

Mr. Morley *[holding answer 28 January 1998]:* An amendment has been tabled by my noble Friend, Lord Simon of Highbury, for discussion at Lords Report Stage on 9 February which would provide an exclusion from the Chapter I prohibition under the Bill for this type of co-operative along the lines of EC Regulation 26/62.

Calshot Oyster Fisheries

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food when his Department received the second application from Calshot Oyster Fishermen Ltd for extension of the Calshot Oyster Fishery Order submitted on 7 September 1996; and when his Department authorised newspaper advertising of it. [27377]

Mr. Morley: The application was received by the Department on 11 September 1996. Following preparation of the draft Order and map and consultation with interested parties, including other public bodies, my officials wrote to Calshot Oyster Fishermen Ltd. on 6 June 1997 requesting that it should be advertised.

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food what factors underlay his Department's decision to remove a discretionary area from the Variation Order for the Calshot Oyster Fisheries notified to Calshot Oyster Fisherman Ltd on 16 December 1994; and what representations he received in support of the removal. [27361]

Mr. Morley: The Department of Transport and the Deputy Harbour Master, Associated British Ports in Southampton, advised that the Calshot Oyster Fishery should not be extended into the Thorn Channel, a narrow navigation channel for large vessels entering the port of Southampton, because of the risk of small fishing boats interfering with safe navigation.

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food what correspondence his Department has had with objectors to the extension of the Calshot Oyster Fisheries since 1 June; what was the nature of the correspondence; what are the bases for the objections; and if he will make the correspondence available to the Calshot Oyster Fishermen Ltd. [27388]

Mr. Morley: The objections to the proposed Calshot Oyster Fishery (Variation) Order are primarily concerned with the potential loss of earnings, although there were also objections on the grounds that it would make enforcement more difficult and also to the principle of such fishery Orders.

My officials wrote to the 7 objectors requesting further information. Three replies were received, one of which was considered irrelevant. The two other letters contained a more exact figure of the potential loss of earnings as a result of the extension of the fishery. The author of one of these letters expressed the wish for it to be kept confidential whilst the other letter will be made available to Calshot Oyster Fishermen Ltd.

Food Safety

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food under what statutory authority any food found in a food retailer's premises is deemed intended for human consumption. [27335]

Dr. John Cunningham *[holding answer 5 February 1998]:* Section 3 (3) of the Food Safety Act 1990.

Pear Producers (CCC)

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food for what reasons the chemical CCC cannot be used by United Kingdom pear producers; and what investigations he is conducting in this matter. [27343]

Dr. John Cunningham *[holding answer 5 February 1998]:* The use of CCC (or chlormequat) on pears is not approved in the United Kingdom. An application for approval of this use was made on behalf of UK growers, but this was rejected in October 1995 because sufficient safety data was not provided.

Retail samples of pears were collected in 1997 as part of the annual surveillance programme for pesticide residues. These samples are being analysed for CCC and other pesticide residues and the results will be published later this year.

Beef on the Bone

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food (1) if he will publish the advice given to him by local environmental health officers about their assessment of the enforceability of the ban on beef on the bone; [27339]

(2) how many representations he has received from local environmental health officers concerning the enforceability of the ban on beef on the bone. [27338]

Dr. John Cunningham *[holding answer 5 February 1998]:* Since the Regulations came into effect, I have received one letter from a local authority environmental health department about their assessment of the enforceability of the ban on beef on the bone. This was a notification that the authority's Environment Sub-Committee felt the Regulations would prove difficult to enforce effectively, and a request for guidance on enforcement. In addition, officials of my Department have responded freely to telephone requests for advice received from individual environmental health officers. They have also discussed the Regulations and their enforcement with representatives of local authority organisations, including the Chartered Institute of Environmental Health.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food when he expects to publish his advice on the interpretation and operation of his Beef on the Bone Order. [27333]

Dr. John Cunningham *[holding answer 5 February 1998]:* Initial guidance on the interpretation and operation of the proposed ban on bone-in beef was published on the Department's Internet site on 3 December 1997, and subsequently updated a number of times during that month. A further update is now being prepared. Advice has also been given to individual telephone callers on the proposed ban and subsequently on the Beef Bones Regulations 1997 following their coming into effect on 16 December 1997. Draft guidance to local authorities on the interpretation and operation of the Regulations was circulated to local authority representative bodies, including the Chartered Institute of Environmental Health, on 12 January 1998 and discussed at a meeting between their representatives and my officials on 16 January. A revised version was circulated on 28 January for final comment and was issued to all local authorities today. I have arranged for a copy to be sent to the right hon. Member. A copy has also been placed in the Library of the House and on the Department's Internet site.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what advice or information he has received from Mr. Simon Williams about his assessment of the enforceability of the ban on beef on the bone. [27337]

Dr. John Cunningham *[holding answer 5 February 1998]:* None.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement listing the ways in which, as a result of the beef deboning process, dorsal root ganglia could enter the food chain. [27342]

Dr. John Cunningham *[holding answer 5 February 1998]:* Dorsal root ganglia lie close to the bones of the vertebral column, which is required to be removed under the Beef Bones Regulations 1997 and disposed of in accordance with the Animal By Products Order 1992. The Regulations require that deboning of bone-in beef at food premises is carried out in a hygienic manner, in particular so as to avoid the risk of contamination of any food or ingredient.

Certified Herd Scheme

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food for what reasons the proposal for an export certified herd scheme in Northern Ireland did not include a measure to allow beef on the bone to be exported from herds with no record of BSE. [27341]

Dr. John Cunningham *[holding answer 5 February 1998]:* The decision to propose the deboning of all beef exports under the Export Certified Herds Scheme follows a recommendation from the European Commission's Scientific Veterinary Committee.

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27773]

Mr. Morley *[holding answer 5 February 1998]:* The items valued at £25 or more that have been reported stolen or lost from the Department since 1 May 1997 are as detailed:

Number	*Description*	*Amount (£)*
1	Theft of mobile phone and one tone pad	350.00
2	Loss of pocket memo and four calculators	122.31
3	80 cage traps stolen or damaged beyond repair	2,800.00
4	Theft of video camcorder and polaroid camera	1,300.00
5	Theft of Siemens Nixdorf Laptop PC	2,893.40
Total		7,465.71

Theft and Fraud

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the cost of theft and fraud to *(a)* his Department,

(b) its agencies and *(c)* non-departmental public bodies, in (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date. [27772]

Mr. Morley *[holding answer 5 February 1998]:* The hon. Member will wish to know that the cost of theft and fraud to the Department and its Agencies was as follows:

Financial year	*Number of cases*	*Value* £	*Amount recovered* £
1995–96	28	115,891.00	26,025.00
1996–97	17	29,735.00	2,500.00

Analysis of 1995–96 shows that 22 cases relate to theft or attempted theft of Departmental assets by persons unknown. 6 cases relate to false claims or thefts by the Department's staff. The value of these cases was approximately £12,800 of which £2,000 has been recovered. For 1996–97, only 2 cases involved the Department's staff; the total loss was £585, of which £560 was recovered.

Figures have not yet been collated for 1997–98. The Department's non-departmental public bodies have a duty to report any cases of fraud to the Department, but none have been reported.

Fisheries Council

Mr. Gray: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 22 December 1997, *Official Report*, column *493*, in what areas he judged it necessary to invoke the Hague Preference on stocks at the last Fisheries Council; in which areas it could have been invoked and was not held to be necessary; and if he will press for an extension of the Hague Preference to other areas of the United Kingdom. [27532]

Mr. Morley *[holding answer 5 February 1998]:* At the December 1997 Fisheries Council, the UK invoked Hague Preference in respect of stocks of West of Scotland saithe and whiting, North Sea whiting and Irish Sea cod and whiting. This was the first occasion that Hague Preference had been invoked for North Sea whiting.

In view of the Council's decision to maintain national quotas for West of Scotland herring at levels agreed in previous years, the UK did not invoke Hague Preference for this stock and, in line with longstanding practice, the UK did not invoke it for North Sea mackerel; nor did we invoke Hague Preference in respect of North Sea sprat or Norway pout for which the Council allocated the full total allowable catches to Member States for the first time.

Hague Preference may be invoked only for certain stocks of importance to fisheries dependent communities in Ireland and the northern parts of the UK. Its use is opposed by some other Member States and I do not see any prospect of Member States with fisheries dependent areas which do not benefit from Hague Preference agreeing to its being made available for other stocks and other areas of the United Kingdom.

Fisheries

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what is the anticipated additional tonnage of *(a)* cod, *(b)* plaice, *(c)* saithe and *(d)* whiting that will be discarded from British-registered fishing vessels as a result of (i) recent changes in enforcement measures and (ii) the proposed restrictions on the landing of black fish. [28123]

Mr. Morley *[holding answer 6 February 1998]:* From 1 January this year it has been a requirement of UK fishing vessel licences such that any fish subject to quota which are retained on board should not subsequently be discarded. This, and other enforcement measures, which are currently being considered and about which the fishing industry will be consulted, should not result in additional fish being discarded at sea.

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food if he will list the effort limitation controls applied to pelagic fisheries in EU member states. [28047]

Mr. Morley: Council Decision 97/413/EC which set objective and detailed rules for the fourth series of fisheries Multi-Annual Guidance Programmes (MAGP IV) required Member States to submit fishing effort limitation programmes to the European Commission by 30 June 1997 as a basis for the formal adoption of individual national programmes by 30 November 1997. The European Commission announced on 17 December 1997 that it had duly adopted these programmes, but the resulting Decisions have still to be published in the *Official Journal*. Details of the expected United Kingdom Decision were given in my reply to my hon. Friend the Member for Enfield, North (Ms Ryan) on 22 December 1997, *Official Report*, column *494*.

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the resources dedicated by each EU member state to enforce the effort limitation controls for pelagic fisheries. [28048]

Mr. Morley: A summary of the resources dedicated by each Member State to the monitoring, surveillance and control of fishing activities is contained in a European Commission report to the Fisheries Council under Council Regulation (EEC) No. 2847/93. The latest such report (Com(97)226 final) covers 1995 and a copy is in the Library of the House. A report on 1996 is expected shortly. It is the responsibility of the individual Member States concerned to determine how their resources should be deployed to ensure compliance with EU controls, including new effort limits for pelagic fisheries under MAGP IV.

Relative Stability Principle

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the operation of his Department's policy regarding the application of relative stability *(a)* up to the end of and *(b)* beyond 2002. [28119]

Mr. Morley *[holding answer 6 February 1998]:* I refer the hon. Member to the reply given to the hon. Member for East Yorkshire (Mr. Townend) on 28 January 1998, *Official Report*, column *301*.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the Government's policy towards the principle of relative stability. [28122]

Mr. Morley *[holding answer 6 February 1998]:* The Government support the principle of relative stability under the Common Fisheries Policy.

Horticulture

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the *(a)* strengths and *(b)* weaknesses of the United Kingdom horticulture industry; and if he will make a statement. [28540]

Dr. John Cunningham *[holding answer 9 February 1998]:* British growers have well developed production and marketing skills, and a system of traceability and product assurance, which makes them second to none in the European market place. There are still too many production units in relation to the number of customers for horticultural produce. A stronger role for producer organisations is part of the solution.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what projects to benefit United Kingdom horticulture are currently being funded by his Ministry as part of the Technology Foresight Programme. [28548]

Dr. John Cunningham *[holding answer 9 February 1998]:* A technology foresight exercise is currently underway covering the hardy nursery stock sector. Reports have already been produced on apples, strawberries and mushrooms.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will list by product type details of the balance of payments deficit for United Kingdom horticulture, excluding those products which cannot normally be grown in the United Kingdom because of climatic factors. [28539]

Dr. John Cunningham *[holding answer 9 February 1998]:* The balance of payments for the main groups of horticultural products in 1996 are as follows:

£ million

	Fresh fruit (apples, cherries, pears, plums and strawberries)	*Fresh field and protected vegetables*	*Potatoes*	*Ornamentals*	*Hops*
Exports and re-exports	20.3	33.3	105.8	36.4	5.0
Imports	423	806.1	316.3	468.3	7.2
Balance of payments	-402.7	-772.8	-210.5	-431.9	-2.2

Fuller details can be found in the *Basic Horticultural Statistics for the United Kingdom (1986–1996)*, published by the Department's Statistics Division.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what help his Ministry is providing to the horticulture industry to *(a)* increase consumption of any of its outputs, *(b)* improve the industry's marketing and *(c)* develop new forms of technology beneficial to the industry; what expenditure is available for such programmes for (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000; and what were the expenditure levels on the equivalent assistance in (1) 1994–95, (2) 1995–96 and (3) 1996–97. [28543]

Dr. John Cunningham *[holding answer 9 February 1998]:* My noble Friend Lord Donoughue recently attended the launch of the Fresh Produce Consortium's Campaign "Give me Five" and strongly endorsed their message that people should eat more fruit and vegetables each day. The Department also encourages and co-ordinates applications for EU funding under Apple Promotion and Flower promotion scheme.

The Department has worked closely with fruit and vegetables producer organisations to ensure that they take full advantage of EU funding for operational programmes. The objectives of the programmes include planning and adjusting production to meet demand, particularly in terms of quality and quantity.

The Department has a horticulture research programme that is directed primarily towards strategic underpinning work to improve the competitiveness and market responsiveness of the sector and the industry's interaction with the environment. Priority areas are those showing most potential for growth and added value, especially where there is a clear trade gap opportunity. Work covered by the Department's Research and Development programme includes breeding for improved quality; pest and disease resistance; crop production, including improving crop uniformity and scheduling; crop protection, with work covering the epidemiology of pests and diseases as well as biological and integrated pest management; the improvement of storage and shelf life. The Department's funded work provides a strong underpinning base from which the levy-funded bodies, such as the Apple and Pear Research Council and the Horticultural Development Council, pick up and the results and develop them through to industry application.

The Department's expenditure available for horticulture research is:

(i) 1997–98 = £11,255k

(ii) 1998–99 = £11,294k (provisional), and

(iii) 1999–2000 = £11,294k (provisional)

The Department's expenditure on horticulture research is:

(1) 1994–95 = £11,760k

(2) 1995–96 = £11,761k

(3) 1996–97 = £11,833k

In addition to these figures, there are a number of cross-sector projects which will have a bearing on horticulture R&D.

The Department is also lead sponsor of the Horticulture LINK programme. The aim of the programme is to encourage collaborative funding of

research by industry and government to enable and accelerate the exploitation of new products, processes and systems in all areas of the horticulture industry. (MAFF HortLINK spend: 1997–98 = £500k, 1998–99 = £870k, 1999–2000 = £950k).

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what policies his Ministry is pursuing to help increase exports of United Kingdom horticultural production. [28547]

Dr. John Cunningham *[holding answer 9 February 1998]:* I want to see a strong British horticultural sector, taking up the growth in consumption here and producing for the single market rather than exporting occasional surpluses. The strengthening of producer organisations will help to achieve this objective.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will publish for each of the last five years for which information is available *(a)* consumption per head in terms of value and weight of fruit, salad and vegetables, and *(b)* purchases per head of flowers, ornamentals and plants, in (i) the United Kingdom, (ii) the Netherlands, (iii) France, (iv) Germany, (v) Italy, (vi) Sweden and (vii) Belgium. [28545]

Dr. John Cunningham *[holding answer 9 February 1998]:* Details of consumption of fruit and vegetables per head in terms of weight are as follows. Data on the value of consumption per head are not readily available.

Average annual consumption (kg/head)

Vegetable and vegetable products

	1995	*1994*	*1993*	*1992*	*1991*
UK	87.21	92.44	94.30	98.40	93.99
Netherlands	76.57	74.64	81.58	81.92	66.06
Germany	77.84	79.74	78.21	86.16	82.04
France	125.12	120.91	118.75	115.34	123.97
Italy	149.50	162.60	150.49	177.75	171.37
Sweden	60.70	67.28	63.54	64.33	59.94
Belgium/Luxembourg	123.20	109.17	117.88	112.14	104.44

Fruit and fruit products (excluding wine)

	1995	*1994*	*1993*	*1992*	*1991*
UK	80.88	82.64	80.45	78.76	76.51
Netherlands	155.56	145.05	140.06	177.47	143.53
France	100.71	97.27	90.05	98.19	83.92
Germany	109.86	123.06	121.96	155.31	121.25
Italy	126.04	141.76	142.55	149.23	134.03
Sweden	99.66	104.19	98.99	96.36	101.27
Belgium/Luxembourg	118.15	139.17	103.88	172.68	139.50

Source:

FAO

There is no information available on purchases per head of flowers, ornamentals and plants. A separate figure for salads is not readily available.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the areas of horticultural production in which the United Kingdom has a natural advantage compared to the rest of Europe. [28538]

Dr. John Cunningham *[holding answer 9 February 1998]:* British growers have a temperate climate, production skills, a strong research base and a supportive Government.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what reforms to the European Union horticulture regime have been introduced since 1 January 1995; and if he will make a statement on his assessment of the impact that these changes have had on the United Kingdom horticulture industry. [28542]

Dr. John Cunningham *[holding answer 9 February 1998]:* The reform of the EU Regimes for Fresh and Processed Fruit and Vegetables came into effect on 1 January 1997. The objective of reform is to bring about far greater market orientation among EU growers while reducing reliance on intervention. Money saved on intervention is being made available to Producer Organisations (POs) for approved multi-year operational programmes. A total of 65 programmes have been approved in the UK in 1997, with a potential for grant of £10.3 million in 1998.

In addition, the EU Hop Regime was amended in July 1997 and the EU Flower and Plant Promotion Fund was introduced in 1996. Under the hop reform, producers will receive their income aid payments more quickly. The promotional fund is intended to increase the purchase of flowers and plants, and I want British growers to supply up the extra production needed.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what are his Ministry's main priorities for the horticulture industry; and if he will make a statement. [28546]

Dr. John Cunningham *[holding answer 9 February 1998]:* The Government wish to see a successful, competitive horticulture industry, together with an increase in the production and consumption of fruit and vegetables, increased production and use of ornamental plants and flowers and an ever stronger relationship between producers, retailers and consumers.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food which representative bodies from each part of the horticultural trade he and his Ministers have met with since 2 May 1997. [28541]

Dr. John Cunningham *[holding answer 9 February 1998]:* I had the opportunity to meet a number of representatives of the industry when I attended the Royal Agricultural Show last July. My noble Friend Lord Donoughue has met the NFU Horticultural Executive, NFU Horticulture advisers, representatives of the Fresh Produce Consortium, the Horticultural Export Bureau, the Horticultural Trades Association, the Royal Horticultural Society and East Malling Trust for Horticultural Research. My hon. Friend the Minister of State met representatives of the National Association of British Market Authorities and the Birmingham Wholesale Fresh Produce Association when he visited Birmingham Wholesale Markets. And my hon. Friend the Parliamentary Secretary has met Bedfordshire Growers and will shortly visit a pot plant nursery in South Lincolnshire. My noble Friend Lord Carter met industry organisations when he attended Marden Fruit Show last October. Further visits are planned.

Beef

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food when in December his Ministry received a request for more information from the Commission on the workings of the data based beef scheme; when he undertook to reply; and when he did reply. [28532]

Dr. John Cunningham [holding answer 9 February 1998]: I received the European Commission Scientific Steering Committee's Opinion on the Date Based Export Scheme proposal from Commissioner Bonino on 11 December 1997 with an invitation to comment.

Extensive discussions with the Commission quickly followed, and my officials formally responded to the Opinion on 29 January.

Wholesale Markets

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what is his Ministers' current policy on the findings of the Strathclyde Report on Wholesale Markets; and what current help his Ministry is giving to assist with the implementation of its principal findings. [28544]

Dr. John Cunningham *[holding answer 9 February 1998]:* The Government accept the recommendations in the Strathclyde Report. However it is for those directly involved to make their decisions in the light of the Strathclyde Report and their own commercial assessment. My Department is ready to consider ways in which we can assist the process.

Agrimonetary Compensation

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food if he will list for the last three years for each member state of the European Union the amount in ecu they have been entitled to claim in monetary compensation for exchange rate changes; how much they have claimed; and how much is outstanding. [28354]

Mr. Morley *[holding answer 9 February 1998]:* As at July 1997, aid notified to the Commission for the nine other EU Member States entitled to pay agrimonetary compensation between 1995–97 was as follows:

	1995		*1996*		*1997*		
Country	*Possible expenditure MECU*	*Actual expenditure MECU*	*Possible expenditure MECU*	*Actual expenditure MECU*	*Possible expenditure MECU*	*Actual expenditure MECU*	*Maximum possible future expenditure MECU*[1]
Germany[2]	218.5	217	145.6	144.7	—	—	Nil
Netherlands	99	49.3	66	32.8	—	—	Nil
Austria	38	18.9	25.36	12.6	—	—	Nil
Denmark	7.6	3.9	5.1	2.6	—	—	Nil
Luxembourg[3]	3.1	3.1	2.1	2.1	—	—	Nil
Belgium[4]	39.5	25.8	26.3	13.3	—	—	Nil
Sweden	—	—	54.2	27.8	12.5	6.6	6.25
Ireland	—	—	—	—	170.8	91.2	170.8
Italy	—	—	—	—	—	—	495

[1] Ireland and Sweden have indicated plans to pay some of the outstanding aid available.
[2] 50 per cent. of actual expenditure in 1995 and 1996 was nationally funded.
[3] 50 per cent. of actual expenditure in 1995 and 1996 was nationally funded.
[4] Approximately 20 per cent. of actual expenditure in 1995 was nationally funded.

EDUCATION AND EMPLOYMENT

New Deal (Employer Agreement)

Mr. Rooney: To ask the Secretary of State for Education and Employment if a participant in the employment option of New Deal for 18 to 24 year olds will have a good cause for leaving if the employer fails to comply with the employer agreement. [25563]

Mr. Andrew Smith *[holding answer 26 January 1998]:* We have put into place procedures to ensure that employers do comply with the terms of the agreement. They will be monitored, and, where the terms and conditions of the Employer Agreement are not being met, the New Deal caseworker will intervene and attempt to resolve the situation.

If a person leaves a New Deal option, the Adjudication Officer will take all circumstances into account in deciding whether the person had good cause. In doing this, they can call upon evidence from the caseworker. Guidance to Adjudication Officers, prepared by the independent Central Adjudication Services, specifically cites the standard of provision as a possible relevant circumstance.

Disabled Staff

Mrs. Ballard: To ask the Secretary of State for Education and Employment if he will make a statement on his Department's policy on encouraging employers to employ disabled staff. [27255]

Mr. Alan Howarth: The Disability Discrimination Act makes it unlawful for employers with 20 or more employees to discriminate against disabled employees and job applicants. It ensures that, if a disabled person has a particular disadvantage in doing a job, the employer may have to help to overcome it. We are consulting on the small firms threshold to see whether it should be reduced. We are also looking at how to secure comprehensive and enforceable civil rights for disabled people through the establishment of a Disability Task Force which will look at, among other issues, the setting up of a Disability Rights Commission.

There is a wide range of help available from the Employment Service to employers to help them employ and retain disabled people.

Employers who make positive efforts to recruit disabled people are able to demonstrate their commitment to good practice through the use of the disability symbol in their recruitment advertisements and other literature.

Disability Benefits Claimants

Mrs. Ballard: To ask the Secretary of State for Education and Employment what plans he has for re-training for work claimants of disability benefits who lose their entitlement. [27256]

Mr. Alan Howarth: There is a range of help available to unemployed disabled people through programmes delivered by the Employment Service (ES) and through training programmes delivered through the Training and Enterprise Councils (TECs). Both the employment and the training measures pay specific regard to the needs of disabled people.

Specialist advice is available form Disability Employment Advisers in local ES offices.

School Exclusion

Mr. McCabe: To ask the Secretary of State for Education and Employment if he will issue guidance to schools on the use of permanent exclusion in cases where students are due to take GCSE examinations. [27357]

Ms Estelle Morris: We will shortly be consulting on new guidance to schools and LEAs on the use of exclusion. This will emphasise that permanent exclusion should be avoided wherever possible, and draw attention to the particular problems exclusion causes for pupils studying for public examinations.

Nursery Vouchers

Mr. Cox: To ask the Secretary of State for Education and Employment how many nursery vouchers were taken up in schools which took part in the scheme. [27940]

Ms Estelle Morris: The nursery education voucher scheme operated in England for the summer term of 1997 only. During that period, some 450,000 vouchers were redeemed in maintained schools and 24,000 in independent schools.

Ofsted Inspections

Mr. Campbell-Savours: To ask the Secretary of State for Education and Employment if it is part of the official remit of OFSTED to ascertain from inspection whether schools are satisfying the statutory requirements of the National Curriculum. [28521]

Mr. Byers: Inspectors evaluate and report on the extent of schools' compliance with statutory requirements, as required by the Framework for the Inspection of Schools. The Framework is determined by HM Chief Inspector of Schools. I have asked him to write to my hon. Friend and to place a copy of his letter in the Library.

Lifelong Learning

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will publish a White Paper on lifelong learning; and if he will make a statement. [28722]

Dr. Howells: My right hon. Friend the Secretary of State for Education and Employment plans to publish a consultation paper on lifelong learning on 25 February, together with our responses to the reports from the Committee of Inquiry into Higher Education and the Further Education Funding Council's Widening Participation Committee.

Correspondence

Mrs. Ewing: To ask the Secretary of State for Education and Employment what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28056]

Dr. Howells: The policy is to reply in the language of the original letter whenever possible.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Education and Employment if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28933]

Dr. Howells: Details of the engagements undertaken by the Secretary of State in the United Kingdom during January 1998, and the mode of transport used, are set out in the following table.

Engagements undertaken in the United Kingdom during January 1998 by the Secretary of State for Education and Employment

Date	*Destination of Journey*	*Mode of Transport*
7 January 1998	Interview for Radio Sheffield (Sheffield)	Car
	Launch of the New Deal Programme (Sheffield)	Car
	Meeting with senior departmental staff (Sheffield)	Car
8 January 1998	Cabinet meeting (London)	Train and Car
	Visit of the EU Commissioner (London)	Car
13 January 1998	Interview with ITN (London)	Train and Car
	Interview with Sky News (London)	Car
14 January 1998	BETT '98 conference (London)	Car
15 January 1998	Strategies to promote effective parenting skills conference (Sheffield)	Train and Car
19 January 1998	WH Smith "Ready Steady Read" photocall (Sheffield)	Car
20 January 1998	National Conference on lifelong learning (Sheffield)	Car
	Visit to Earl Marshal School (Sheffield)	Car
	Meeting with Shrewsbury Headteachers (London)	Train and Car

Engagements undertaken in the United Kingdom during January 1998 by the Secretary of State for Education and Employment

Date	*Destination of Journey*	*Mode of Transport*
21 January 1998	Launch of the family circle bullying campaign (London)	Car
22 January 1998	Camberwell after school club (London)	Car
	Guest speaker at the kids club network conference (London)	Car
	Cabinet meeting (London)	Car
26 January 1998	Discussion with the Chancellor of the Exchequer (London)	Train and Car
27 January 1998	Senior Civil Service conference (London)	Other (on foot)
	GL Cabinet Committee (London)	Car
	Standards Task Force meeting (London)	Car
29 January 1998	Launch of the National Year of Reading (London)	Car
	Speaker and host at the Fulbright Commission (London)	Car

Education SSA (North Yorkshire)

Mr. Dorrell: To ask the Secretary of State for Education and Employment if he will make a statement on the education SSA for North Yorkshire for *(a)* 1997–98 and *(b)* 1998–99. [28198]

Mr. Byers: The education SSA for North Yorkshire in 1998–99 is some £206.7 million. This represents an increase of some £13.6 million or 7 per cent. over the comparable figure for 1997–98.

Standards and Effectiveness Unit

Mr. Dorrell: To ask the Secretary of State for Education and Employment how many posts have been created within the Standards and Effectiveness Unit in his Department; and what is his estimate of the cost of this unit in 1998–99. [28197]

Mr. Byers: The Standards and Effectiveness Unit was set up in May 1997 to be the focus for the Department's work on raising standards in schools. It covers a wide range of functions including literacy and numeracy, performance measurement and target-setting, inspection of schools and LEAs, Education Action Zones, Education Development Plans, the Standards Task Force and the National Year of Reading. Its current complement of 95 staff are drawn very largely from existing staff together with some ten experienced practitioners with recent experience as headteachers, inspectors, researchers and advisers. The costs of the Unit for 1998–99 have yet to be finalised but will be met within the running costs of the Department's Schools Directorate.

Schools Budget

Mr. Dorrell: To ask the Secretary of State for Education and Employment if he will list for each local education authority in England, the total aggregated schools budget for the financial year 1997–98. [28270]

Mr. Byers: I refer the right hon. Member to the answer I gave to the hon. Member for Bath (Mr. Foster) on 9 February 1998, *Official Report*, column 82.

Job Clubs

Mr. McNamara: To ask the Secretary of State for Education and Employment how many people are presently attending job clubs in Kingston-upon-Hull; how many jobs have been secured by people using job clubs *(a)* in total, *(b)* by gender and *(c)* by each year since the job clubs were established; and if he will list the estimated consequent fall in the number of clients. [27966]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Kevin McNamara, dated 10 February 1998:

The Secretary of State has asked me to reply to your question relating to how many people are currently attending Jobclubs in Kingston-upon-Hull; how many jobs have been secured by people using Jobclubs (a) in total, (b) by gender and (c) by each year since Jobclubs were established; and if the estimated consequent fall in the number of clients can be estimated. This is something which falls within the responsibilities delegated to me as Employment Service Chief Executive.

In January of this year 449 people were attending Jobclubs in Kingston-upon-Hull.

Information on the numbers of people securing jobs through Jobclubs is, unfortunately, only available for 1996 and 1997 and is not available by gender as gender based information is not collected. The available information is as follows:

Year	*Number of people finding work through Jobclubs in Kingston-Upon-Hull*
1996	1,221
1997	1,323

It is not possible to estimate the consequent fall in the number of unemployed people since the total figure will be affected by many other factors influencing the inflows to, and outflows from, unemployment.

I hope this is helpful.

Mr. McNamara: To ask the Secretary of State for Education and Employment how many and which job clubs in Kingston-upon-Hull are *(a)* to be closed and *(b)* to have their staff or hours reduced as a result of the transferring of funds to the Welfare to Work scheme. [27965]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Kevin McNamara, dated 10 February 1998:

The Secretary of State has asked me to reply to your question relating to how many and which Jobclubs in Kingston-upon-Hull are to be closed and have their staff or hours reduced as a result of the transferring of funds to Welfare to Work. This is something which falls within the responsibilities delegated to me as Employment Service Chief Executive.

The Employment Service District Manager in Kingston-upon-Hull is currently consulting local partners on the future provision of Employment Service programmes including Jobclubs in the Hull Employment Service District. The partners include a wide variety of local organisations such as Local Authorities, Training and Enterprise Councils, and voluntary groups. This consultation exercise is due to end on 11 February after which decisions on future provision will be taken as soon as possible. Separately, one existing Jobclub provider has given notice that they wish to terminate their contract from 31 March.

ADAPT Training Programme

Ms Jenny Jones: To ask the Secretary of State for Education and Employment how many bids were made in 1997 in the United Kingdom under the ADAPT training programme to run from 1997 to 1999; how many bids were successful; and what proportion of the United Kingdom allocated budget has been committed to United Kingdom projects. [14264]

Mr. Andrew Smith *[pursuant to his reply, 12 November 1997, c. 556]:* Unfortunately the correct reply was not sent: the answer should have read:

In the United Kingdom, 344 bids were assessed in 1997 under the ADAPT Programme. Of these 185 were successful. The UK Programme budget for ADAPT for the period 1995 to 1999 is 316,812,000 ECU of which 192,174,790 ECU (60.7 per cent.) has been committed to projects. 12,695,706 ECU has been allocated to Technical Assistance.

SOCIAL SECURITY

Maternity Pay

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to her answer of 15 January 1998, *Official Report*, column *314*, what proportion of recipients of statutory maternity pay fall within the weekly earnings bands *(a)* under £100, *(b)* £100 to £199, *(c)* £200 to £299, *(d)* £300 to £399, *(e)* £400 to £499, *(f)* £500 to £599 and *(g)* £600 or more. [24741]

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to the answer to the hon. Member for Northavon (Mr. Webb) of 15 January 1998, *Official Report*, column *314*, on statutory maternity pay, if she will list the numbers of claimants in each of the bands of income specified. [25011]

Mr. Denham *[holding answer 22 January 1998]:* The information requested is set out in the table.

Number of recipients of Statutory Maternity Pay (SMP), proportion of recipients with SMP, total amounts of SMP and average amounts of SMP by amount of weekly earnings for GB, 1995–96 [1]

Weekly earnings	*Number in receipt of SMP (000's)* [2]	*Proportion of SMP recipients per cent.*	*Total amount of SMP £ million* [3]	*Average amount of SMP* [4] *£*
under £100	26	16.3	25.4	1,000
£100 to £199	57	35.5	83.1	1,400
£200 to £299	39	24.0	75.9	2,000
£300 to £399	23	14.4	58.2	2,500
£400 to £499	9	5.3	26.0	3,000
£500 to £599	3	1.9	11.0	3,500
£600 and more	4	2.5	19.6	4,800

[1] The figures are based on an estimate of those whose whole period of SMP is within the 1995/96 tax year and excludes those whose claim straddles two tax years. The total number in receipt of SMP in that year was around 321,000.

[2] Rounded to the nearest thousand.

[3] Rounded to the nearest hundred thousand.

[4] Rounded to nearest hundred.

Source:

The Lifetime Labour Market Database (LLMDB), a 1 per cent. sample of the National Insurance Recording System taken at February 1997.

Housing Benefit

Mr. Hancock: To ask the Secretary of State for Social Security what has been the total bill for housing benefit payments in each of the last five years in the Portsmouth City Council area. [27545]

Mr. Keith Bradley *[holding answer 6 February 1998]:* The information requested it set out in the table.

Year	*£000*
1992–93	39,200
1993–94	46,000
1994–95	48,770
1995–96	52,570
1996–97 (provisional out-turn)	56,430

Sources:

1. Department of Social Security Planning and Finance Division.
2. Department of the Environment, Transport and the Regions.

Mr. Hancock: To ask the Secretary of State for Social Security (1) what has been the total bill for housing benefit payments in each of the last five years in the East Hampshire District Council area; [27569]

(2) what has been the bill for housing benefit payments in each of the last five years in the Hart District Council area. [28362]

Mr. Keith Bradley: The information requested is set out in the table:

£000

District council area	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*[1]1996–97*
East Hampshire	7,980	9,470	10,520	11,150	11,630
Hart	4,270	5,280	5,430	5,570	5,690

[1] Provisional out-turn

Sources:

1. Department of Social Security Planning and Finance Division.
2. Department of the Environment, Transport and the Regions.

Disability Living Allowance

Mr. Steen: To ask the Secretary of State for Social Security when she expects the appeal of Mrs. G. J. Archer of 7 Queens Road, Brixham, Devon TQ5 8BG, against the withdrawal of her disability living allowance to be resolved. [27822]

Mr. Denham: One of our key aims is to rebuild integrity in, and support for, the Social Security system and the way in which public money is spent. This is why we have continued with the Benefit Integrity Project (BIP).

The administration of the Benefit Integrity Project is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Anthony Steen, dated 9 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking when she expects the appeal of Mrs. G J Archer, of Brixham, Devon, against the withdrawal of the Disability Living Allowance (DLA), to be resolved.

Mrs. Archer's DLA was withdrawn following a postal enquiry by the Benefit Integrity Project. Following the application made by Mrs. Archer to review her entitlement to benefit, a different Adjudication Officer reviewed the decision to withdraw DLA. The revised decision was despatched to Mrs. Archer by first class post on 4 February.

I apologise for any inconvenience this may have caused.

I hope you find this reply helpful.

Mr. Swinney: To ask the Secretary of State for Social Security, pursuant to her answers to the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) of 30 January 1998, *Official Report*, columns *421–22*, on disability living allowance by disability and region, if she will provide the

same information for Scotland; if she will list the number of claimants in each category (i) for the United Kingdom and (ii) for Scotland who have had their disability living allowance benefit payments *(a)* set aside, *(b)* reduced and *(c)* increased; and if she will make a statement. [27906]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. John Swinney, dated 9 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking pursuant to her Answer to the honourable Member for Newcastle upon Tyne Central of 30 January on Disability Living Allowance by disability and region. You asked if she would provide the same information for Scotland; if she will list the number of claimants in each category (i) for the United Kingdom and (ii) for Scotland who have had their Disability Living Allowance benefit payments (a) set aside, (b) reduced and (c) increased; and if she will make a statement.

The information is not available in the format requested as figures for benefit payments of DLA which have been set aside are not held.

The information which is available is shown in the attached tables.

I hope you find this reply helpful.

Payments of disability living allowance

	United Kingdom		*Scotland*	
Disabling condition	*Awards reduced*	*Awards increased*	*Awards reduced*	*Awards increased*
Arthritis	4,230	36,330	420	2,680
Muscle/joint/bone disease	2,430	13,180	270	750
Blindness	510	5,840	60	500
Stroke related	1,960	10,060	170	850
Learning difficulties	2,360	45,330	120	850
Other mental health causes	3,760	12,610	460	1,080
Epilepsy	1,520	5,040	100	170
Deafness	460	1,810	20	80
Malignant disease	620	3,620	20	170
Chest disease	740	9,590	40	850
Back ailments	2,800	13,560	170	1,020
Heart disease	1,430	10,750	150	1,230
Parkinsons Disease	20	1,440	20	120
Diabetes Melitus	990	3,060	100	190
Renal Disorders	200	780	20	40
AIDS	20	340	0	20
Skin diseases	400	460	20	40
Chronic Fatigue Syndrome	420	570	60	60
Limb loss	40	140	0	20
Other	6,090	27,100	520	2,100
All Disabling Conditions	30,990	201,630	2,740	12,820

Notes:

Figures are provisional and subject to change.

The figures provided are rounded to the nearest ten units and relate to 12 months ending on 30 November 1997 for Great Britain and to 12 months ending 31 August 1997 for Northern Ireland.

The figures for United Kingdom include those for Scotland

Disability living allowance for Scotland by disability

Main disabling conditions	*Awards care*	*Awards mobility*
Arthritis	30,170	44,070
Muscle/joint/bone disease	10,330	13,730
Blindness	4,710	5,020
Stroke related	9,370	10,060
Learning difficulty	15,770	17,250
Other mental health causes	15,900	16,640
Epilepsy	5,100	4,350
Deafness	1,270	1,020
Malignant disease	2,480	2,840
Chest disease	7,210	12,630
Back ailments	8,470	13,960
Heart disease	8,620	19,530
Parkinsons disease	870	980
Diabetes Melitus	2,850	2,560
Renal disorders	620	670
AIDS	390	480
Skin diseases	790	230
Chronic Fatigue Syndrome	1,150	1,280
Limb loss	40	50
Other	24,020	28,450
All disabling conditions	150,090	195,730

Notes:

Figures are provisional and subject to change.

The figures provided are rounded to the nearest ten units and relate to 12 months ending on 30 November 1997 for Great Britain and to 12 months ending 31 August 1997 for Northern Ireland.

Benefits Integrity Project

Mr. Swinney: To ask the Secretary of State for Social Security (1) what requirements are placed on assessment officers involved in the Benefits Integrity Project in respect of informing claimants of the possibility of *(a)* benefit loss and *(b)* appeal against that loss arising out of interviews as part of the project; what steps have been taken to ensure that assessment officers engaged in the Benefits Integrity Project make clear their involvement in this project when making home visits; and if she will make a statement; [27861]

(2) what is the number of assessment officers involved in the Benefits Integrity Project by *(a)* region and *(b)* parliamentary constituency in Scotland; [27862]

(3) if she will place in the Library a copy of the guidelines issued to assessment officers involved in the Benefits Integrity Project; [27863]

(4) what are her criteria for assessing suitability or availability for work under the Benefits Integrity Project; [27864]

(5) how many terminally ill recipients of disability living allowance have had their benefit *(a)* set aside, *(b)* reduced and *(c)* increased as a result of the Benefits Integrity Project; and if she will make a statement; [27865]

(6) pursuant to her answer to the hon. Member for Preston (Audrey Wise) of 30 January 1998, *Official Report*, columns *420–21*, how many people with multiple sclerosis have had their benefits reviewed under the Benefits Integrity Project; how many of these had payments *(a)* set aside, *(b)* reduced and *(c)* increased; and if she will make a statement; [27907]

(7) in how many cases reductions in benefit as a result of the Benefits Integrity Project have been advised against in writing to (i) the assessment officer and (ii) the appeals

officer by a qualified medical practitioner; in how many of these cases the reduction was confirmed; and if she will make a statement. [27909]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with the Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. John Swinney, dated 9 February 1998:

The Secretary of State for Social Security has asked me to respond to recent Parliamentary Questions regarding the Benefit Integrity Project (BIP).

As announced by the Secretary of State today, it is important that decisions about benefit entitlement are made fairly and are seen to be fair. In future, no decision made by the project resulting in reduction or removal of entitlement to Disability Living Allowance (DLA) will be made solely on the evidence provided by the claimant—there will always be additional evidence to support the decision.

We have been liaising closely with organisations of and for disabled people from the early stages of the Project. This new initiative underlines our determination to act properly to get the benefit right and to listen and act upon any concerns. We will continue to involve these groups in the evaluation of the Project as it develops.

This project continues to operate under the normal assessment and adjudication rules that are applied to all DLA cases. Adjudication Officers (AOs) who are responsible for assessing cases referred to them under the BIP follow exactly the same guidelines as those applying to all other DLA cases. No special guidance has been issued to AOs involved in the BIP. A copy of the AOs Guide, which provides general information about legislation affecting DLA, is held in the Library.

To minimise unnecessary distress to individuals receiving DLA and to avoid nugatory enquiries people with certain conditions will not be contacted directly by the BIP. This includes recipients of DLA who are terminally ill, defined in DLA legislation as having a life expectancy of less than six months.

The BIP visiting officers are required to explain to customers, at the time of the visit, that the purpose of gathering the information contained in the questionnaire, is to ensure that the correct amount of benefit is in payment. They also explain the length of time it is likely to take for a decision to be made on their case. When the decision is notified, the customer is given information about how to request a review or appeal against the decision should they wish to do so. The customer should request a review within three months of the decision.

All cases are sent to Blackpool for adjudication where the cases are dealt with on an alphabetical basis in chronological order, by approximately 80 AOs. The information is not available broken down into regions or parliamentary constituencies. At present, there are 139 visiting officers employed nationally on the BIP of which 14 are based in Scotland.

The criteria used to determine entitlement to DLA relate to the mobility and care needs arising from a person's disability; their ability to, or suitability for work is not relevant. People in receipt of DLA can work without it having an effect on their entitlement.

A special exercise was conducted to identify customers suffering from multiple sclerosis whose awards were looked at under the BIP. Of the 1,706 cases examined, 22 awards have been set aside, 114 reduced, 59 increased and 1,511 remain unchanged.

The information is not available for the number of medical practitioners who have written to assessment and appeals officers. It may help if I explain. AOs decide on entitlement to benefit taking into account the information before them. They can request information from any source if they think it necessary to enable them to make the correct decision. The AOs may ask for information from qualified medical practitioners which they will take into account when making their decision but the medical practitioners do not give advice about whether or not benefit should be awarded.

I hope you find the reply helpful.

Mrs. Ewing: To ask the Secretary of State for Social Security (1) how many people assessed to date will receive *(a)* increased, *(b)* unchanged and *(c)* lower levels of benefit as a result of the Benefits Integrity Project; and if she will make a statement; [27535]

(2) if she will provide a breakdown by benefit category of the change in the number of people in receipt of each benefit as a result of the Benefits Integrity Project; and if she will make a statement; [27536]

(3) how many appeals are in progress following benefit re-assessments under the Benefits Integrity Project; and if she will make a statement; [27537]

(4) if she will estimate the savings achieved *(a)* in total and *(b)* by benefit category, as a result of the Benefits Integrity Project; and if she will make a statement. [27538]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mrs. Margaret Ewing, dated 9 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions regarding the Benefit Integrity Project (BIP).

The figures provided represent the position as at 31 December 1997.

A total of 40,615 cases, have been examined as part of the BIP. Of the total cases dealt with 978 have had their benefit increased, 31,920 have been unchanged and 7,717 have had their benefit reduced/or stopped. These include 7,462 renewal cases of which 242 have had their benefit increased, 3,868 remain unchanged and 3,352 have had their benefit reduced or stopped.

The project is looking again at DLA awards. The two categories are those awards of the higher rate for the mobility component combined with either the highest or middle rate of the care component. 10,960 claims, with the higher rate mobility component combined with the highest rate of care component, have been examined of which 8,676 were unchanged and 2,284 were reduced. There is no scope for increase in these awards. 29,655 claims, with the higher rate of the mobility component combined with the middle rate of the care component, cases, have been examined of which 978 were increased, 23,244 were unchanged, and 5,433 were reduced.

311 appeals have been received following re-assessment under the BIP.

Using the Benefits Agency's standard method of calculating savings, the amount of savings attributable to the BIP, after taking into account increases in benefit, in this financial year is £15,798,836.60. The amount attributable to awards of the higher rate of mobility combined with the highest rate of care is £5,025,665.60 and to awards of the higher rate of mobility linked to the middle rate of care is £10,773,171.00.

I hope you find the reply helpful.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Social Security if she will list the engagements she undertook in the United Kingdom in the course of her duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28943]

Ms Harman: My engagements in January were all within London and I travelled to them by car.

Correspondence

Mrs. Ewing: To ask the Secretary of State for Social Security what is her policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28063]

Mr. Denham: The Department and its Agencies will, whenever possible, respond to letters in the language in which they are written.

The Department publishes leaflets in up to 16 different languages including Welsh, Urdu, Hindi and Chinese.

National Insurance Contributions

Mr. Fallon: To ask the Secretary of State for Social Security (1) if she will estimate how many companies would have to pay more in employer National Insurance contributions if the Government were to increase the rate of employer NICs on incomes above *(a)* £465, *(b)* £500, *(c)* £600, *(d)* £700, *(e)* £750, *(f)* £800, *(g)* £900 and *(h)* £1,000 a week; and in respect of how many employees they would have to pay more; [28688]

(2) if she will estimate the revenue which would be raised by increasing the rate of employer National Insurance contributions on incomes above *(a)* £1,000, *(b)* £900, *(c)* £800, *(d)* £750, *(e)* £700, *(f)* £600, *(g)* £500 and *(h)* £465 a week from 10 per cent. to (i) 12 per cent., (ii) 15 per cent., (iii) 20 per cent., (iv) 25 per cent. and (v) 30 per cent. [28690]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

Estimated additional revenue raised in a full year by increasing employer contribution rates and number of employees for whom they would pay more

Additional Revenue (£ million)

(a)	*(b)* *Employers' contribution rates in respect of employees with weekly earnings above the amounts in column (a)*					*(c)*
Employees weekly earnings above	*12 per cent.*	*15 per cent.*	*20 per cent.*	*25 per cent.*	*30 per cent.*	*Number of employees*
465	750	1,875	3,750	5,650	7,525	3,450,000
500	650	1,600	3,200	4,775	6,375	2,850,000
600	425	1,050	2,100	3,150	4,175	1,600,000
700	300	725	1,450	2,175	2,900	950,000
750	250	625	1,225	1,825	2,450	750,000
800	200	525	1,050	1,575	2,100	600,000
900	150	400	800	1,175	1,575	400,000
1,000	125	300	600	925	1,225	300,000

Source:
Government Actuary's Department.

Mr. Fallon: To ask the Secretary of State for Social Security if she will estimate the cost of increasing the amount an employee may earn before his employer pays National Insurance contributions from £62 a week to *(a)* £70, *(b)* £75, *(c)* £80, *(d)* £85, *(e)* £90, *(f)* £95 and *(g)* £100 a week. [28689]

Mr. Denham: The information requested is in the table.

Reduction in revenue from Class I National Insurance contributions

	Weekly lower earnings limit £	*[1]Full year effect £ million*
(a)	70	-55
(b)	75	-95
(c)	80	-115
(d)	85	-135
(e)	90	-155
(f)	95	-180
(g)	100	-205

[1] Gross of contracted-out rebates.

Note:
Assumes that there are no changes to the other earnings brackets for employer National Insurance contributions.

Mr. Fallon: To ask the Secretary of State for Social Security if she will estimate the cost of abolishing the 3 per cent. band of employer National Insurance contributions. [28691]

Mr. Denham: Employers currently pay secondary Class 1 National Insurance contributions at the rate of 3 per cent. in respect of employees who have gross earnings between £62 and £109.99 a week. If this band were abolished, so that no employers' contributions were paid on earnings of less than £110 a week, the estimated loss of contribution revenue would be around £260 million in a full year.

Source:
Government Actuary's Department

Mr. Fallon: To ask the Secretary of State for Social Security if she will estimate how many companies would have to pay less in employer National Insurance contributions if the Government were to increase the amount an employee may earn before his employer is liable to pay NICs from £62 a week to *(a)* £70, *(b)* £75, *(c)* £80, *(d)* £85, *(e)* £90, *(f)* £95, *(g)* £100 and *(h)* £110 a week; and in respect of how many employees they would have to pay less. [28692]

Mr. Denham: Information is not available in the format requested. Such information as is available is set out in the table.

The number of employees in respect of whom employers would pay less in National Insurance contributions in an average week.

	Weekly lower earnings limit (£)	*Number of employees*
(a)	70	550,000
(b)	75	900,000
(c)	80	1,050,000
(d)	85	1,200,000
(e)	90	1,350,000
(f)	95	1,600,000
(g)	100	1,700,000
(h)	110	2,050,000

Note:
Details of the number of employers who would pay less are not available.
Source:
Government Actuary's Department.

DEFENCE

Joint Strike Fighter

Mr. Hancock: To ask the Secretary of State for Defence what modifications will be required to the dimensions of the Joint Strike Fighter to permit it to be operated from Invincible class aircraft carriers. [26775]

Mr. Spellar: The operational requirements document for the Joint Strike Fighter incorporates Royal Navy requirements, which are very similar to those of the US Marines. Royal Navy requirements include the ability for the Short-Take Off, Vertical Landing variant to operate from the invincible class aircraft carriers without modification to the aircraft.

US-UK Mutual Defence Agreement

Mr. Llew Smith: To ask the Secretary of State for Defence, pursuant to his answer of 23 January 1998, *Official Report*, column *719*, what factors underlay his decision to designate exports of nuclear materials to the United States after 1979 as a matter covered by Category 1 of the Code of Practice on Access to Government Information. [27249]

Mr. Spellar: To disclose details of individual transfers of special nuclear materials between the United States and the United Kingdom, other than aggregated information of transfers during the period covered by the Barter arrangements, could reveal information which both the UK and US regard as classified because, if revealed, it could be of benefit to a potential enemy.

Large Calibre Guns

Mr. Ainger: To ask the Secretary of State for Defence (1) how many individual test firings of large calibre guns for the purposes of proof and evaluation took place on United Kingdom ranges operated by the Defence Evaluation Research Agency and its predecessor in each of the last five years; and what is the projected number in the current year and in each of the next five years; [27263]

(2) what was the annual income for the proof and evaluation of large calibre gun firings to the Defence Evaluation and Research Agency and its predecessor in each of the last five years; and what is the projected income for the current year and each of the next five years. [27261]

Mr. Spellar *[holding answer 3 February 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Nick Ainger, dated 10 February 1998:

I have been asked to reply to your questions about the number of, and derived income from, test firings of large calibre guns at the Defence Evaluation and Research Agency's ranges over the last five years, for the current year and for the next five years. I am answering both questions in this letter.

Data on the firing is collected as the number of firing days rather than actual rounds fired. While this information could be compiled from range and trials records it is not readily available. Numbers of rounds actually fired on a day vary greatly from one or two if the work is of an experimental nature, involving complex instrumentation, to over 100 for proofing type activities. Data on firing days for the past five years by range is:

Year	*Eskmeals*	*Shoeburyness*
1993	241	243
1994	206	245
1995	215	246
1996	228	225
1997	299	246

Both ranges have more than one firing site that could be in use on the same day.

The future number of firing days depends on the long term requirements of the Ministry of Defence and other customers. While it is expected that work will reduce in this area over the next few years, large calibre gun firing will remain the dominant activity on the ranges.

The income from large calibre gun firings since 1995 is given below. Information on a comparable basis prior to the inclusion of the ranges in the Trading Agency is not available.

1995–96: £4,024k

1996–97: £3,367k

The projected income for the current year, 1997–98, is £6,376k. Future income will depend on the requirements of the Ministry of Defence and other customers for the facilities but an income of £4,970k is expected for 1998–99.

I hope this information is helpful.

DERA Test Ranges

Mr. Ainger: To ask the Secretary of State for Defence (1) what are the dimensions of the Sea Danger Area around the Eskmeals DERA test range; [27266]

(2) what are the dimensions of the Sea Danger Area around *(a)* Pendine and *(b)* Aberporth; [27260]

(3) what are the dimensions and total acreage of the Eskmeals range operated by the Defence Evaluation and Research Agency. [27264]

Mr. Spellar *[holding answer 3 February 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Nick Ainger, dated 10 February 1998:

I have been asked to reply to your questions about the dimensions of the sea danger areas around the Defence Evaluation and Research Agency's ranges at Eskmeals, Pendine and Aberporth, and the dimensions and total acreage of the Eskmeals range. I am answering all three questions in this letter.

The current sea danger area at Eskmeals extends to a maximum of approximately 49 kilometres with an area of 1038 square kilometres. It is intended to extend this danger area in the near future. The danger area has a height of 50,000 feet.

Pendine has a sea danger area that extends to a maximum of approximately 18 kilometres with a total area of 230 square kilometres. The danger area has a height of 27,000 feet.

Aberporth has a sea danger area that extends to a maximum of approximately 105 kilometres by 88 kilometres with a total area of 8074 square kilometres. The range has unlimited height.

The Eskmeals range has a maximum length of approximately 3.5 kilometres and a maximum width of approximately 1.5 kilometres. The total land area, excluding foreshore, is 1604 acres. The range has firing rights over land for rear safety of an additional 500 metres in width.

I hope this information is helpful.

Mr. Ainger: To ask the Secretary of State for Defence (1) how many complaints about noise pollution from the Eskmeals test range have been received in each of the last five years and this year to date; [27267]

(2) how many complaints about noise pollution have been received concerning *(a)* Pendine and *(b)* Aberporth ranges in each of the last five years. [27259]

Mr. Spellar *[holding answer 3 February 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Nick Ainger, dated 10 February 1998:

I have been asked to reply to your questions about the number of complaints about noise pollution received at the Defence Evaluation and Research Agency's ranges at Eskmeals, Aberporth and Pendine. I am replying to both questions in this letter.

The number of complaints about noise pollution received in each of the last five years are as follows

	1993	*1994*	*1995*	*1996*	*1997*
Eskmeals	0	1	3	0	2
Pendine	9	23	20	25	20
Aberporth	2	0	1	0	0

There have been no complaints about noise pollution at the Eskmeals ranges during the current year to date.

I hope this information is helpful.

Mr. Ainger: To ask the Secretary of State for Defence (1) what test, evaluation and research work is currently carried out at the Eskmeals DERA test range; [27265]

(2) what was the annual income for the Defence Evaluation and Research Agency and its predecessor from the depleted uranium facility at Eskmeals in each of the last five years; and what is the projected income for the current year and each of the next five years. [27262]

Mr. Spellar *[holding answer 3 February 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Nick Ainger, dated 10 February 1998:

I have been asked to reply to your questions about the work carried out at the Defence Evaluation and Research Agency's (DERA) range at Eskmeals; and the annual income from the depleted uranium facility at Eskmeals over the last five years and projected income for the current year and the next five years.

The range at Eskmeals carries out test and evaluation work in support of MOD projects and commercial programmes for a wide range of systems, including:

Proof of

Ordnance

Ammunition

Explosives

Gun components

Fuses

Armour and armour systems

Trials of

Long range ballistics

Gun components

Ammunition

Attack of armour systems

Demolition and disposal

Clearance trials for aircraft

Ordnance

Complete gun systems

Free flight rockets

Armour research and development

Ship sea trials.

The income for the DU firing facility at Eskmeals since 1995 is given below:

Year	*£000*
1995–96	700
1996–97	615
1997–98	623

Information on a comparable basis prior to the inclusion of Eskmeals in the Trading Agency in 1995 is not available. Future income will depend on the requirements of the Ministry of Defence for the facility but an income of approximately £600k is expected for 1998–99.

I hope this information is helpful.

Mr. Ainger: To ask the Secretary of State for Defence what was the total *(a)* income and *(b)* costs for the Defence Evaluation and Research Agency ranges at (i) Pendine, (ii) Eskmeals and (iii) Shoeburyness in each of the last five years. [27366]

Mr. Spellar *[holding answer 4 February 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Nick Ainger, dated 10 February 1998:

I have been asked to reply to your question about the income and costs of the Defence Evaluation and Research Agency's ranges at Pendine, Eskmeals and Shoeburyness in each of the last five years.

The income and costs of the three ranges since 1995–96 is given below. Information on a comparable basis prior to the inclusion of the ranges in the Trading Agency is not available.

	1995–96 £k	*1996–97* £k	*1997–98* £k *(forecast)*
Pendine			
Income	4,092	8,075	5,360
Costs	6,274	7,050	6,741
Eskmeals			
Income	5,365	5,180	8,101
Costs	8,450	8,537	8,210
Shoeburyness			
Income	25,603	17,886	22,247
Costs	26,108	21,105	20,012

The Ministry of Defence has provided £8.7 million in strategic pricing to land ranges at Shoeburyness for 1997/98.

I hope this information is helpful.

Mr. Ainger: To ask the Secretary of State for Defence when the merger of the management and administration of the Defence Evaluation and Research Agency land, sea and air ranges will take place. [27695]

Mr. Spellar *[holding answer 5 February 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Nick Ainger, dated 10 February 1998:

I have been asked to reply to your question about the merger of the management and administration of the Defence Evaluation and Research Agency's (DERA) land, sea and air ranges.

The management and administration of DERA's land, sea and air ranges were merged into a single sector within the Agency on 1 April 1997. There will be a further realignment of senior management responsibilities within the ranges on 1 April 1998.

I hope this information is helpful.

Type 23 Frigates

Mr. Hancock: To ask the Secretary of State for Defence what complements of crew Type 23 frigates *(a)* carried when first commissioned and *(b)* carry currently. [27508]

Dr. Reid: When first commissioned the complement of crew carried by Type 23 frigates was 173. The current complement is 171.

Mr. Hancock: To ask the Secretary of State for Defence what plans exist to reduce the complement of Type 23 frigates by refitting with less manpower-intensive equipment; and if he will make a statement. [27887]

Dr. Reid: There are no plans to reduce the complement of Type 23 frigates by refitting with less manpower-intensive equipment. Manning implications are taken into consideration when the Operational Requirement for future ships is considered; however, the size of the complement is affected by other considerations such as the manpower needed for damage control and fire-fighting.

Mr. Hancock: To ask the Secretary of State for Defence what has been the average availability of Type 23 frigates for operational service in each of the last five years. [27504]

Dr. Reid: Type 23 frigates achieved approximately 85–89 per cent. average availability for operational service in each of the last five years with the exception of 1996 when the figure dropped to just over 80 per cent. due to a number of ships experiencing a particular defect. This discounts time spent in planned maintenance.

Type 42 Destroyers

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to reduce the complement of Type 42 destroyers by refitting with less manpower-intensive equipment; and if he will make a statement. [27883]

Dr. Reid: There are no plans to reduce the complement of Type 42 destroyers by refitting with less manpower-intensive equipment. Manning implications are taken into consideration when the Operational Requirement for future ships is considered; however, the size of the complement is affected by other factors such as the manpower needed for damage control and fire-fighting.

Military Assistance Overseas

Mr. Hancock: To ask the Secretary of State for Defence, pursuant to his answers of 8 July 1997, *Official Report*, column *422*, and 28 January 1998, *Official Report*, column *244*, on military assistance provided to other countries, who is conducting the review; when the review started; and when he expects it to be completed. [27979]

Dr. Reid: The review of our practice on the release of information on military assistance provided to foreign countries has been carried out jointly by my Department and the Foreign and Commonwealth Office, in consultation with other affected Government Departments. The review was announced in a written answer on 28 January 1997, *Official Report*, column *141*, by the then Minister of State for Foreign and Commonwealth Affairs. I hope to announce its outcome soon.

Strategic Defence Review

Mr. Blunt: To ask the Secretary of State for Defence what is the annual forgone efficiency saving resulting from the delay to new construction at Ministry of Defence (P E) Abbey Wood caused by the Strategic Defence Review. [28323]

Mr. George Robertson: Decisions on the new construction planned at Abbey Wood have been delayed to keep options open while we re-examine the prospects for greater efficiencies overall in the Strategic Defence Review. Since final decisions on the Review have yet to be taken, I cannot give details of future efficiency savings or the impact of the Review on previously planned savings. I am, however, confident that the outcome of the Review will result in improved efficiency throughout my Department.

Export Contracts

Mr. Blunt: To ask the Secretary of State for Defence what was the value of new export contracts secured by the British defence industry between 1 May and 31 December 1997. [28311]

Mr. Spellar: Information on defence related exports, which include support and infrastructure as significant elements as well as defence equipment, is recorded by the Defence Export Services Organisation. It includes information on contracts signed in each year, supplied by British industry on a voluntary basis. Every effort has been made to make the following information accurate, but the reports on which figures are based may not be complete.

The information is recorded on a quarterly basis. For the last three quarters of 1997 (ie 1 April–31 December 1997), the total value of new contracts recorded as signed was £4.73 billion.

Tank Transporters

Mr. Key: To ask the Secretary of State for Defence if he will list the consortia bidding for the supply of tank transporters; and if he will make a statement on the progress of this project. [28338]

Mr. Spellar *[holding answer 9 February 1998]:* As announced in the MOD Contracts Bulletin Volume 12, No 8 of 10 December 1997, an invitation to submit outline proposals to meet this Department's requirement for heavy equipment transportation has been issued to:

Econofreight Heavy Transport

Consortium headed by:

Mercedes-Benz (UK) Ltd

Consortium comprising:

Serco Ltd and MAN Truck & Bus (UK) Limited

Consortium comprising:

Alvis Unipower plc, Ryder plc, PHH Vehicle Management Service plc

Multidrive Ltd.

Consortium headed by:

Lex Service plc

A joint venture comprising:

Brown & Root Ltd./Oshkosh Truck Corporation

Econofreight Heavy Transport and Multidrive Ltd. have subsequently withdrawn from the competition.

The remaining consortia are due to submit their outline proposals later this month.

Fox Hunting

Mr. Corbett: To ask the Secretary of State for Defence if he will estimate the number of army personnel, both staff and civilian, involved in the hunting of foxes with hounds on the defence estate. [28912]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Mr. Corbett: To ask the Secretary of State for Defence how many hounds are maintained at *(a)* the Salisbury Plain training area and *(b)* the Otterburn training area for the purpose of hunting foxes. [28913]

Mr. Spellar: The Royal Artillery Hunt keeps a pack of some 80 hounds on Salisbury Plain Training Area. The Hunt is, however, a private organisation and kennels in which the hounds are kept were built by and belong to the Hunt and not the Ministry of Defence.

No hounds are kept at Otterburn Training Area.

Mr. Corbett: To ask the Secretary of State for Defence if he will estimate the cost to public funds of the use of army vehicles and equipment in connection with the hunting of foxes with hounds on the defence estate. [28918]

Mr. Spellar: As with Army horses, Army vehicles and equipment may be used in connection with fox hunting, when they are not required for Army duties. However, individuals using Army vehicles and equipment for this purpose pay to do so, so that no cost is incurred by the public purse.

Mr. Corbett: To ask the Secretary of State for Defence what has been the number of reported injuries to *(a)* army personnel and *(b)* horses involved in the hunting of foxes with hounds on the defence estate in each of the last five years. [28915]

Mr. Spellar: My Department does not hold records of the number of injuries sustained by Army personnel when hunting foxes with hounds on the Defence estate. No central records are held of injuries sustained by Army horses involved in fox hunting on the Defence estate, and this information could be provided only at disproportionate cost. My Department holds no records of injuries sustained by privately owned horses involved in hunting on the defence estate.

Mr. Corbett: To ask the Secretary of State for Defence if he will list by rank the number of army and civilian personnel who are involved *(a)* full-time and *(b)* part-time in maintaining stables of horses and kennels of hounds for the purpose of hunting foxes on the defence estate. [28916]

Mr. Spellar: No Army or MOD civilian personnel are employed to maintain stables of horses or kennels of hounds for the purpose of hunting foxes on the defence estate.

Mr. Corbett: To ask the Secretary of State for Defence if he will estimate the cost to public funds of the maintenance of *(a)* stables of horses and *(b)* kennels of hounds for the purpose of hunting foxes on the defence estate. [28919]

Mr. Spellar: The Ministry of Defence does not maintain stables of horses and kennels of hounds for the purpose of hunting on the defence estate.

Mr. Corbett: To ask the Secretary of State for Defence if he will list by name those army units which maintain horses and hounds for the purpose of fox hunting on the army estate. [28917]

Mr. Spellar: No Army units maintain horses and hounds for the purpose of fox hunting. Members of the Household Cavalry Mounted Regiment and the King's Troop Royal Horse Artillery participate in various hunts throughout the country, and may use their Army horses to do so. However, as with other non-military equestrian activities, Army horses may be used for hunting only if it does not impede military or ceremonial duties, and any additional costs incurred are borne privately by the rider.

Mr. Corbett: To ask the Secretary of State for Defence how many army personnel have *(a)* been hospitalised for more than 24 hours and *(b)* taken sick leave of more than three days following injuries sustained while involved in hunting with hounds on the defence estate in each of the last five years. [28914]

Mr. Spellar: This information is not held centrally and could be provided only at disproportionate cost.

RAF Chivenor

Mr. Ainger: To ask the Secretary of State for Defence what military units are currently based at RAF Chivenor; and what plans there are to transfer other military units to the base. [28676]

Mr. Spellar: Chivenor became an establishment of the Royal Marines Command within the organisation of Commander-in-Chief Fleet in Autumn 1995. The units based at RM Barracks Chivenor are: The Commando Logistic Regiment Royal Marines; 59 Independent Commando Squadron Royal Engineers; the Squadron Headquarters and "A" Flight of 22 (Search and Rescue) Squadron RAF; and 642 Volunteer Glider School RAF. There are no current plans to transfer other military units to the base.

TRADE AND INDUSTRY

Radio Communications Agency

Mr. Campbell-Savours: To ask the President of the Board of Trade on what date the Radio Communications Agency was last subject to an audit by the National Audit Office. [24687]

Mrs. Roche *[holding answer 26 January 1998]:* The National Audit office undertook an audit at the Radio Communications Agency during 1997. The assignment, which involved auditing the Agency's annual accounts for 1996–97, was completed prior to the issue of the Certificate and Report of the Comptroller and Auditor General to the House of Commons on 7 November 1997 (prepared in accordance with the Agency's Accounts Direction of 21 July 1993). The Agency Annual Report and Accounts for 1996–97 containing these audited accounts is available in the Libraries of the House.

Mr. Campbell-Savours: To ask the President of the Board of Trade what *(a)* rental, *(b)* leased and *(c)* freehold property assets are held by the Radio Communications Agency. [24689]

Mrs. Roche *[holding answer 26 January 1998]:* The following figures are the latest available for a full financial year. This information covers only properties for which the Agency was then required to disclose asset details in its audited balance sheet. At that time, the Agency did not include in its balance sheet capital values for freehold, long leasehold or rented properties or related land which it occupied, except where it had incurred capital costs itself in acquiring or improving those properties. At 31 March 1997, the carrying value of such costs was £2,420,000, relating almost exclusively to fitting out its leased temporary headquarters at London Blackfriars.

The position will change with effect from 31 March 1998 when PRS rents are abolished. Property values will subsequently be included in the balance sheet where the Agency is the sole or major occupier. The fixed asset carrying values of such properties that would have applied at 31 March 1997, if PRS rents had already been abolished, was £819,000.

The details have been taken from the Agency's Annual Report and Accounts 1996–97 which is available in the Libraries of the House.

Mr. Campbell-Savours: To ask the President of the Board of Trade what proportion of the budget of the Radio Communications Agency is spent on overseas visits. [24688]

Mrs. Roche *[holding answer 26 January 1998]:* The following figures are the latest available for a full financial year.

£000

	1996–97
Overseas travel spend	715
Total Agency spend	40,587
Overseas travel spend (%)	1.76%

Mr. Campbell-Savours: To ask the President of the Board of Trade what is the total annual revenue raised by the Radio Communications Agency; and from what sources. [24691]

Mrs. Roche *[holding answer 26 January 1998]:* The following are the latest available figures for a full financial year:

Sources	*Income £000*
Licensing:	
Statutory (see breakdown below)	36,127
Interdepartmental	3,838
Other:	
Examination work	383
Typing testing and certification work	477
Miscellaneous income[1]	1,783
Total Income	42,608
Licensing: Statutory breakdown	
Aeronautical	937
Amateur and Citizen's Band	1,579
Broadcast	4,179
Fixed Services	5,886
Maritime	1,987
Private Business Radio	10,922
Programme making and special events	1,070
Public mobile communications	7,248
Space services	2,224
Technology Development	98
Total	36,127

[1] Miscellaneous income consists principally of income from investigation of domestic interference complaints.

These figures are taken from the Agency's Annual Accounts and Reports for 1996–97, a copy of which is available in the House's library.

Multilateral Agreement on Investment

Mr. Dawson: To ask the President of the Board of Trade what assessment her Department has made of the impact of the Multilateral Agreement on Investment on the Government's efforts to assist poor countries; and if she will make a statement. [26716]

Mrs. Roche *[holding answer 30 January 1998]:* The Department for International Development is commissioning a study on any implications the MAI may have for developing countries. We support continued consultation with developing countries on this matter.

Empty Properties

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is her estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) her Department, (ii) agencies and (iii) other public bodies for which she has responsibility, in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year. [26595]

Mrs. Beckett *[holding answer 5 February 1998]:* Government property is held in the name of the Secretary of State for the Environment, Transport and the Regions. However, for those properties for which my Department is administratively responsible, my best estimates are as follows:

Year	*Department*	*Agencies*	*Other*
1995–96			
Cost	172,824	—	2,458,000
Value	—	—	32,202,000
1996–97			
Cost	325,743	55,000	2,756,000
Value	75,000	100,000	34,102,000
1997–98 (to date)			
Cost	604,236	45,833	2,341,000
Value	3,450,000	100,000	28,570,000
1997–98 (full year)			
Cost	786,518	55,000	3,166,000
Value	3,450,000	205,000	26,070,000

Notes:

1. Building earmarked for demolition have not been valued.
2. Developed land with no buildings on it has been excluded from the figures.

Conferences

Mr. Malcolm Bruce: To ask the President of the Board of Trade if she will list the conferences held by her Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27779]

Mrs. Beckett *[holding answer 5 February 1998]:* Information in the form requested is not held centrally within the Department, which has held many conferences since 1 May 1997. It could be provided only at disproportionate cost.

Official Hospitality

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is her current estimate of the expenditure of her Department, its agencies and non departmental public bodies on hospitality since 1 May 1997. [27780]

Mrs. Beckett *[holding answer 5 February 1998]:* Disaggregated information in the form requested in respect of non-departmental public bodies and the Government Offices could be provided only at disproportionate cost. The other information is as follows:

	£000
Central Department	508,403
Companies House	19,000
National Weights and Measures Laboratory	3,875
Patent Office	14,199
Radiocommunications Agency	62,853
Total	608,330

Blind Trust

Mr. Redwood: To ask the President of the Board of Trade what assessment she has made of the compatibility of paragraph 114 of the Ministerial Code with the membership of her blind trust for research expenses. [28126]

Mrs. Beckett *[holding answer 6 February 1998]:* I am satisfied that I have complied with paragraph 114 of the Code.

Engineers

Mr. John M. Taylor: To ask the President of the Board of Trade what discussions she had during her recent visit to Land Rover regarding the recruitment of skilled engineers; and if she will make a statement. [28530]

Mr. Battle: Land Rover did not raise this matter during my right hon. Friend's recent visit.

The Government attach a high priority to raising skill levels in the workforce. DTI is closely involved, along with the local partners and vehicle manufacturers, in several initiatives to increase the supply of skilled engineers in the automotive sector.

Renewable Energy

Mr. Drew: To ask the President of the Board of Trade if she will assess the advantages of increasing the level of the fossil fuel levy with a view to encouraging renewable energy services. [28320]

Mr. Battle: The rate of the fossil fuel levy is set in response to expected demand on levy funds. My Department is currently reviewing what would be necessary and practical to achieve 10% of the UK's electricity needs from renewable sources by the year 2010. I will publish the outcome of that review later this year.

Independent Retailing

Mr. Cotter: To ask the President of the Board of Trade if she will commission an Office for National Statistics research paper on all aspects of independent retailing in the United Kingdom. [28478]

Mr. Battle: The Department of Trade and Industry has no plans to commission a research paper from the Office for National Statistics on independent retailing.

Respiratory Diseases (Coalminers)

Mr. Clapham: To ask the President of the Board of Trade what is the estimated total legal bill for the Government for the recent coalminers' respiratory diseases action. [28267]

Mr. Battle *[holding answer 9 February 1998]:* The Government took over this liability from British Coal on 1 January 1998. Total costs of defending the litigation are approximately £10 million to date, with the vast majority of costs having been met by British Coal. In addition, the Government will meet the plaintiffs' costs, as instructed by the High Court on 6 February, as and when they are presented and finalised.

Energy Industries (Employment)

Mr. Boswell: To ask the President of the Board of Trade if she will make a statement on the number of persons employed in the United Kingdom in the energy industries by sector in each of the last three years. [28344]

Mr. Battle *[holding answer 9 February 1998]:* Figures separately identifying components of the energy industries such as electricity and gas are not readily available; however, estimated figures for these sectors for 1980, 1990 and provisional figures for 1996 were published in Volume 1 of the 1997 Energy Report "Shaping Change". These estimates are based on detailed Annual Employment Survey data which have been revised since publication of the Energy Report. For this reason, the ONS figures, which are more up to date than those in the Energy Report, are given.

The latest available comparable figures for employment in the energy industries in Great Britain are as follows:

Employees in employment in the energy industries

Thousands

	[1]*1995*	[1]*1996*	[2]*1997*
Mining of coal, lignite, peat extraction	10.9	10.5	9.6
Extraction of crude petroleum and natural gas[4]	25.3	30.8	33.7
Electricity, gas steam and hot water supply[5]	117.8	99.8	98.7
Manufacture of coke, refined petroleum products and nuclear fuel[6]	30.0	33.6	33.2
Total	184.0	174.8	175.2

Source:

Office for National Statistics

[1] Annual Employment Survey figures, based on September. Figures exclude contractors.

[2] Short term Survey data, based on September 1997. Figures exclude contractors.

[3] Corresponds to Standard Industrial Classification 1992 (SIC92) code 10.

[4] SIC92 11

[5] SIC92 40

[6] SIC92 23

Fuels (Consumption)

Mr. Boswell: To ask the President of the Board of Trade if she will estimate the proportionate share of British fuel consumption represented by the major fuels in *(a)* 1995, *(b)* 1996 and *(c)* 1997; and what estimate she has made of these relative shares for 1998. [27981]

Mr. Battle *[holding answer 9 February 1998]:* Estimates for 1998 are not available. Updated energy projections are currently being prepared by the DTI and will be published later in the year. The available figures for the share of primary energy consumption due to each of the main fuels in the UK are as follows:

UK inland consumption of primary fuels and equivalents for energy use, percentage share of total primary energy consumption

	1995	*1996*	*1997 (provisional)*	[5]*2000*
Coal[1]	22.7	20.2	18.8	12.9
Petroleum[2]	34.7	33.9	34.0	36.4
Natural gas[3]	31.9	35.6	36.3	39.7
Primary electricity[4]	10.5	10.3	10.9	11.0
Total (per cent.)	100	100	100	100
Total (million tonnes of oil equivalent)	219.5	231.6	222.4	234.2

[1] Includes other solid fuels and solid renewables (wood, waste etc.).

[2] Excludes petroleum for non-energy use and international marine bunkers.

[3] Includes colliery methane, gaseous renewables (landfill gas, sewage gas).

[4] Mainly nuclear electricity, but includes hydro and net imports of electricity.

[5] DTI forecast as published in EP65 "Energy Projections for the UK" in March 1995 but modified to reflect the current methodology for calculating nuclear fuel inputs. Forecast based on central GDP growth and low fuel prices. For the year 2000 renewable sources are included under primary electricity, they are projected to account for 0.6 per cent. of primary energy consumption in 2000.

Companies House

Mr. Rhodri Morgan: To ask the President of the Board of Trade, pursuant to her answer of 4 February 1998, *Official Report*, column *666*, if she will indicate the cost of the *(a)* refunds, *(b)* free screens and *(c)* free searches given to subscribers to the new on-line Companies House information system; and if the cost has been refunded to Companies House by ORT. [28920]

Mr. Ian McCartney: Refunds and free searches on Companies House on-line information system are as follows:

The indicative costs:

(a) Refunds on subscriptions: £9,300

(b) Free screens: £3,800

(c) Free searches: £32,400

Discussions are continuing between Companies House and ORT and their network provider over refunds to Companies House.

Defence Export Licences

Mr. David Davis: To ask the President of the Board of Trade if she will make a statement on delays in the application process for export licences for defence equipment made by British companies. [26431]

Mr. Brady: To ask the President of the Board of Trade if she will make a statement on delays in the application process for export licences for defence equipment made by British companies. [26439]

Mrs. Beckett: Licences to export strategic goods are issued by the President of the Board of Trade and the Export Control Organisation of the Department of Trade and Industry is the licensing authority. Relevant

individual licence applications are circulated by the DTI to other Government Departments with an interest, as determined by them in line with their policy responsibilities. These include the Foreign and Commonwealth Office, the Ministry of Defence and the Department for International Development.

In his announcement last year of new criteria of the assessment of export licence applications on 28 July 1997, *Official Report*, columns 26–29, my right hon. Friend the Foreign Secretary made clear that the criteria would not be applied mechanistically and that individual applications would be considered case by case. In the months following the announcement, this led to an increase in the time taken to assess some applications. The Government appreciate the inconvenience and uncertainty that results from any delay in the processing of individual applications and my department, together with the other departments involved, is continuing to work to reduce processing timescales generally.

Radioactive Waste

Mr. Chaytor: To ask the President of the Board of Trade what assessment is made of the likely incidence of sham recovery, as defined by the Radioactive Waste Management Advisory Committee, in its October 1997 report on the import and export of radioactive waste, when considering application from nuclear reprocessors to import spent nuclear fuel. [28468]

Mr. Battle: The UK has no facilities for the direct disposal of spent nuclear fuel and therefore "sham recovery", as defined by the Radioactive Waste Management Advisory Committee, is not a practical option.

Written Answers to Questions

Wednesday 11 February 1998

HOME DEPARTMENT

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for the Home Department if he will list those visits made within the United Kingdom since 1 May on which *(a)* he and *(b)* other Ministers within his Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23758]

Mr. Straw *[holding answer 19 January 1998]:* Since 1 May 1997, neither my Ministers nor I have been accompanied, within the United Kingdom, under the terms of Rule 83 of the Ministerial Code.

Asylum Seekers

Mr. Gerrard: To ask the Secretary of State for the Home Department (1) in each of the last 12 months how many Czech and Slovak asylum seekers arrived at Dover; and how many applied for asylum *(a)* in their own right and *(b)* as dependants; [27382]

(2) in each of the last 12 months how many of the Czech and Slovak asylum seekers who applied at Dover subsequently withdrew their applications; [27383]

(3) in each of the last 12 months how many of the Czech and Slovak asylum seekers who applied at Dover were *(a)* granted refugee status, *(b)* granted exceptional leave to remain and *(c)* refused; [27384]

(4) how many Czech and Slovak asylum seekers who, having applied at Dover and were refused asylum, have *(a)* appealed against the decision and *(b)* had their appeal determined; and what has been the outcome of the appeals which have been determined. [27385]

Mr. Mike O'Brien: The available information is given in the table.

Of the 400 Czech and Slovak nationals who applied for asylum at the Port of Dover in the period 1 February 1997 to 31 January 1998, 190 have appealed to Immigration Adjudicators. Of these, 75 appeals have been dismissed or withdrawn and one has been allowed. These figures exclude dependants.

It is estimated that, during the period 1 February 1997 to 31 January 1998, a total of 580 dependants arrived with Czech and Slovak asylum applicants at the Port of Dover. I regret that it is not possible to provide an accurate breakdown of this figure by date of application.

In the case of the one appeal which was allowed, the Adjudicator recommended that the case should be reviewed within six months.

Applications[1] for asylum from nationals of the Czech Republic and Slovakia lodged at the Port of Dover, by recorded outcome, February 1997 to January 1998

Month of application	*Applications received*	*Of which:*			
		Granted asylum	*Granted exceptional leave to enter*	*Refused*[2]	*Withdrawn*
February 1997	10	—	—	10	—
March 1997	15	—	—	10	—
April 1997	5	—	—	5	—
May 1997	20	—	—	15	—
June 1997	30	—	—	20	5
July 1997	40	—	—	25	5
August 1997	50	—	—	45	—
September 1997	65	—	—	50	5
October 1997	130	—	—	90	20
November 1997	20	—	—	10	10
December 1997	15	—	—	10	—
January 1998	*	—	—	—	—
Total	400	—	—	295	50

[1] Provisional figures rounded to the nearest 5 with * = 1 or 2.
[2] Includes refusals on the grounds that the applicant had arrived from a safe third country and non-compliance refusals for failure to provide evidence to support the asylum claim within a reasonable period.

Correspondence

Mr. Steinberg: To ask the Secretary of State for the Home Department if he will make it his policy that he and his Ministers personally read the letters sent to them by hon. Members on constituency matters. [27673]

Mr. Straw: It has been my policy and that of my junior Ministers to read letters from hon. Members on constituency matters and that will remain the case.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his estimate of the cost of Ministerial overseas travel in his Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26680]

Mr. Straw *[holding answer 5 February 1998]:* I refer the hon. Member to the reply my right hon. Friend the Prime Minister gave to my hon. Friend the Member for Rotherham, (Mr. MacShane) on 9 February 1998, *Official Report*, columns *16–17.*

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27787]

Mr. Straw *[holding answer 5 February 1998]:* The estimated cost of losses to the Home Office, its agencies and non-departmental public bodies (NDPBs) from reported fraud and theft is summarised in the table:

£000

	1995–96	*1996–97*	[1]*1997–98*
Core department	148.8	56.4	19.9
Agencies	56.5	129.6	40.0
NDPBs	116.0	—	49.0

[1] Figures for 1997–98 relate to April-September 1997, the latest available.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his current estimate of the expenditure of his Department, its agencies and non-departmental public bodies on hospitality since 1 May 1997. [27790]

Mr. Straw *[holding answer 5 February 1998]:* The current estimate of the expenditure by my Department, its agencies and non-departmental public bodies on all forms of hospitality since 1 May 1997 is as follows:

	£000
Department	18,460
Agencies	31,896
Non-departmental public bodies	7,729
Total	58,085

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26679]

Mr. Straw *[holding answer 5 February 1998]:* The recorded expenditure on buildings refurbishment by the Home Office, including the Prison Service, is as follows:

£ million

Year	
1995–96	34.2
1996–97[1]	31.1
1997–98 to date	23.5
1997–98 full year (estimated)	36.3

[1] From 1996 the figures include the common user estate properties inherited from Property Holdings on 1 April 1996.

Note:

The figures include value added tax, but exclude professional fees.

Conferences

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27789]

Mr. Straw *[holding answer 5 February 1998]:* The conferences held by my Department since 1 May 1997, with purpose and estimated costs, are as follows:

Ferrers Trophy Award (28 May 1997)

Purpose: An annual event at which special constables are awarded for their achievements in carrying out their duties.

Cost: £633.09

Launch of Management and Assessment of Risk Resource Pack and training materials (30 June 1997)

Purpose: To launch new pack for use by probation services.

Cost: £2,347.00

Home Office/Probation Chairs and Chiefs conferences—review and planning (8–9 September 1997, 3–4 November 1997, 17–18 November 1997, 1–2 December 1997)

Purpose: Review and planning of work of Probation Service and opportunity for exchange of ideas.

Cost: £22,061.00

National training conference (8–10 October 1997)

Purpose: To improve training for probation staff, attended by training providers, Probation Unit, Her Majesty's Inspectorate of Probation and probation services.

Cost: £1,600.00

Speeding up Youth Justice (15 October 1997)

Purpose: To discuss faster and more efficient youth offender proceedings.

Cost: £8,490.25

"The Home Office—The Future"—Senior Management Conference (24 October 1997)

Purpose: To introduce the revised Departmental Aims and Home Office Statement of Purpose and to discuss their implications for the management of the Department.

Cost: £10,463.90

Prisons—Probation Review brainstorming conference (28 October 1997)

Purpose: Exchange of ideas to assist newly established review team—chaired by the Minister of State, Home Department, my hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), and attended by interested parties from prisons, probation, the academic world and voluntary organisations.

Cost: £3,980.00

Community Fire Safety Task Force Report (3 November 1997)

Purpose: To launch the consultation period of the Community Safety Task Force Report.

Cost: £2,144.38

Parenting Seminar (10 November 1997)

Purpose: To consider what might be the right aims and means for Government in promoting successful parenting.

Cost: £3,967.00

The Philip Lawrence Awards (12 December 1997)

Purpose: To mark outstanding achievement in citizenship by young people with their involvement in activities in crime prevention, combating lawlessness and violence, drug prevention, community safety and racial harmony.

Cost: £54,000.00 (includes some costs for promoting the Awards over the next year).

New probation officer recruitment and training scheme (14 January 1998)

Purpose: To consider new scheme, expected to be put in place by autumn 1998.

Cost: £18,000.00

Home Office/Association of Chief Officers of Probation Conference on inter-agency work with potentially dangerous offenders and risk/needs assessment tools (20–21 January 1998)

Purpose: To share knowledge and best practice and provide information on different types of tools.

Cost: £18,000.00

Informal Meeting of Justice and Home Affairs Ministers of the European Union (29–30 January 1998)

Purpose: The first of nine such meetings to be hosted by Government Departments during the United Kingdom Presidency of the European Union.

Cost £382,176.00

Criminal Justice Conferences

Overall Purpose: Inter-agency criminal justice conferences to stimulate and support co-operation and understanding in order to maximise the quality and efficiency of the criminal justice system.

Fairness for Ethnic Minority Groups West Midlands/ Warwickshire Area Committee (10 June 1997)

Cost: £6,050.00

Criminal Justice Consultative Council members and Area Committee Chairmen (20–21 June 1997)

Cost: £7,400.00

Mentally Disordered Offenders: the case for better inter-agency strategies Thames Valley Area Committee (22 July 1997)

Cost: £5,800.00

Inter-agency work with Dangerous Offenders (10–12 September 1997)

Cost: £16,630.00

Serious and Persistent Young Offenders Humberside/South Yorkshire Area Committee (14 October 1997)

Cost: £4,880.00

Relationship between the Area Committee and Local User Groups Gloucestershire/Wiltshire Area Committee (27 October 1997)

Cost: £4,157.00

Meeting the Needs of Victims and Witnesses (National) (18–19 November 1997)

Cost: £7,630.00

Meeting the Needs of Victims and Witnesses (National) (1–2 December 1997)

Cost: £10,500.00

Reducing Young Offending Merseyside Area Committee (10 December 1997)

Cost: £6,646.00

The Response to Rape Victims Northumbria/Durham Area Committee (13–14 January 1998)

Cost: £10,580.00

Drugs and Criminal Justice (28–30 January 1998)

Cost: £15,500.00.

Secure Units

Mr. Cox: To ask the Secretary of State for the Home Department (1) what is the current weekly cost of keeping a youngster in a secure unit; [27937]

(2) what was the age of the youngest *(a)* male and *(b)* female being kept in a secure unit for young offenders in England and Wales, on 10 February; [27939]

(3) how many *(a)* males and *(b)* females were held in secure units for young offenders in England and Wales, as of 1 February. [27938]

Ms Quin: Local authority secure units accommodate a number of categories of young people. Those for whom my right hon. Friend is responsible are convicted under section 53 of the Children and Young Persons Act 1933. On 30 January 1998, the latest date for which figures are available, there were 182 of these: 170 male and 12 female. The youngest male detainee on that date was aged 11 years and 8 months; the youngest female, 13 years and 9 months. Costs vary from unit to unit, but the average weekly placement rate at 1997–98 prices was £2,628.

Speed Cameras

Mr. Llwyd: To ask the Secretary of State for the Home Department how many prosecutions have resulted from the installation of speed cameras in the Dyfed Powys Police area; and what estimate he has made of their effect on the number of accidents on the roads concerned. [27974]

Mr. Michael: Information available centrally shows that ten prosecutions resulted from the use of automatic speed cameras in the Dyfed Powys Police area in 1995 and 38 in 1996. Information is not available centrally to show how many prosecutions may have occurred from the use of other speed enforcement devices of a portable nature.

I understand from the Chief Constable of Dyfed Powys that the Force targeted roads on which excessive speeds were known to occur rather than accident black spots. There is therefore no information available on the impact of the use of these cameras on local accident statistics in Dyfed Powys. However, I can refer the hon. Member to the evaluation of the effectiveness of automatic speed and traffic light cameras in reducing traffic casualties which we published in 1996. ("Cost benefit analysis of traffic light and speed cameras"). A copy is in the Library.

Prisons (Costs)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what is the current cost per week of keeping an inmate in a *(a)* high security prison, *(b)* a normal security prison, *(c)* an open prison and *(d)* a young offenders' institution. [28239]

Ms Quin: For the period April 1997 to December 1997, the average cost per week for keeping a prisoner in a dispersal prison was £677; a category B, category C and local prison was £337; an open prison was £291; and a young offender institution was £346.

These figures are net current expenditure and exclude headquarters costs. These will be brought together at the end of the financial year. Headquarters costs will be assimilated at the end of the financial year.

Prison Population

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what projections he has made of the prison population in each year to 2005. [28013]

Ms Quin: The figures requested are given in the table. The projection on which the table is based is the central or regression projection which assumes that trends in sentencing which have been observed over the last 20 or so years continue. Alternative scenarios are available which give a prison population by 2005 of 92,600 (custody rates increase at about the rate observed between 1992 and 1996, or of 64,400 (custody rates and sentence lengths remain at 1997 levels). The latest long term projections of the prison population in England and Wales were published in a Home Office Statistical Bulletin issue 2/98) on 29 January 1998. The bulletin describes the methodology of the projections in more detail.

Projected prison population 1998–2005
Total prison population in England and Wales by year—central projection

Year	*Number*
1998	65,000
1999	69,600
2000	72,200
2001	73,700
2002	75,800
2003	78,000
2004	80,400
2005	82,800

Handguns (Compensation)

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department if his Department intends to accept MPC valuations for handguns compensation. [28281]

Mr. Michael: Valuations by Managers and Processors of Claims are certainly among the sources used by the Firearms Compensation Section when assessing claims from individual shooters under Option C of the Compensation or Ex Gratia Schemes, but they do not provide conclusive evidence of value. Claims under Option C from firearms dealers must be supported by documentary evidence, in the form of invoices or equivalent documentation, of the cost to the dealer of the goods surrendered. Valuations in themselves cannot replace this evidence needed for these types of claim.

Prison Officers (Maternity Leave)

Mr. Webb: To ask the Secretary of State for the Home Department what special arrangements are available to help women's prisons which do not share a site with a men's prison to accommodate their requirements for maternity leave among prison officers. [28007]

Ms Quin: No special arrangements exist. However, the normal arrangement to meet critical shortfalls of staff availability is to supply detached duty staff from other establishments. Exceptionally, where a critical shortfall can be forecast (for instance in the case of cumulative staff absences on maternity leave) and this exceeds the nominal allowance for leave and sick absence, governors are advised to make bids for extra funding to cover this contingency.

Alcohol (Petrol Stations)

Ms Shipley: To ask the Secretary of State for the Home Department what criteria govern the issue of licences to sell alcohol to garages and petrol stations. [28310]

Mr. George Howarth: Garages, defined as premises which are primarily used to sell petrol or to sell or maintain motor vehicles, are disqualified from holding a liquor licence. For any other premises, applications must be made in the usual way to licensing justices. They must be satisfied that the applicant is a fit and proper person, and they are not restricted in what they may take into account when deciding an application.

Offences Against the Person

Judy Mallaber: To ask the Secretary of State for the Home Department what plans he has to reform the law on non-fatal offences against the person. [29353]

Mr. Straw: Last July I announced the Government's decision to accept the principle of the Law Commission's proposals for reform of those offences mainly contained in the Offences Against the Person Act 1861.

I have today issued a consultation document containing the Government's proposals on how the law might be reformed, together with a draft Bill. Copies of the consultation document have been placed in the Library. This is an important document demonstrating the Government's commitment to modernising and improving the law, and to genuine consultation on specific, considered proposals.

Our proposals are largely based on those contained in the Law Commission's Report No. 218 "Offences Against the Person and General Principles", but they are not identical to those of the Law Commission. The law has developed since the Law Commission first published their report and on some issues we have taken the opportunity to review the law further, while on others we have taken a somewhat different view from that of the Law Commission.

There are important and difficult issues set out in the consultation document. We are not seeking to introduce new offences but to clarify and rationalise the existing law. I urge all those concerned about this issue to read this paper and respond to it.

Firearms Consultative Committee

Mr. Welsh: To ask the Secretary of State for the Home Department what the current status is of the Firearms Consultative Committee; how many times it has met during the last two years; and what plans he has regarding future meetings of the committee. [28983]

Mr. Michael: The Firearms Consultative Committee (FCC) is a statutory body which was set up for an initial period of five years under section 22 of the Firearms (Amendment) Act 1988. Its existence was last extended to the Firearms Consultative Committee Order 1996 made under that Act. It is due to expire on 1 February 2000 unless a further order is made. Its composition and purpose remains as set out in section 22 of the 1988 Act.

The Firearms Consultative Committee held nine meetings in 1996 and four meetings in 1997. It has met once to date in 1998.

The Government have made it clear that they intend to look again at firearms controls once all handguns have been banned to see whether other measures are needed to

safeguard the public. As part of this process we shall consider any views from the FCC and will also look carefully at the role and composition of the FCC itself.

EEA Nationals

Ms Oona King: To ask the Secretary of State for the Home Department how many applications for *(a)* EEA family permits and *(b)* residence permits or leave to remain as the spouse of an EEA national exercising Treaty rights have been refused since 1 February 1997 on the grounds that the entry clearance officer took the view that the marriage was one of convenience. [28294]

Mr. Fatchett: I have been asked to reply.

Figures on refusals of EEA family permits and residence permits or leave to remain as the spouse of an EEA national on the grounds of marriage of convenience are not available centrally and could be obtained only at disproportionate cost.

CULTURE, MEDIA AND SPORT

Television Licence Fee

Mr. Willis: To ask the Secretary of State for Culture, Media and Sport what plans he has to extend the concessionary television licence fee scheme to cover all households where all the occupants are of pensionable age. [28946]

Mr. Fisher: The Government have no plans to do so. To provide £5 concessionary licences for all pensioner households would cost approximately £437 million annually in lost television licence fee revenue.

Correspondence

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what is the *(a)* target and *(b)* average length of time for his Department to answer letters from the public; and what proportion of letters are answered within the target period. [28922]

Mr. Chris Smith *[holding answer 10 February 1998]:* The Department for Culture, Media and Sport has a target of 18 working days to answer letters from members of the public. The average length of time the Department takes to answer this type of correspondence is 16.65 days. The proportion of letters which are answered within the target period is 70.1 per cent.

Winnie the Pooh Toys

Mrs. Dunwoody: To ask the Secretary of State for Culture, Media and Sport what representations he has received urging the return to the UK of the original stuffed toys of the Winnie the Pooh stories. [27921]

Mr. Fisher: I have received no such representations, apart from that of my hon. Friend. Contrary to recent reports in the press, Winnie, Tigger, Kanga, Eeyore and Piglet are quite happy in New York. They are well looked after and are seen there by many people.

Tourism

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact of the recent financial crisis in Far Eastern markets on tourism into the United Kingdom. [27495]

Mr. Tom Clarke: I believe it is too early to say whether events in Asia will have long term effects on tourism into the UK. The British Tourist Authority's revised targets for 1998 predict that visitors from Asia will decline by up to 3 per cent. and expenditure by up to 5 per cent. in 1998. Past experience suggests there may be only a short term impact on tourism flows. The British Tourist Authority will continue to monitor the situation.

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact on trends in the numbers of visitors to Britain from *(a)* South Korea, *(b)* Japan, *(c)* Indonesia, *(d)* Hong Kong, *(e)* Taiwan, *(f)* the rest of China, *(g)* Malaysia, *(h)* Thailand and *(i)* the Philippines as a result of the recent economic problems in Asia. [27511]

Mr. Tom Clarke: The British Tourist Authority revised forecasts for 1998, based on the economic situation in Asia in November/December, are:

South Korea: −5 per cent.

Japan: 0 per cent.

Indonesia: n/a[1]

Hong Kong: −3 per cent.

Taiwan: 0%

Rest of China: +10 per cent.

Malaysia: +1 per cent.

Thailand: −3 per cent.

Philippines: n/a[1].

[1] BTA does not produce individual forecasts for Indonesia and the Philippines.

BTA will be reviewing these forecasts in April.

Sports Council

Mr. Pendry: To ask the Secretary of State for Culture, Media and Sport what plans he has to ensure that the UK Sports Council is equipped to perform the role envisaged in the document, Creating Excellence in British Sport. [27677]

Mr. Tom Clarke: On 16 December 1997 Sheffield was chosen as the preferred bidder to run the Headquarters site of the United Kingdom Sports Institute. The Sheffield Consortium are currently in discussion with the United Kingdom Sports Council regarding the management structure of the Institute in which the Council will have a significant role.

Minimum Wage

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport what representations he has received on the impact on tourism of a minimum wage. [27685]

Mr. Tom Clarke: I have received representations on this subject from a number of companies and associations in the tourism, hospitality and leisure industry. The independent Low Pay Commission has received written

and oral evidence from a range of individuals and organisations, including many of the industry's representative bodies.

National Lottery

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport how many grants made from National Lottery funds have been of amounts up to £25,000. [27398]

Mr. Tom Clarke: To date 15,304 awards have been made for grants under £25,000. In addition, the Millennium Commission has made grants to around 16,000 people under the Millennium Awards scheme.

Information on Lottery awards is now available on the Department's website www.lottery.gov.uk.

TRADE AND INDUSTRY

Medicine Prices

Mr. Casale: To ask the President of the Board of Trade what studies her Department has carried out of the comparative price of over-the-counter medicines in the United Kingdom and the rest of the EU; and if she will publish those studies. [28861]

Mr. Nigel Griffiths: None.

Ms Drown: To ask the President of the Board of Trade what estimate her Department has made of the total cost to public funds of the legal proceedings in the Restrictive Practices Court to be brought by the Office of Fair Trading in its attempt to end resale price maintenance on over-the-counter medicines. [28698]

Mr. Nigel Griffiths: Referrals to the Restrictive Practices Court are a matter for the Director General of Fair Trading. I am asking him to write to my hon. Friend.

Mergers and Acquisitions

Ms Drown: To ask the President of the Board of Trade what estimate she has made of the proportion of foreign investment in Britain represented by mergers and acquisitions. [28699]

Mr. Ian McCartney: According to the results of the latest Overseas Direct Investment inquiries, conducted by the Office for National Statistics, net acquisition of UK companies' share and loan capital accounted for 48 per cent. of foreign direct investment into the UK during 1996.

Net acquisition of share and loan capital covers acquisitions and mergers (net of disposals) over 10 per cent. and also includes cash injections by the overseas parent company into existing UK subsidiaries. "Green field" sites are not included in acquisitions or mergers.

Arms Export Licences

Mr. Rowe: To ask the President of the Board of Trade what plans her Department has to ensure the transparency and accountability of decisions on export licences for arms; and what steps she will be taking in the future to ensure this. [28715]

Mrs. Roche: On 28 July 1997, *Official Report*, columns *26–29*, my right hon. Friend the Foreign Secretary announced the criteria to be used in considering individual applications for licences to export goods entered in Part III of Schedule 1 to the Export of Goods (Control) Order, or dual-use goods where there are grounds for believing that the end-user will be the armed forces or the internal security forces of the recipient country.

The Foreign Secretary also stated that the Government would report annually on the state of strategic export controls and their application. An announcement will be made in due course.

Petrol Sales

Mr. Kidney: To ask the President of the Board of Trade what conclusions she has drawn from the Office of Fair Trading investigation into restrictive retail trade practices relating to petrol sales. [28680]

Mr. Nigel Griffiths: I understand that the Director General of Fair Trading expects to complete his review of the wholesale and retail petrol market in the United Kingdom and publish the findings in March.

Liquidation and Bankruptcy Procedures

Mr. Sarwar: To ask the President of the Board of Trade what plans she has to improve current liquidation and bankruptcy procedures. [28704]

Mr. Nigel Griffiths: When Parliamentary time allows, I intend to introduce legislation to improve the efficiency and effectiveness of the procedure for disqualifying unfit company directors. This will make it possible for a person who under the present law is or could be subject to an application for a disqualification order instead to give an undertaking to the Secretary of State which would have the same legal effects as a disqualification order made by a court. I also wish to make it easier for firms in financial difficulty to make voluntary arrangements with their creditors by introducing into the existing statutory framework the option of a moratorium to give the company's management a breathing space within which to put a rescue plan to creditors.

A working party is reviewing the current state of regulation in the insolvency profession and recently issued a consultation paper "Insolvency Practitioner Regulation—Ten Years On". Responses to that will inform their final report to the Secretary of State and the insolvency recognised professional bodies. Another working party, chaired by Mr. Justice Ferris, is considering remuneration of office holders and is expected to report in the spring. These findings and conclusions of both groups will be given very careful consideration when received.

Capital Goods and Project Exports

Mr. Rooney: To ask the President of the Board of Trade what steps are being taken to consult exporters about ECGD's arrangements for providing support for capital goods and project exports. [29230]

Mrs. Beckett: The Minister for Trade is writing today to leading members of the exporting and financial community for their views on the current arrangements

and on options for change in the future. Copies of the consultation paper are being placed in the Library of the House and are publicly available from ECGD on request. The document will also be available on the ECGD internet site.

The consultation paper reviews market development over the past 5 years and, without seeking to prejudge the outcome, asks whether changes to the UK system might now serve the interests of the exporter and the taxpayer more effectively.

We are asking for responses by 10 April so that the Government can decide on what should succeed ECGD's current Fixed Rate Export Finance (FREF) scheme, which is scheduled to expire at the end of June, and enter into the necessary negotiations.

I hope the consultation document will stimulate serious debate about the best approach for delivering this Government's objective of ensuring UK capital goods and project exporters have access to competitive finance at acceptable public expenditure cost.

Ministerial Travel

Mr. Baker: To ask the President of the Board of Trade if she will list the engagements she undertook in the United Kingdom in the course of her duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28942]

Mrs. Beckett *[holding answer 10 February 1998]:* I undertook a number of engagements in the UK during January which were accessed by car and train.

Combined Heat and Power

Mr. Alan W. Williams: To ask the President of the Board of Trade what was the total installed capacity of combined heat and power schemes in Britain *(a)* in 1970, *(b)* in 1980, *(c)* in 1990 and *(d)* at the latest available date; and what are the Government's targets for (i) 2000 and (ii) 2010. [28972]

Mr. Battle: Historic data on the installed electrical capacity of combined heat and power schemes in the United Kingdom are available only for the year in which surveys of CHP schemes were carried out. These are as follows:

1977: 2,800 MWe
1983: 2,250 MWe
1988: 1,800 MWe
1991: 2,300 MWe
1996: 3,600 MWe.

It is estimated that in 1997 installed capacity grew to about 3,750 MWe with a further 250 MWe under construction.

Mr. Alan W. Williams: To ask the President of the Board of Trade what was, for each member country of the European Community, *(a)* the installed capacity of combined heat and power, *(b)* total electricity generation capacity and *(c)* CHP as a percentage of total electricity generation capacity, at the latest available date. [28973]

Mr. Battle: The latest available information on combined heat and power in the European Community relates to 1994 and is shown in the table.

While the UK has a comparatively low percentage of electricity produced by CHP, the installed capacity of CHP schemes is the third largest in the Community. Countries with high proportions of electricity generated by CHP plants (Netherlands, Denmark, Finland and Austria) have publicly owned local district heating networks which can distribute the heat produced by CHP. District heating schemes of this type have not been economically attractive in the UK because of the generally shorter heating season and highly developed gas and electricity transmission networks.

It should be noted that the definition of CHP can vary between countries. For some countries, the whole of the generating capacity of an installation is counted as CHP, even if only a small part of the heat produced is used. For the UK, for schemes that are CHP in part only, the corresponding portion of generating capacity is included rather than the entire capacity.

	Electricity generation in 1994			*Generating capacity in 1994*		
	Total gross electricity generation GWh	*of which CHP GWh*	*Percentage CHP*	*Total gross installed electrical capacity MW*	*of which CHP MW*	*Percentage CHP*
Germany	528,229	47,752	9	114,811	26,183	23
France	476,337	8,506	2	107,232	2,920	3
UK	325,402	11,996	4	68,999	3,042	4
Italy	231,498	26,477	11	64,150	6,328	10
Spain	161,775	8,537	5	44,489	1,533	3
Sweden	143,039	9,257	6	34,475	2,808	8
Netherlands	79,677	31,543	40	18,348	6,148	34
Austria	54,645	11,721	21	16,032	3,246	20
Belgium	72,236	7,645	11	14,899	1,806	12
Finland	65,635	20,312	31	14,148	4,085	29
Denmark	40,096	13,198	33	10,604	7,496	71
Greece	40,623	819	2	8,923	218	2
Portugal	31,380	3,111	10	8,806	991	11
Ireland	17,105	259	2	3,910	67	2
EU total	2,267,677	201,133	9	529,826	66,871	13

Source:
Eurostat.

Departmental Overtime

Mr. Redwood: To ask the President of the Board of Trade what has been the average number of hours of overtime worked each week by the private office staff of the Minister for Competition and Consumer Affairs. [25827]

Mr. Nigel Griffiths *[holding answer 28 January 1998]:* It is an accepted feature of work in the Private Office that staff will be required to work additional hours. This continues to be the position.

Research Masters

Lorna Fitzsimons: To ask the President of the Board of Trade what progress has been made by the pilot scheme for research masters; and if she will make a statement. [29392]

Mr. Battle: Four of the Research Councils have been supporting over two hundred students each year on research Masters or "MRes" courses on a pilot basis. This is the third year of the pilot, and there are currently some 235 students on over 30 courses.

Continued monitoring by the Research Councils indicates that many courses are proving very successful. Some others—for a variety of reasons—have not fared so well. Overall, the MRes continues to make good progress, with courses providing high-quality research training and the students positive about their experience. The development of the MRes is further proof of the ability of UK higher education institutions to provide innovative, high-quality education. I am placing a copy of the latest report from the Research Councils, together with a related press statement, in the Library.

Given the experience with the pilot and the need to subject all expenditure to periodic review, I have decided that the individual Research Councils should now be free to develop the MRes by reviewing and redefining their support. Reflecting the success to date, I would expect the level of the Councils' support for MRes studentships to continue at least to match the 1997 intake. The MRes must remain a self-standing degree, and its design, including a significant research component, should also be unchanged.

I believe that these guidelines will provide the necessary framework for the Councils and institutions to develop the MRes for the future. The Councils will continue to monitor the MRes to determine, over time, its role in preparing students for employment and for a PhD.

Trade Fairs

Ms Hewitt: To ask the President of the Board of Trade if she will announce support for any more trade fairs abroad in the year ending 31 March 1999. [29391]

Mrs. Beckett: I announced in September the first parts of our programmes for supporting trade fairs, seminars and missions abroad. I am pleased to announce support in principle for another 146 trade fairs and 151 outward missions in the period up to 31 March 1999.

I will place lists of the additional events in the Library of the House and inform organisations that bid for support, Business Links and recipients of my Department's Overseas Trade Magazine.

Ministerial Visits

Mr. Wilshire: To ask the President of the Board of Trade if she will list those visits made within the United Kingdom since 1 May on which *(a)* she and *(b)* other Ministers within her Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23753]

Mrs. Beckett *[holding answer 19 January 1998]:* Between 1 May 1997 and end January 1998, Mr. Beckett accompanied me on 17 visits, of which 6 involved a cost to public funds. The total cost was £238. In addition, the Minister of State, my hon. Friend the Member for Makerfield (Mr. McCartney) has been accompanied by Mrs. McCartney on 2 visits, neither involving cost to public funds.

INTERNATIONAL DEVELOPMENT

Correspondence

Mrs. Ewing: To ask the Secretary of State for International Development what is her policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28060]

Clare Short: We respond to all letters received no matter in what language. We normally reply in English.

Phare and Tacis

Mr. Whittingdale: To ask the Secretary of State for International Development if she will make a statement about the future of the Phare and Tacis democracy programmes. [28853]

Clare Short: An independent evaluation of the Democracy Programme was conducted late last year, confirming the value of the programme. A new draft Regulation—the legal basis for the Programme—has been tabled before the European Council, extending the programme to the former Yugoslavia. The Funds—15 mecu per annum in 1998—are to be disbursed in two ways. Firstly, small-scale NGO projects, i.e. projects initiated by beneficiaries, will be selected by the network of EU Delegations. Secondly, a limited number of larger-scale projects will be developed, including a continuation of the joint programme with the Council of Europe and joint programmes with other international organisations. The Commission is to tender the contract for the administration of the programme, currently being run by the European Human Rights Foundation. The Commission does not intend for there to be a call for proposals in 1998.

The Democracy Programme is complemented by the LIEN and Phare Partnership programmes, enhancing the capacity of non-governmental organisations and civil society development.

East Timor

Dr. Tonge: To ask the Secretary of State for International Development what steps Her Majesty's Government have taken to respond to the appeal by José Ramos-Horta for emergency food relief for the Indonesian territory of East Timor. [28636]

Clare Short: We have not provided relief but we have been monitoring the situation closely. We believe the situation is now under control. We are maintaining regular contact with our Embassy in Jakarta and the Office for Coordination of Humanitarian Affairs in Geneva to keep the situation under review.

Honduras

Mr. Fitzpatrick: To ask the Secretary of State for International Development if she will list the current British aid projects in Honduras. [28639]

Clare Short: Current British aid projects in Honduras are as follows:

(i) Technical Cooperation programme

£

Project	*DFID contribution*
Conservation and Silviculture of Dry Zone Forest Species Project (CONSEFORH)	881,000
Wood Use Centre Project	1,090,000

(ii) Joint Funding Scheme project (50:50 funded by HMG and NGO)

£

Agency	*Project*	*DFID contribution*
Based (UK)	Tutorial Learning system (SAT) in the Honduran Mosquita	45,456

The tables do not include Joint Funding Scheme projects being supported through the block grants provided to certain agencies, as information on these will not be available until mid 1998.

Nicaragua

Mr. Fitzpatrick: To ask the Secretary of State for International Development what are the aims of the Nicaragua Land Resources Monitoring Project. [28645]

Clare Short: The aim of the Land Resources Monitoring Project is to establish a sustainable remote sensing capability in the national environment protection agency, Ministerio Nicaraguanse de Recursos y del Ambiente (MARENA), which will provide information on forest fire risk, fire events and forest condition.

Mr. Fitzpatrick: To ask the Secretary of State for International Development if she will list DFID's contribution to technical co-operation projects and to joint funding scheme projects in Nicaragua by individual project. [28644]

Clare Short: The information is in the table.

(i) Technical cooperation programme projects

£

Project	*DFID contribution*
Land Resources Monitoring Project	513,000

(ii) Joint Funding Scheme projects (funding shared 50:50 between HMG/NGO)

£

Agency	*Project*	*DFID contribution*
CODA International	Institutional Capacity Building Programme	260,950
Health Unlimited	Community Health Care Programme	301,162
International Cooperation for Development	Promoting Gender and Development with Women's and Mixed Organisations	306,782
MSI	Developing Participative Programme Management Capacity	106,520
One World Action	Community Health Care Programme	127,995
One World Action	Support for Solidez	78,859
Y Care International	Acahualinca Youth and Community Development	33,450
Y Care International	Integrated Rural Community Development Programme	122,883

The table does not include Joint Funding Scheme projects being supported through the block grants provided to certain agencies, as information on these will not be available until mid 1998.

Mexico

Mr. Fitzpatrick: To ask the Secretary of State for International Development if she will list the current British aid projects in Mexico. [28641]

Clare Short: Current British aid projects in Mexico are as follows:

(i) Technical Cooperation Programme Projects

£

Project	*DFID contribution*
Livestock Production and Management of Rural Resources Project: Phase III	1,449,021
Chiapas Cloud Forest Conservation and Rural Development Project	1,453,889
Quintana Roo Forest Management Project	1,336,500
Manantlan Biosphere Reserve Management Project	1,014,000
Chimalapas Campesino Ecological Reserve Project	2,204,215
Focus on Results (Government Efficiency) Project	310,000
Strategic Assistance to the Programme of Modernisation of Public Administration 1995/2000	157,292
Impact of Wastewater Irrigation on Groundwater in Mezquital Valley	317,010
South East English Language Teaching Project	94,000
Western English Language Teaching Project	108,475
South Central English Language Teaching Project	141,400
Health Economics/Financing Project	273,000
Health Know How Programme	500,000

(ii) Joint Funding Scheme Projects (funding shared 50:50 between HMG/NGS).

Current Joint Funding Scheme projects in Mexico are being supported through the block grants provided to certain agencies. Detailed information on these will not be available until mid-1998.

Sudan

Mr. Cox: To ask the Secretary of State for International Development if she will make a statement on the aid given to the Sudan Government in each of the last three years, indicating the form in which that aid was given. [28664]

Clare Short: The bilateral aid programme to Sudan was suspended in 1991. Since then, UK aid has been given through United Nations and international non-government agencies to the poorest and most vulnerable groups in Sudan suffering the effects of famine and the continuing civil war. Details over the last three years are as follows:

Bilateral emergency aid to Sudan 1994–95 to 1996–97

£

Year	*Food aid*[1]	*Disaster relief*[2]	*Refugee relief*	*Disaster preparedness*	*Total*
1994–95	5,314	5,634	995	7	11,950
1995–96	—	3,358	485	—	3,844
1996–97	1,283	871	287	—	2,441

[1] DFID uses the World Food Programme as a means of delivering emergency food aid. These amounts are recorded as bilateral food aid as DFID has control over the decision to provide such food aid to a particular destination. Regular non-emergency provisions of food aid are not included in this table.

[2] DFID uses certain UN Agencies as a means of delivering emergency assistance to individual countries. These amounts are recorded as bilateral disaster relief as DFID has influence over the use and destination of funds.

Inter-governmental Documents

Mrs. Ewing: To ask the Secretary of State for International Development how many staff she employs in the translation of inter-governmental documents; and what the forecast cost is for 1997–98. [28557]

Clare Short: The Department for International Development does not employ any staff for this purpose.

ENVIRONMENT, TRANSPORT AND THE REGIONS

M6-M65 Link

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what was the cost per mile of constructing the M6-M65 link. [26407]

Ms Glenda Jackson: Work on the M6-M65 link was carried out under a traditional form of civil engineering contract, produced by the Institution of Civil Engineers, under which payment is based on the actual, rather than estimated, work undertaken. It is unlikely that the contractors will submit their final accounts for the scheme until next year. Those accounts will then be examined and settled appropriately. It would be premature at this stage to forecast what the final cost is likely to be.

M11 Link Road

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what compensation has been paid in respect of the M11 Link Road construction, to *(a)* household and *(b)* commercial properties broken down by local authority area; and if he will make a statement on forecast future expenditure on compensation. [27356]

Ms Glenda Jackson: The information requested is not available in the form requested. The total compensation so far paid by the Highways Agency or its predecessors is £25.65 million principally for the purchase price of land and properties acquired under blight provisions and by discretionary and compulsory purchase. These acquisitions have been in the areas of the present London Boroughs of Redbridge, Waltham Forest, Hackney and Newham. A further £16 million has been allowed for the settlement of claims under the statutory compensation code which are currently under negotiation or which may be made in future. These figures do not include third party claims made against contractors, which they or their insurers settle direct with the claimant.

Environmental Protection Act

Mr. Bennett: To ask the Secretary of State for the Environment, Transport and the Regions which sections of the Environment Act 1995 have not come into force; and when he expects to bring them into force. [27448]

Angela Eagle: The sections of the Environment Act 1995 which are not fully in force and which are the responsibility of my Department are: parts of sections 57, 58 and 60 (contaminated land and abandoned mines); and parts of the schedules attached to sections 116 (application of certain other enactments to the Crown) and 120 (minor and consequential amendments, transitional and transitory provisions, savings and repeals). We expect to commence the remainder of sections 58 and 60 shortly. We will reach a view on when to commence the remainder of section 57 after the Comprehensive Spending Review, as announced in my right hon. Friend the Minister for the Environment's answer to my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellmon) on 22 December 1997, *Official Report*, column *439*. We expect to commence paragraph 1 of schedule 21 in April. Decisions on the timing of other outstanding provisions in the schedules have not yet been taken.

Road Accidents (Goss Moor)

Ms Atherton: To ask the Secretary of State for the Environment, Transport and the Regions how many road traffic accidents have occurred at Goss Moor on the A30 during the last 10 years. [28179]

Ms Glenda Jackson: The information requested is available only for personal road injury accidents. This is shown in the following table.

Number of accidents on the A30 in the Goss Moor area: GB 1987–96

Accidents

Year	*Fatal*	*Serious*	*Slight*	*All*
1987	0	1	0	1
1988	0	2	0	2
1989	1	2	1	4
1990	0	0	4	4
1991	0	1	1	2
1992	1	0	0	1
1993	0	0	2	2
1994	0	0	4	4
1995	0	0	0	0
1996	1	1	1	3
All	3	7	13	23

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26655]

Angela Eagle *[holding answer 5 February 1998]:* I refer the hon. Member to the answer given by the Chancellor of the Duchy of Lancaster on Tuesday 10 February 1998, *Official Report*, column *116*.

Radioactive Material

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he or his Department has made of the effectiveness of Statutory Instrument 3031 (1993) in respect of the Trans-frontier Shipment of Radioactive Waste Regulations; [28228]

(2) what meetings ministers or officials of his Department have had since October 1997 to discuss the implications for the import and export of nuclear materials to and from the United Kingdom of the definition of radioactive waste adopted by the Government from EC Directive 92/3 (Euratom). [27991]

Angela Eagle: Each proposal for the import to or export from the UK of radioactive waste is considered on its merits by the relevant competent authority and no assessment of the overall effectiveness of SI 3031 has been carried out.

The import and export of radioactive waste, including the scope, definitions and requirements of current EU and domestic legislation, are currently being considered in the context of the implementation into UK law of the revised EU Basic Safety Standards Directive (96/29 Euratom). The matters to which my hon. Friend refers will be included in a public consultation document covering some aspects of the implementation of the new Directive, which will be issued later this year.

Road Accidents (Alcohol)

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions how many alcohol-related accidents occurred in Wales in 1997; what percentage of total road accidents they represent; and if he will make a statement. [27972]

Ms Glenda Jackson: In 1995, the most recent year for which estimates of drink drive accidents are available for Wales, there were an estimated 540 personal injury, alcohol-related road accidents. They represent 5% of all personal injury road accidents in Wales in that year.

The estimate of alcohol-related accidents includes those accidents in which one or more of the drivers or riders of motor vehicles involved refused to give a breath test specimen or failed either:

(i) a breath test by registering over 35 microgrammes of alcohol per 100 millilitres of breath, or

(ii) for fatalities, a blood test by registering more than 80 milligrammes of alcohol per 100 millilitres of blood.

For some accidents neither of the above test results are available even though a driver or rider involved was over the legal limit. The Department's estimates are, therefore, adjusted to allow for this.

Speed Limits

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to give local authorities a general power to introduce speed limits of less than 30 mph in residential areas and erect signs to indicate this zone; and if he will make a statement. [27943]

Ms Glenda Jackson: My right hon. Friend the Minister of Transport has confirmed that we intend to remove the need for local highway authorities to obtain central government consent to make 20 mph speed limits and to sign them appropriately. My officials are currently working on the necessary secondary legislation.

Biological Diversity

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the Government's fulfilment of their obligations under the Convention on Biological Diversity; and if he will make a statement. [28315]

Angela Eagle: The Government's actions under the Convention on Biological Diversity are set out in the United Kingdom's First National Report to the Convention on Biological Diversity dated 31 December 1997, a copy of which is available in the Library of the House. We also look forward to continuing the further implementation of the Convention at the next Conference of the Parties which is to be held from 4 to 15 May 1998 in Bratislava.

Thorne and Hatfield Moors

Caroline Flint: To ask the Secretary of State for the Environment, Transport and the Regions what consultations he has held with the Countryside Commission over the future of Thorne and Hatfield Moors; what advice the Commission gave; and if he will make a statement. [28458]

Mr. Meacher: The Secretary of State has not been involved in any consultations with the Countryside Commission regarding the future of Thorne and Hatfield Moors.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28388]

Angela Eagle: The Department of the Environment, Transport and the Regions, including its Agencies, has no record of any Brazilian Mahogany being acquired or specified for procurement during 1996 and 1997.

Eurostar

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about the delay in introducing the Eurostar through service from Manchester to the Channel Tunnel; and if he will make a statement. [28330]

Ms Glenda Jackson: My department has received a number of representations about regional Eurostar services in recent months. These services are the responsibility of London and Continental Railways Ltd. through their subsidiary Eurostar (UK) Ltd. My right hon. Friend the Secretary of State made a statement on the Channel Tunnel Rail Link on 28 January 1998, *Official Report*, columns 661–74, in which he stressed the importance of protecting the excellent Eurostar service.

Gas Installers

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions (1) what representations he has received concerning training and assessment for gas installation industry employees; and if he will make a statement; [28461]

(2) what plans he has to review the appropriateness of current training and assessment courses for CORGI registration by gas installers; [28463]

(3) if he will make it his policy to review the current methods of certification and public identification of degree of competence of gas installation workers; [28464]

(4) what representations he has received concerning a review of the gas installation industry; [28566]

(5) what plans he has to initiate a review of the gas installation industry; [28567]

(6) what plans he has to meet industry representatives, gas suppliers and other Government departments to discuss the adequacy of current legislation and HSE criteria in controlling the non-registered and DIY gas installers; [28568]

(7) what research his Department has *(a)* commissioned and *(b)* evaluated on the relationship between gas-related health and safety incidents, and the professional qualifications of the installation operatives. [28570]

Angela Eagle: The Gas Safety (Installation and Use) Regulations 1994 (as amended) place a requirement on anyone carrying out gas work to be competent to do so. This requirement applies equally to gas fitters registered with the Council for Registered Gas Installers (CORGI) or people carrying out so-called 'DIY' work. The standards against which competence is assessed are set out in the Health and Safety Commission's (HSC) 1988 Approved Code of Practice (ACoP), 'Standards of Training in Safe Gas Installation'. This ACoP has a special legal status.

If an individual is prosecuted for a breach of the 1994 Regulations, and it is proved that the relevant provisions of the ACoP were not followed, a Court may find that individual at fault, unless they can demonstrate that the law was complied with in some other way. At the beginning of this year a new nationally accredited certification scheme for individual gas fitting operatives came on stream. It will run in parallel with the ACoP scheme until the latter is phased out on 31 July 1998.

The 1994 Regulations, which are enforced by the Health and Safety Executive (HSE), also place a statutory duty on any employer with employees carrying out gas work, or self-employed person performing such work, to be a

"member of a class of persons approved for the time being by the HSE".

Currently, CORGI is the only body to seek and obtain approved status.

Following a review of CORGI in 1995, the HSE published new criteria for approved bodies which charged them with introducing a new nationally accredited certification scheme for gas operatives by January 1998. This scheme sets out the *national* standards against which individual gas fitting operatives are assessed for competence.

On 13 January 1998, the Health and Safety Commission agreed that there should be two reviews of the statutory registration scheme, together with a comprehensive look at the underpinning legislation, ie the Gas Safety (Installation and Use) Regulations 1994 (as amended). The first review, which will start shortly, will look at the extent to which, and how well, CORGI has met the criteria issued in 1995. It will also draw up the criteria against which registered bodies will need to operate for the period 1 January 1999 to 31 December 2001. It is expected that the outcome of this review will be known in the Summer.

The second review, which will start later this year, will be a comprehensive evaluation of the statutory registration scheme taking particular account of the impact of the new nationally accredited certification scheme. Running in parallel with this will be an examination of the Gas Safety (Installation and Use) Regulations 1994 (as amended). The outcomes from these overlapping reviews should be known by December 2000. All interested parties will be invited to contribute to these latter reviews.

In relation to the causes of gas incidents and the competency of gas fitting operatives, the HSE has established an industry working group to consider this. The group, comprising industry representatives, trade unions and consumer groups, is looking at the causes of gas-related carbon monoxide incidents with a view to taking preventive measures where appropriate. BG

Technology has also initiated an industry-wide research project to look at a range of gas safety issues. This initiative is being supported by a number of government departments as well as by the British gas industry. The initiative includes a specific project on incident data analysis.

I recently met representatives from the Carbon Monoxide and Gas Safety Society (CO Gas), CORGI, and Carbon Monoxide Support (CO Support). These meetings have included a range of issues relating to gas safety matters, including the competence of gas fitting operatives.

I also replied on behalf of the Government in the adjournment debate on 21 January 1998, *Official Report*, columns 973–77 dealing with carbon monoxide poisoning, initiated by my hon. Friend the Member for Houghton and Washington, East (Mr. Kemp).

In conclusion, although there are plans to review the statutory registration scheme for gas installation businesses and the related legislation, there are no plans to initiate a review of the gas installation industry.

Conservation

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if the Government will give English Nature powers to require landowners to manage sites so as to maintain their conservation value. [28900]

Angela Eagle: The Government are currently considering how best to improve the protection and management of Sites of Special Scientific Interest. This will involve examining the powers available to English Nature. Officials are preparing a consultation paper seeking views.

Diabetic Drivers

Mr. Gale: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), of 15 January 1998, *Official Report*, column *259*, what studies his Department has evaluated into the proportion of collapses at the wheel caused by hypoglaecemia. [27561]

Ms Glenda Jackson *[holding answer 9 February 1998]:* A 1983 review of police reported accidents by the then Senior Medical Adviser at the Driver and Vehicle Licensing Agency found that insulin-treated diabetes was responsible for 17 per cent. of 1,600 reported accidents involving collapse at the wheel in which the driver survived. A review of 100 of those accident cases revealed that 35 per cent. of the drivers had suffered from altered consciousness and 62 per cent. from complete loss of consciousness. More generally, the Secretary of State's Honorary Advisory Panel on Diabetes and Driving constantly reviews research findings on the road safety aspects of driving by diabetics treated by insulin as part of their role in advising the Department.

Departmental Computers

Mr. Pickles: To ask the Secretary of State for the Environment, Transport and the Regions what was the cost of the current computer system installed in *(a)* the Department of the Environment and *(b)* the Department of Transport; to what extent the two systems were compatible; and what is the cost of enabling the two systems to work together. [28889]

Angela Eagle: The cost to install the existing office automation (OA) systems in the Department of the Environment was £7.55m, and in the Department of Transport was £6.29m. The new office automation system is effectively a merger of the two existing systems using the best aspects of each and the estimated cost is £3.6m. Incompatibilities existed between the two systems at technical, user, document interchange and the cultural level. Although both systems used similar technology there were a number of differences in the detail of their technical architectures.

Departmental Travel

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the oral answer of 3 February 1998, *Official Report*, column *834*, what plans he has to set departmental targets for *(a)* Ministers and *(b)* civil servants to reduce car mileage; and if he will make a statement. [28921]

Ms Glenda Jackson *[holding answer 10 February 1998]:* As part of the Government's commitment to reduce over-dependency on the car a "Guide to Green Transport Plans" was issued to all Departments in September 1997 which set out practical and comprehensive advice on how to set up plans to minimise the effect of staff travel on the environment. We have not set departmental targets for Ministers or for civil servants to reduce car mileage. My Department is discussing with other Government Departments what targets would be appropriate for the setting of Green Transport Plans for all main Government buildings.

Road Safety

Mr. Paice: To ask the Secretary of State for the Environment, Transport and the Regions what studies his Department has *(a)* undertaken and *(b)* evaluated regarding the incidence of road accidents among young drivers in the first year after passing the test; and what comparisons it has made with the statistics for Northern Ireland following the introduction of probationer status there. [28883]

Ms Glenda Jackson *[holding answer 10 February 1998]:* A study was undertaken for the Department by the Transport Research Laboratory into about 29,000 drivers (of all ages) who took their driving test on certain days in 1988–89 including the subsequent accident history of those who passed the test. The Queen's University, Belfast, undertook a study of "restricted" drivers in Northern Ireland (those in their first year after passing the driving test) for the Department of the Environment for Northern Ireland in 1992–93. The latter study included a comparison with the findings of the Great Britain study and found no evidence that the number of accidents in the first year in Northern Ireland was reduced by the existence of the "restricted driver" regulations.

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions if he will announce the latest available figures from the survey his Department is presently conducting into the incidence of drugs in fatal road accident victims; and if will make a statement. [29038]

Ms Glenda Jackson: The survey, over a three year period, started in October 1996. A copy of the Department's report on the interim results, to 7 January 1998 has today been placed in the Library.

It is too early to draw firm conclusions from the findings, although general trends so far remain very consistent. Fuller results will be needed before the Government can consider and propose any measures that may appear to be necessary. Further findings will be published when we can reach a firm view.

Screening devices which may be suitable for detecting the presence of drugs in motorists are to be trialled by four police forces for a short period from mid-March. The trials are intended to establish whether the screening devices are sufficiently robust and practical for the conditions likely to be encountered at the roadside—not to test for the presence of drugs.

Traffic police from the Cleveland, Lancashire, Strathclyde and Sussex forces will ask motorists to volunteer to be tested—the police have no power to require anyone to undertake such a screening test. Volunteers names or their car registrations will not be recorded. Police will not test those who are obviously impaired through alcohol or drugs—they will be dealt with using existing powers.

Water Levels

Dr. Brand: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the specialist hydrography departments which were consulted by the National Rivers Authority in formulating the recommendations on areas of high natural dispersion in 1994. [28490]

Angela Eagle *[holding answer 10 February 1998]:* The National Rivers Authority (now subsumed into the Environment Agency), made recommendations on areas of high natural dispersion (HNDAs) according to criteria agreed by Government and the water industry regulators.

The Environment Agency, as the primary regulatory body, itself has considerable expertise in the field of hydrography. In formulating recommendations on HNDAs, it drew on information (including hydrodynamic modelling data for a significant proportion of the UK's coastline) available from internationally accredited research organisations such as Delft Hydraulics, MAFF/CEFAS, Water Research Centre, Hydraulics Research Wallingford and relevant university departments.

Green Belt

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the Prime Minister's oral statement of 4 February 1998, *Official Report*, column 1046, regarding the increase in the area of green belt land since 1 May 1997, if he will list *(a)* the location and size of the increase, *(b)* the area of green belt land on which planning permission and inspectors' approval has been given since 1 May 1997, *(c)* the percentage of total green belt land these figures represent and *(d)* the equivalent figures for the year prior to 1 May 1997. [28489]

Mr. Caborn *[holding answer 10 February 1998]:* There has been a net increase of nearly 4,000 hectares of Green Belt in adopted development plans since 1 May 1997. The Hertfordshire Structure Plan, adopted in January, provides for an addition of 5,400 hectares to the Green Belt, as well as the deletion of 800 hectares from the Green Belt to the west of Stevenage. The exact boundaries of these changes have not yet been established at local plan level. Other Green Belt deletions have been adopted in the Bradford local plan (ca. 90 hectares) and in the Newcastle Unitary Development Plan (543 hectares).

We do not have comprehensive information available on decisions taken by local planning authorities affecting the Green Belt, and it would be disproportionately costly to collect it. However, the figures for individual planning cases which the Secretary of State has called in and for which permission has been granted since 1 May 1997 amount to less than 100 hectares. For cases where permission has been granted by planning inspectors following appeal, the figure is about 320 hectares. In most or all of these cases the physical development itself is likely to have covered only a small proportion of that area. In addition, on 28 July 1997 the Secretary of State issued his decision granting permission for the Birmingham Northern Relief Road (BNRR), the route of which passes through Green Belt in the West Midlands conurbation. The total land taken for the BNRR (including temporary acquisition for the purpose of construction) is 623 hectares, of which 600 hectares are in the Green Belt. One hundred and seventeen hectares of the total land taken for the road are to be used for landscaping to mitigate its environmental impact; and land temporarily acquired will be returned to the landowner following completion of construction works.

The total Green Belt in England was estimated as 1,555,700 hectares in September 1993. More recent figures are not yet available. Against that total, the net increase represented by development plan changes referred to above is equivalent to about 0.25 per cent.; and the total area of Green Belt affected by the planning permissions referred to in the previous paragraph represent around 0.06 per cent.

Equivalent information for the year prior to 1 May 1997 could be obtained only at disproportionate cost.

Montserratian Evacuees

Ann Keen: To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the advantages of continuing the payments of special grants to local housing authorities for accommodation provided to people who have been evacuated from the island of Montserrat. [28987]

Ms Armstrong: The special grant scheme for the provision of accommodation for Montserratian evacuees that we introduced last October closed at the end of January and a report has been laid before the House today. We have concluded that grants should continue to be made available to authorities in England for

accommodation provided until 31 March 1998. We will make a further special grant report to the House in due course.

Housing

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many units of social housing have been built in the Basingstoke and Deane Borough Council area in each of the last five years. [27570]

Mr. Raynsford: The table shows figures of housebuilding completions (i.e. new build only) as reported to the Department by Basingstoke and Deane Borough Council and the National House Building Council:

Basingstoke and Deane Borough Council: social housing new build: completions
Number of dwellings

Year	*Registered social landlords: housing associations*	*Local authority*
1993	59	0
1994	188	0
1995	109	0
1996	109	0
1997	217	0

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions (1) what is the total number of registered homeless people in the Basingstoke and Deane Borough Council area; [27571]

(2) how many people have been accepted onto the homeless register of Basingstoke and Deane Borough Council in each of the last five years. [27574]

Mr. Raynsford: The table provides the available data on the numbers of households accepted as homeless and in priority need under the homelessness provisions of the 1985 and 1996 Housing Acts in Basingstoke and Deane for the calendar years 1992 to 1996 and the first 9 months of 1997.

Year	*Homelessness acceptances*
1992	159
1993	206
1994	185
1995	175
1996	175
1997[1]	105

[1] Data for the first 3 quarters only.

Under Part VI of the Housing Act 1996 authorities must establish and maintain a housing register for the purpose of allocating their housing accommodation but there is no statutory obligation for local housing authorities to hold a register of homeless applicants. Accommodation secured as a discharge of a homelessness duty need not be a tenancy allocated under Part VI of the 1996 Act.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many properties formerly owned by Government departments have been made available to *(a)* the council and *(b)* housing associations in the Basingstoke and Deane Borough Council area in the last three years; [27572]

(2) how many properties formerly owned by government departments have been made available to *(a)* the council and *(b)* housing associations in the Fareham Borough Council area. [28368]

Mr. Raynsford: This information is not held centrally.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received in the last three years from *(a)* public bodies, *(b)* voluntary organisations, *(c)* the private sector and *(d)* local associations in the Basingstoke and Deane Borough Council area about housing needs for that area. [27576]

Mr. Raynsford: The Secretary of State receives a number of representations from groups and information is not held centrally in the format requested about housing needs.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the number of properties that are underoccupied in Basingstoke and Deane Borough; and if he will make a statement. [27916]

Mr. Raynsford: Neither the Secretary of State nor the Local Authority have made any robust assessment of the number of properties that are under-occupied in Basingstoke and Deane Borough.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing transfer list of the Basingstoke and Deane Borough Council; and what were the equivalent figures at the same time in each of the last five years. [27917]

Mr. Raynsford: The information requested is not collected centrally.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the number of properties that are underoccupied in *(a)* Eastleigh Borough, *(b)* New Forest District, *(c)* Havant Borough and *(d)* Test Valley Borough; and if he will make a statement. [28149]

Mr. Raynsford: Neither the Secretary of State nor the Local Authority have made any robust assessment of the number of properties that are under-occupied in *(a)* Eastleigh Borough, *(b)* New Forest District, *(c)* Havant Borough, *(d)* Test Valley Borough.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what are the total numbers of registered homeless people in the *(a)* Eastleigh Borough *(b)* New Forest District, *(c)* Havant Borough and *(d)* Test Valley Borough council areas. [28150]

Mr. Raynsford: I refer the hon. Member to the answer I gave him on 10 February 1998, *Official Report*, column *126*.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many units of social housing have been built in the *(a)* Test Valley Borough *(b)* Eastleigh Borough, *(c)* Havant Borough and *(d)* New Forest District Council areas, in each of the last five years. [28135]

Mr. Raynsford *[holding answer 9 February 1998]:* The table shows figures of housebuilding completions (i.e. new build only) as reported to the Department by these local authorities and the National House Building Council.

Social housing new build: Completions

Number of dwellings

	Test Valley		*Eastleigh*		*Havant*		*New Forest*	
Registered social landlords	*Housing associations*	*Local authority*	*Housing associations*	*Local authority*	*Housing associations*	*Local authority*	*Housing associations*	*Local authority*
1993	42	14	48	0	71	0	167	0
1994	12	26	61	0	111	0	165	0
1995	61	0	72	0	55	0	154	0
1996	11	0	2	0	149	0	11	0
1997	8	0	206	0	101	0	44	0

Green Ministers

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions which Government Departments were not represented at Ministerial level at the last meeting of the Green Ministers. [25939]

Mr. Meacher *[pursuant to his reply, 29 January 1998, c. 324]:* At the last meeting of Green Ministers on 18 December all Government Departments were represented except for the Scottish Office and the Law Officers' Departments. Most were represented at Ministerial level, but because of unavoidable other commitments the Lord Chancellor's Department, Home Office, Department of Trade and Industry, Department of Social Security, and the Ministry of Agriculture, Fisheries and Food were represented by officials.

PRIME MINISTER

North Shropshire

17. **Mr. Paterson:** To ask the Prime Minister when he next plans to pay an official visit to North Shropshire. [26909]

The Prime Minister: I have no immediate plans to do so.

PRESIDENT OF THE COUNCIL

Publications

Mr. Gale: To ask the President of the Council if she will list, by title, the publications produced under the authority of the Privy Council Office between 1 May 1997 and 31 January 1998. [26319]

Mrs. Ann Taylor: My department's only publication in the period in question was "Tackling Drugs Locally", a report by the Social Policy Research Centre of Middlesex University commissioned by the Central Drugs Co-ordination Unit.

TREASURY

Corporation Tax

Dr. Cable: To ask the Chancellor of the Exchequer what was the corporation tax yield in the last financial year for which data is available, from companies in the ranges of profitability *(a)* under £300,000, *(b)* £300,000 to £600,000, *(c)* £600,000 to £1.5 billion and *(d)* above £1.5 billion. [26710]

Dawn Primarolo: The following table gives latest figures of companies' corporation tax liability after allowing for tax suffered abroad and before any deduction for income tax suffered at source, analysed by size of taxable profit.

Taxable profit[1]	*Corporation tax liability* (£ billion)
Under £300,000	3
£300,001 to £600,000	1
£600,001 and above	23½

[1] Accounting periods ending in 1995–96.

Tobacco Duties

Mr. Fallon: To ask the Chancellor of the Exchequer how much extra revenue would be raised between 6 April and 1 December 1998, over and above current plans, if tobacco duties were increased by 5 per cent. in real terms from the start of the 1998–99 financial year; and if he will give the same figures on the basis of the higher rates commencing in *(a)* May, *(b)* June, *(c)* July, *(d)* August, *(e)* September, *(f)* October and *(g)* November 1998. [26351]

Dawn Primarolo: I regret that this information could be provided only at disproportionate cost.

Developing Country Debt

Dr. Tonge: To ask the Chancellor of the Exchequer what plans he has to use the forthcoming G8 summit in Birmingham to highlight the problems of developing country debt. [27171]

Mr. Gordon Brown: The G8 Summit in Birmingham will discuss a range of key global economic issues, including the problems facing poorer developing

countries. For many of these countries, a key difficulty is unsustainable debt. I will also be discussing this with my Finance Minister colleagues in preparing for the Summit discussion between Heads of State and Government.

Unemployment

Mr. Willetts: To ask the Chancellor of the Exchequer if participants in each of the four New Deal options will be counted as unemployed for the purposes of the claimant count; and if they will fall within the Labour Force Survey measure of unemployment. [28491]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Dennis Roberts to Mr. David Willetts, dated 11 February 1998:

The Chancellor of the Exchequer has asked the Director of the Office for National Statistics to reply to your recent question on participants in each of the four New Deal options being counted as unemployed for the purposes of the claimant count; and whether they will fall within the Labour Force Survey measure of unemployment. The Director has asked me to reply in his absence.

All New Deal participants will remain in the claimant count whilst they are on the Gateway programme. Once a claimant leaves JSA to take-up one of the four New Deal options they will cease to be included in the claimant count.

Of the four New Deal options, only those taking up the full-time education or training option may be classified as ILO unemployed in the Labour Force Survey, though this will be dependent on their job search activities satisfying the definition of ILO unemployment. This counts as unemployed people who are: a) without a paid job; b) available to start work within the next two weeks and c) have either looked for work in the last four weeks or are waiting to start a job already obtained. Generally though, those on the full-time education or training option will be counted as economically inactive in the Labour Force Survey, rather than ILO unemployed or in employment.

Those taking up the New Deal employment option will be recorded in the employment statistics as employees (or self-employed) and those on the Environmental Task Force and voluntary sector options as on Government-supported programmes.

ONS is committed to presenting and explaining the effects of New Deal as the policy is implemented.

Abortions

Dr. Tonge: To ask the Chancellor of the Exchequer how many legal abortions were performed in 1996 *(a)* with anti progesterone and *(b)* without overnight stay on women resident in each (i) health region and (ii) district health authority; and how many in each case involved (1) NHS hospitals, (2) NHS agency arrangements and (3) other purchasers. [28002]

Mr. Darling: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given. The tables referred to in the letter have been made available in the Library.

Letter from Tim Holt to Dr. Jenny Tonge, dated February 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics (ONS), to your recent question on legal abortions in 1996.

The information requested is shown in the attached tables.

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer if he will estimate the weekly numbers of conceptions that end in termination. [28858]

Mr. Darling: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Peter Bottomley, dated 11 February 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics (ONS), to answer your question on the number of weekly conceptions that end in termination.

In England and Wales during 1995, the latest year for which figures are available, there were an average of 2,988 conceptions per week which resulted in an abortion performed under the 1967 Abortion Act. This figure is estimated from abortion notifications using the stated gestation period and date of abortion to calculate the date of conception. It takes no account of spontaneous or illegal abortions for which no information is available.

Single Currency

Mr. Redwood: To ask the Chancellor of the Exchequer what estimate he has made of the number of countries which will meet the Maastricht requirements to enter a single currency in the first wave. [28583]

Mr. Gordon Brown *[holding answer 9 February 1998]:* The decision on which Member States satisfy the Maastricht requirements for participation in Stage Three of EMU will be taken by Heads of State or Government in May.

Mr. Redwood: To ask the Chancellor of the Exchequer if the United Kingdom has to spend a period of time in the ERM before qualifying for possible entry into the single currency. [28581]

Mr. Gordon Brown *[holding answer 9 February 1998]:* The interpretation of the criteria set out in Article 109j of the Maastricht Treaty is a matter for collective discussion between EU Heads of State and Government when they meet in May to decide which Member States meet the conditions for Stage Three of EMU.

DEFENCE

Trident and Eurofighter

Mr. Flynn: To ask the Secretary of State for Defence what estimate he has made of the percentage of the defence budget to be spent on *(a)* Trident and *(b)* Eurofighter in each of the next 12 years. [26478]

Mr. George Robertson: The latest estimate of total Trident procurement costs is some £12.6 billion (1996–97 prices) and the total estimated Eurofighter procurement costs are £15.9 billion (1997–98 prices). Less than 10 per cent. of the Trident costs and around 80 per cent. of the Eurofighter costs will be spent after the end of this financial year. For Trident operating costs and Eurofighter support costs I refer my hon. Friend to the answers I gave to my hon. Friend the Member for Great Grimsby (Mr. Mitchell) on 1 December 1997, *Official Report*, columns *21–22*, and the hon. Member for Portsmouth, South (Mr. Hancock) on 12 January 1998, *Official Report*, column *129*.

Departmental budgets beyond 1998–99 are being examined in the Comprehensive Spending Review and, for my Department, the Strategic Defence Review. In any event year-on-year spending forecasts for particular projects constitute projections and assumptions which inform advice to Ministers on the affordability of the defence programme. The percentage of the defence budget involved would therefore be withheld under exemption 2 of the Code of Practice on Access to Government Information.

Tomahawk Missiles

Mr. Hancock: To ask the Secretary of State for Defence by what percentage the cost of Tomahawk missiles being purchased for installation in Royal Navy submarines differs from the latest batch of Tomahawk missiles being purchased by the United States Government. [27506]

Mr. Spellar: We do not know what price the United States Government are paying for their Tomahawk missiles.

Armed Forces (Pay)

Mr. Redwood: To ask the Secretary of State for Defence what is the lowest hourly rate of pay received by a member of the British armed forces, calculated on the basis of annual pay divided by the average annual hours worked. [28619]

Mr. Spellar *[holding answer 9 February 1998]:* The Armed Forces are paid according to daily rates of pay, for 365 days a year, whether they are working or not, in recognition of their unlimited liability for duty. We do not record the hours worked by individuals each day.

Agricultural Holdings

Mr. Charles Kennedy: To ask the Secretary of State for Defence if he will identify where in the National Asset Register his Department's agricultural holdings are listed. [28737]

Mr. Spellar: Agricultural holdings are not separately listed in the MOD element of the National Asset Register; rather, they are included within the Land and Buildings entries for various Top Level Budgets. This reflects the fact that their main use from a Defence perspective is as training areas. A detailed listing of each individual asset would not have been practical for the purpose of the National Asset Register. For clarity, therefore, the assets have been aggregated to make the information manageable.

SOCIAL SECURITY

Savings

Mr. Winnick: To ask the Secretary of State for Social Security what are the latest percentage estimates based on funds held in all forms of financial and saving institutions of those households with *(a)* no savings and *(b)* savings (i) up to £2,000, (ii) between £2,000 to £5,000, (iii) £5,000 to £7,000, (iv) £7,500 to £10,000, (v) £10,000 to £20,000, (vi) £20,000 to £40,000, (vii) £40,000 to £60,000, (viii) £60,000 to £100,000 and (ix) over £100,000. [28975]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

The Family Resources Survey (FRS), a survey of private households in Great Britain, collects data on the amount of money respondents have in different funds, but only for those respondents who are willing to provide an estimate of the value of their total savings and report a value between £1,500 and £20,000. Around 35 per cent. of all households surveyed fall into this category. A detailed breakdown of savings is therefore available only for this group.

Percentage of households with savings between £1,500 and £20,000 in 1995–96 family resources survey

	Percentage of households
No savings	32
Less than £2,000	22
£2,000 but less than £5,000	13
£5,000 but less than £7,500	6
£7,500 but less than £10,000	4
£10,000 but less than £20,000	9
£20,000 or more	14
Total households (base = 26,435)	100

Notes:

1. Types of account included are all bank, building society and Post Office accounts, Tax Exempt Special Savings Accounts (TESSAs), Unit Trusts, PEPs, stocks and shares and National Savings products.
2. The 1995–96 FRS is the latest for which data are available. The figures are based on sample counts and are subject to sampling error and to variability in non response.
3. Figures should be treated with caution. Questions on assets are a particularly sensitive part of the FRS questionnaire and have a relatively low level of response, and hence higher levels of imputation, compared to other parts of the survey. Responses are imputed in around one in ten cases. Evidence also suggests some under reporting of capital by respondents.

Housing Benefits

Mr. Hancock: To ask the Secretary of State for Social Security (1) what has been the total bill for housing benefit payments in each of the last five years in the Southampton City Council area; [27553]

(2) what has been the bill for housing benefits payments in each of the last five years in the Winchester City Council area. [28334]

Mr. Field *[holding answer 9 February 1998]:* The information requested is set out in the table.

£

	City council	
	Southampton	*Winchester*
1992–93	43,340	9,100
1993–94	49,750	11,270
1994–95	53,400	12,480
1995–96	56,550	12,810
1996–97 provisional out-turn	57,810	12,740

Sources:

1. Department of Social Security Planning and Finance Division.
2. Department of the Environment, Transport and the Regions.

Mr. Hancock: To ask the Secretary of State for Social Security (1) what has been the total bill for housing benefit payments in each of the last five years in the Basingstoke and Deane Borough Council area; [27575]

(2) what has been the bill for housing benefit payments in each of the last five years in the Fareham Borough Council area. [28369]

Mr. Keith Bradley: The information requested is set out in the table:

£

Year	Council Area: Basingstoke and Deane Borough	Council Area: Fareham Borough
1992–93	12,860	6,280
1993–94	17,150	6,850
1994–95	19,170	7,150
1995–96	19,320	7,820
1996–97 provisional out-turn	19,640	7,910

Sources:
1. Department of Social Security Planning and Finance Division
2. Department of the Environment, Transport and the Regions.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Campbell-Savours: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date the existence of a biological warfare programme organised at Salman Park in Iraq was first drawn to the attention of his Department's officials. [26400]

Mr. Fatchett *[holding answer 3 February 1998]:* Officials have conducted an extensive search of Foreign office archives. They have been unable to find an answer to my hon. Friend's question. Without information on the background to the question, I do not believe it would be proper to conduct further searches. The cost would be disproportionately high.

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27839]

Mr. Fatchett: Most of my Department's new computer systems are delivered in stages in the UK and at offices overseas. With one recent exception, there is therefore no single commissioning date. The table shows major new systems whose delivery began after 1 April 1993. Other expenditure on communications equipment and information technology is excluded.

Major new FCO computer systems purchased since 1 April 1993

Description	Capital cost: Initial [1] (£ million)	Capital cost: Final [2] (£ million)	Commissioning date: Planned	Commissioning date: Actual
Financial and management accounting system (UK only)	7.15	7.60	April 1996	April 1996
Replacement office automation system for posts overseas	11.91	[3]11.91	n/a	n/a

Major new FCO computer systems for purchase in financial year 1998–99

Description	Estimated capital cost (£ million)
Continuing replacement office automation system for FCO and Posts overseas	23.0

Notes:
[1] Estimated at time of project initiation.
[2] Actual on completion of project.
[3] Estimated: project not due for completion until December 1998.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27796]

Mr. Fatchett *[holding answer 5 February 1998]:*

£

Year	Ministerial cars and drivers	Taxis
1995–96	362,637	154,871
1996–97	388,757	136,826
1997–98 YTD	[1]254,609	[2]149,819
1997–98 Projected	380,000	179,720

[1] End December 1997.
[2] End January 1998.

Overseas Travel

Mr. Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list which Ministers in his Department have made overseas visits and to which countries since 1 May. [27820]

Mr. Fatchett *[holding answer 5 February 1998]:* I refer the hon. Member to the answer the Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd) gave the hon. Member for Gordon (Mr. Bruce) on 11 November 1997, *Official Report*, column *502*. Visits by Ministers in this Department since then are listed in the following table:

Date	Country	Purpose
Mr. T. Lloyd MP		
12–14 November 1997	Sweden	Conference on European arms export controls
17 November 1997	Germany	WEU
23 November 1997 to 2 December 1997	USA, Mexico	Bilateral, United Nations business
17–19 December 1997	Denmark	OSCE Summit
5–11 January 1998	South Africa, Zimbabwe	Bilateral
2–5 February 1998	Macedonia, Albania	Bilateral

Date	Country	Purpose
Mr. D. Henderson MP		
9–10 November 1997	Belgium	General Affairs Council
24 November 1997	Belgium	General Affairs Council
7–8 December 1997	Belgium	General Affairs Council
12–13 December 1997	Luxembourg	European Council
15–16 December 1997	Austria, Slovakia	Bilateral
14 January 1998	France	EP Plenary
16 January 1998	Netherlands	Clingendael Conference
Mr. D. Fatchett MP		
11–13 November 1997	Azerbaijan	Bilateral
15–21 November 1997	Japan, Korea	Bilateral
26–27 November 1997	USA	To discuss Middle East issues
9 December 1997	France	To discuss Middle East issues
13–16 January 1998	Israel, Occupied Territories	Bilateral
19–20 January 1998	Algeria	EU Troika Mission
Baroness Symons		
6–9 January 1998	Pakistan	Bilateral

Civil Servants

Mr. Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27460]

Mr. Fatchett *[holding answer 5 February 1998]:* (a) Four FCO officials at grade 3 equivalent and above have retired or have taken early retirement since 1 May as part of an ongoing programme of senior management structure retirements on structural grounds. Their grades were: a DS1, a DS2 and two DS3s. (b) Officers at this level will have taken periods of normal annual leave, but these records are not held centrally. (c) None was dismissed. (d) & (f) About a quarter of the officers at grade 3 and above have changed jobs since 1 May either as part of the normal rotation of ambassadors and other senior staff, interchange with other Government Departments or on promotion. Such moves are planned up to a year in advance especially to/from foreign postings or where training is required. A high level of mobility is a feature of FCO work and roughly a third of all UK based FCO staff change jobs in any given year. Statistics on the precise number of moves and reasons for them could be provided only at disproportionate cost. (e) A DS2 and a DS3 have gone on loan to other Government Departments since 1 May.

Execution (Texas)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he made representations to the United States in respect of the execution of Karla Tucker; and if he will make a statement. [28573]

Mr. Fatchett: Ministers in this Department made no representations to the United States in respect of the execution of Karla Tucker. The UK calls on all countries to abolish the death penalty.

Sudan

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has held with which organisations with regard to prisoners of war in the Yei district of southern Sudan; and if he will make a statement. [28662]

Mr. Fatchett: Our Embassy in Khartoum are in touch with other donors and international agencies about the welfare of these prisoners. We shall continue to support efforts to facilitate access to these people and to persuade their captors, the Sudan People's Liberation Army (SPLA), to move them away from the vicinity of military targets.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government policy towards the Khartoum Peace Agreement. [28663]

Mr. Fatchett: The Agreement contains positive elements, notably the commitments to self-determination and to respect for human rights. But the main group fighting the Government of Sudan, the Sudan People's Liberation Army, is not a party. They prefer to pursue the regional peace initiative of the Inter-Governmental Authority on Development which has the support of the British and other western governments. We have urged the Government of Sudan to demonstrate its commitment to peace by implementation of the Khartoum Agreement's clauses on human rights and by improving its treatment of Southerners. We have yet to see significant progress on this.

Honduras

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's relationship with Honduras. [28640]

Mr. Doug Henderson: We have good relations with Honduras, but look forward to developing them further with the new government of President Carlos Flores. A bilateral Investment Promotion and Protection Agreement came into force in 1995. Bilateral trade grew in both directions in 1997, particularly from Honduras to the UK. The UK has a small bilateral aid programme focused on the forestry sector and contributes approximately 15 per cent. of the European Union programme which, at US $100 million a year, is the largest to Honduras.

Amsterdam Treaty

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library an index to the Amsterdam Treaty on European Union and the revised treaties, including the protocols, authorised by Article 12 of that Treaty, setting down all topics and subjects contained in those treaties as published in the preliminary documentation, and for each entry the current place and the proposed place in the Consolidated Union Treaty by article, paragraph and sub-paragraph reference. [28866]

Mr. Doug Henderson: Command Paper 3780 provides an index to the Amsterdam Treaty (pages 3–6). It also sets out the tables of equivalences relating to the renumbering of the Treaties provided for in Article 12 of the Amsterdam Treaty (pages 67–75). In addition, the Command Paper lists the contents of the consolidated version of the Treaty on European Union as amended by the Treaty of Amsterdam (pages 110–111); and lists the contents of the consolidated version of the Treaty establishing the European Community as amended by the Treaty of Amsterdam (pages 130–133).

Treaties

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs in what circumstances persons who are not members of Her Majesty's Privy Council are authorised to sign treaties on her behalf. [28947]

Mr. Doug Henderson: Most treaties are signed with Governmental Full Powers either by Ministers or Ambassadors. Membership of the Privy Council is not a factor in the issuing of Full Powers.

The Vienna Convention on the Law of Treaties provides that Heads of State, Heads of Government and Ministers for Foreign Affairs are eligible to sign treaties by virtue of their office. Anyone else signing a treaty in articled form requires a formal document known as a Full Power.

In the United Kingdom, the Treaty-making power is vested in the Crown as part of the Royal perogative. The exercise of that power is the concern of my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs.

The United Kingdom has three types of Full Power: (i) Queen's General Full Powers, which are signed by Her Majesty The Queen and empower the Secretary of State for Foreign and Commonwealth Affairs, FCO Ministers of State, FCO Under-Secretaries of State to sign any treaty; and the UK Permanent Representatives to the UN and the EC to sign treaties in their respective fields. (ii) Queen's Special Full Powers, which are issued for the signing of a specific treaty drawn up between Heads of State. (iii) Governmental Full Powers, which are signed by the Secretary of State for Foreign and Commonwealth Affairs and are issued for the signing of specific inter-governmental and inter-state treaties.

Immigration

Mr. Malins: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the percentage refusal rate by entry clearance officers for the last period for which records have been kept for *(a)* visitors, *(b)* spouses/fiance(e)s, *(c)* dependent relatives and *(d)* businessmen applying to enter the United Kingdom for the posts of (i) Dhaka, (ii) Islamabad, (iii) Lagos, (iv) Sydney and (v) Toronto. [28654]

Mr. Fatchett: Sydney and Toronto do not provide an entry clearance service and figures are therefore shown for Canberra and Ottawa. In 1997, the percentage refusal rate for *(a)* visitors, *(b)* spouses/fiance(e)s and *(c)* dependant relatives applying for entry clearance to the UK for the Posts listed was:

Percentage

Post	*(a) Visitors*	*(b) Spouses/fiance(e)s*	*(c) dependent relatives*
Dhaka	26.8	23.7	14
Islamabad	20.3	n/a	n/a
Lagos	20.8	16.4	16.4
Canberra	0.1	0.01	0
Ottawa	0.61	0.02	0.006

Records differentiating between "visitors" and "business visitors" are not maintained. Lagos do not record refusals of *(b)* and *(c)* separately.

Inter-governmental Documents

Mrs. Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff he employs for the translation of inter-governmental documents; and what the forecast cost is for 1997–98. [28556]

Mr. Fatchett: This Department employs 13 translation staff. The unit forecast cost for 1997–98 is £357,140.29 which includes salary and related costs plus overheads.

Russia (Religious Freedom)

Rev. Martin Smyth: To ask the Secretary of State for Foreign and Commonwealth Affairs if, at the forthcoming EU-Russia Summit, he will raise the issue of the religious freedom legislation in Russia. [28977]

Mr. Doug Henderson: We have been assured by the Russian authorities that implementation of the law on freedom of conscience and religious association will not contravene Russia's international human rights obligations. Flexible application will be the key. We understand that formal regulations designed to assist provincial officials to implement the complex law are currently under discussion in Moscow. In the meantime, the Russian Ministry of Justice has issued informal guidelines which seem to be less restrictive.

Neither final dates nor a final agenda have been agreed for the EU/Russia Summit. But if by then we have evidence that the law is restricting religious freedom, then I will consider raising the matter under the broad umbrella of human rights issues.

Overseas Visits (Political Advisers)

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 30 January 1998, *Official Report*, column *438*, if he will list those occasions where his political advisers undertook overseas visits at public expense; and what was the cost of and reason for each visit. [28516]

Mr. Robin Cook: It is established practice, as with the previous Administration, for Special Advisers to accompany me, and, on occasion, other FCO Ministers, on certain overseas trips in order to advise on policy matters. Since 1 May, a Special Adviser has accompanied me or another FCO Minister on 17 occasions for this purpose. The majority of these were on RAF flights, the real marginal additional expense of their travel could be provided only at disproportionate cost.

Mexico

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's relations with Mexico. [28642]

Mr. Doug Henderson: Relations with Mexico have strengthened since President Zedillo came to office in December 1994 and a bilateral Joint Action Plan was signed in January 1996.

As a member of NAFTA, the OECD and APEC, Mexico is an important partner for the UK on a range of international issues. Our dialogue includes thorough exchanges on human rights.

The UK is the second largest foreign investor in Mexico; major investors in 1997 include BAT ($1.1 bn) and BOC (Gases), leading a consortium which will build a $1 bn nitrogen plant. Mexico is our third largest export market in Latin America. Exports grew by 35% in 1997, but we have less than 1% of the market.

We have consistently supported the development of closer EU/Mexico relations. Following the signature of the EU/Mexico Agreement last December, we are using our EU Presidency to lay the groundwork for negotiations on trade liberalisation.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Edward Davey: To ask the Minister without Portfolio how many times he has visited the Millennium Dome Project site in Greenwich since 2 May 1997. [28024]

Mr. Mandelson: I visited the site of the Millennium Experience on 19 June and 23 September 1997.

Mr. Sheerman: To ask the Minister without Portfolio if he will estimate the reduction in the cost of the Millennium Dome if it had been built on a green field site. [26724]

Mr. Mandelson: The site for the Millennium Experience was chosen after an open competition conducted by the Millennium Commission. None of the four sites shortlisted by the Commission was in a green field location. One of the main reasons that the Commission selected the Greenwich peninsula above the other shortlisted sites was the greater lasting legacy provided by the enormous regenerative benefits that the project would bring to one of the poorest areas of London and a site that had lain derelict and polluted for over 20 years.

The costs of bringing the Millennium Experience site up to an acceptable condition for redevelopment are being borne by English Partnerships, the Government's regeneration agency. This forms part of their overall regeneration plan for 300 acres of the Greenwich peninsula. The infrastructure costs specifically associated with the Millennium Experience site, including services, landscaping, a new pier and other works fall to the New Millennium Experience Company. These are in the region of £30 million.

It would however be misleading to seek to compare these costs directly with the costs associated with developing a green field site. All sites have individual characteristics that affect planning requirements, their amenity value and the costs of development.

CABINET OFFICE

Ministerial Travel

Mr. Baker: To ask the Minister without Portfolio if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28932]

Mr. Mandelson *[holding answer 10 February 1998]:* I travelled by train to undertake engagements in Yorkshire and Merseyside.

LORD CHANCELLOR'S DEPARTMENT

Computer Systems

Mr. Clifton-Brown: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27838]

Mr. Hoon: The major computer systems that have been purchased or developed by the Department, its agencies and non departmental public bodies in the last five financial years and projected purchases for 1998–99 are shown in the following tables.

For both the Lord Chancellor's Department Headquarters and the Court Service future IT services will be provided under existing or planned Private Finance Initiative Agreements and charged on a usage basis.

Organisation	System purchased or initiated 1993–94 to 1997–98	Initial purchase/ implementation cost/estimate £	Actual cost £	Planned date of commissioning	Actual date of commissioning
Lord Chancellor's Department Headquarters	NEXUS Office Automation System	600,000	660,000	April 1996	April 1996
Court Service	CCBC County Court Processing System	209,090	237,770	March 1994	April 1994
	BACCHUS Case Management System	721,476	808,931	July 1994	July 1994
	MIDAS Management Information and Accounting System	627,850	641,301	January 1995	January 1995
	MANIFEST Accommodation Management System	339,803	554,064	April 1996	May 1996
	SOAP Office Automation System	754,700	775,065	April 1996	April 1996
Public Trust Office	REACS Receivership Accounting System	191,537	To budget	November 1992	September 1993
	AAS Accruals Accounting System	144,000	To budget	April 1996	April 1996
	Management Information System	116,429	To budget	June 1994	June 1994
	OASIS Office Automation System	314,000	implementation ongoing	March 1997	ongoing to March 1998
Public Record Office	Records Information System	1,300,000	1,233,720	March 1993	March 1994
	Internal Communications Network	60,000	115,404	March 1997	February 1997
Northern Ireland Court Service	Belfast and Newtownabbey Magistrates Court System	869,087	999,492	April 1995	March 1996
	Court Funds Office System	178,482	219,437	April 1995	April 1995
	Chancery Division System	126,098	131,444	November 1996	November 1996
	Fee Collection System	146,078	149,330	September 1996	November 1996
	Resource Accounting System	250,858	291,099	April 1997 (base system)	April 1997 (Base system. Further development ongoing)
	Central Office System	180,000	180,000	February 1996	February 1996
	Fixed Penalty System	220,000	220,000	October 1997	October 1997
	Personnel and Payroll System	120,000	implementation ongoing	April 1998 (personnel) August 1998 (payroll)	On schedule
	PHOENIX Legal Aid Department	1,300,000	1,151,659	December 1998	On schedule for December 1998
Legal Aid Board	Corporate Information System	10,200,000	14,700,000	1997	On a phased basis November 1997-December 1998

Organisation	Systems planned for purchase 1998–99	Estimated cost
Public Record Office	PROCAT Cataloguing System	Currently commercial in confidence
HM Land Registry	Accounts Receivable System	£870,000
	Computer Mapping Infrastructure	Currently commercial in confidence

Court Dress

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the reasons *(a)* which require solicitor QCs to wear wigs in court and *(b)* prohibit solicitor advocates from doing so. [27829]

Mr. Hoon: Queen's Counsel, barristers and solicitors all continue to wear their traditional court dress. The fact that solicitors may now exercise rights of audience in the higher courts is not a reason to extend the wearing of wigs in court. Queen's Counsel, whether barristers or solicitors, have their own distinctive ceremonial and court dress, which differs from that of the outer Bar. There is no reason why solicitor QCs should be expected to dress differently from other QCs.

Queen's Counsel

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department how many solicitor QCs have been appointed in each year since 1995; and what criteria are used to select them. [27835]

Mr. Hoon: In 1995 solicitors became eligible to apply for appointment as Queen's Counsel. In 1996 no solicitors were appointed. In 1997 two solicitors were appointed Queen's Counsel. The criteria used to select all applicants for appointment as Queen's Counsel are:

(a) sound intellectual ability and a thorough, comprehensive and up-to-date knowledge of law and procedures in the fields in which they practice;

(b) outstanding ability as an advocate, to a standard to be expected of Queen's Counsel in the applicant's field of practice;

(c) total professional integrity;

(d) the highest professional standing, having gained the respect of the Bench and the profession in observing the advocate's duty to the Court and to the administration of justice, while presenting their client's case and being formidable, fair and honourable as an opponent;

(e) maturity of judgment and balance;

(f) a high quality practice based on demanding cases which will allow the full measure of these qualities to be demonstrated;

(g) the ability to maintain appropriate professional relationships with lay and professional clients.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department how many honorary appointments as QCs have been made in each year since 1992; and what criteria are used to select them. [27836]

Mr. Hoon: Honorary silk is awarded on the personal recommendation of the Lord Chancellor after consultation within the judicial, professional and academic community. The criterion employed is exceptional distinction in the law outside the field of advocacy.

In the years 1992–1997, there were six, seven, four, three, six and eight appointments respectively. The names of those awarded honorary silk this year will be announced on Thursday 9 April.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department how many solicitors applied for silk in each year since 1995; and what percentage were successful. [27834]

Mr. Hoon: Five solicitors applied for silk in 1995 and none were appointed in 1996 (zero per cent.). In 1996 six solicitors applied and two of them were appointed in 1997 (thirty three and a third per cent.). Seven solicitors applied in 1997 and the names of successful applicants will be announced on Thursday 9 April.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make it his policy to interview candidates for silk. [27830]

Mr. Hoon: My noble and learned Friend has no plans to interview applicants for Queen's Counsel. Silk is primarily an award for forensic advocacy, and an interview would not be an appropriate test of this.

Unified Legal Profession

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the advantages and disadvantages of a unified legal profession. [27831]

Mr. Hoon: The Government's assessment is that the balance of advantage at present lies in allowing a continuation of the separate legal professions.

Absenteeism

Mr. Malcolm Bruce: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26669]

Mr. Hoon *[holding answer 5 February 1998]:* Rates of sick absence in the Civil Service during the 1995 calendar year were contained in a report by OHSA Limited which the Chancellor of the Duchy of Lancaster placed in the House Library on 24 June 1997, *Official Report,* column *419.* For information in respect of the 1996 calendar year, I refer the hon. Member to the answer the Chancellor of the Duchy of Lancaster gave on 10 February 1998, *Official Report,* column *116.*

Similar information is not available for the 1997 calendar year but approximate figures of the percentage of working days lost through sick absence in the 1996–97 and 1997–98 financial years are given in the table. The information given for the Lord Chancellor's Department Headquarters *(a)* includes figures for those non-departmental bodies which are staffed entirely by departmental employees, and Associated Offices.

	1996–97	*1997–98*
(a) Department	2.55	[2]2.44
(b) Agencies		
Land Registry	4.42	[1]2.98
Court Service	6.14	[1]2.44
Public Trust Office	6.77	[2]5.27
Northern Ireland Court Service	6.95	6.10
Public Record Office	4.60	4
(c) Non-departmental		
Legal Aid Board	2.3	3.2
Lord Chancellor's Advisory Committee on Legal Education and Conduct	2.4	2.9

[1] To September 1997.
[2] To December 1997.

Notes:
1. Figures are presented as percentages.
2. Figures are based on average numbers of staff in post in the organisation for the period.

Ministerial Travel

Mr. Malcolm Bruce: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27791]

Mr. Hoon *[holding answer 5 February 1998]:* Ministerial cars and drivers cost the Department £97,056 in 1995–96, £132,086 in 1996–97, £113,494 in 1997–98 to date with an estimate of £151,325 for 1997–98 full year. The Department does not separately record expenditure on taxi fares and figures could be obtained only at disproportionate cost.

HOUSE OF COMMONS

Translation Facilities

Mrs. Ewing: To ask the Chairman of the Accommodation and Works Committee what plans there are for the provision of simultaneous translation equipment in the House of Commons; what estimates he has made of the set-up costs; and if he will make a statement. [28559]

Sir Sydney Chapman: The House of Commons Chamber is already equipped with simultaneous translation facilities. Simultaneous translation equipment will be provided in the multi-purpose conference room in Portcullis House. An estimate of the set-up costs has not yet been made.

Mrs. Ewing: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what translation (i) facilities are available and (ii) staff are employed in the House of Commons on *(a)* a permanent basis and *(b)* an ad hoc basis; and what the forecast running costs are for 1997–98. [28558]

Mr. Kirkwood: There is no simultaneous translation service provided by the House and therefore no translation staff are employed by the House of Commons Commission. Arrangements for simultaneous translation facilities and interpreters in the gallery, to be hired on repayment, can be made on request to the Serjeant at Arms Office. The forecast running cost for 1997–98 is approximately £230.

WALES

Literacy Targets

Mr. Barry Jones: To ask the Secretary of State for Wales what extra support he has given to local educational authorities in Wales to meet literacy targets. [27643]

Mr. Hain: I refer my hon. Friend to the reply I gave him on 4 February 1998, *Official Report*, column *675*.

Prostate Cancer

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what action he is taking to improve *(a)* public awareness of and *(b)* treatment of prostate cancer. [27494]

Mr. Win Griffiths: Advice on the early signs of prostate cancer is provided in a leaflet available from the Health Promotion Wales and the NHS.

The introduction of prostate cancer screening has been considered by the Government's National Screening Committee. They concluded that current evidence does not support a national screening programme for prostate cancer in the United Kingdom. Current screening technologies (including the PSA Test) have a limited accuracy that could lead to a positive result for those without disease. Follow-up procedures could thus cause unnecessary harm to healthy individuals.

There is at yet no national consensus of medical opinion about the correct management of early localised prostatic cancers. In Wales, specialists in prostate cancer are working together to develop standards and guidelines as part of the work of our Cancer Services Co-ordinating Group (CSCG). This work, which will draw on the studies world-wide, will ensure that we have a high quality consistent service for men across Wales based on the best clinical evidence. During the course of 1998 CSCG plan to issue in Wales standards for urological cancers which will include prostate cancer. The development of guidelines will ensure that all patients should have access to appropriate diagnostic and treatment facilities. When these guidelines are published steps will be taken to ensure dissemination to the NHS in Wales.

Housing

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many homes were deemed unfit for human habitation in Wales last year. [27493]

Mr. Win Griffiths: The most recent Welsh House Condition Survey was conducted in 1993. From this, it was estimated that 151,200 occupied first homes, 13.4 per cent. of the total, in Wales were unfit. A further Welsh House Condition Survey is in progress. Information from this survey is expected to be available later this year.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many new homes are planned in each of the unitary authorities in 1998. [28242]

Mr. Win Griffiths: Information on the number of new homes planned for 1998 in each unitary authority is not available. However, Tai Cymru will start 2,300 social housing units in Wales in 1998–99. I will write to the hon. Member with the number of planned starts by registered social landlords in each unitary authority as soon as the information is available, and place a copy in the Library of the House.

Workers Educational Association

Mr. Wigley: To ask the Secretary of State for Wales what representations he has received from the Workers Educational Association in North Wales concerning the financial difficulties facing the WEA; what response he has made to them; if he will provide assistance to them; and if he will make a statement. [27477]

Mr. Hain: My right hon. Friend the Secretary of State has received two letters from the Workers' Educational Association in North Wales concerning the financial difficulties facing the WEA; the first, from the Director, has been sent a reply; the second from the Chairman is still being considered and I will reply in the near future.

I am considering what more can be done to support the Workers' Educational Association in North Wales.

Structural Fund Reform

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what representations he has received on the impact on Wales of reform of European Union structural funds. [28167]

Mr. Hain: My right hon. Friend has received representations, from The Welsh European Partnership (an umbrella organisation representing local partners), Confederation of British Industry, National Trust and others.

Welsh Office officials are currently undertaking a consultation exercise to seek the views of the partnership. This will contribute to the UK negotiating position on the Structural Fund Regulations, due to be published in draft in March.

Meningitis

Mr. Llwyd: To ask the Secretary of State for Wales how many cases of meningitis have been reported in Wales during the past three years; what proportion of these cases were students; and if he will make a statement. [27971]

Mr. Win Griffiths: The number of notifications of meningitis, by age, is given in the following table. Occupation is not routinely collected.

Statutory notifications of meningitis from Wales (all causes) by age group

Age group	*1995*	*1996*	*1997*
Under 1	52	38	35
1–4	52	38	45
5–14	39	31	29
15–24	33	34	33
25–34	11	20	12
35–44	7	10	11
45–54	12	12	6
55–64	6	5	7
65 and over	7	19	19
Age not known	4	2	3
All ages	223	209	200

Source:
Communicable Disease Surveillance Centre Wales (CDSC).

Farmer Suicides

Mr. Llwyd: To ask the Secretary of State for Wales what measures he is taking to reduce the suicide rate of farmers in rural Wales; and if he will make a statement. [28008]

Mr. Win Griffiths: This is an area of great concern for us and we are taking a number of measures to address it.

The Mental Illness Strategy provides a framework for a comprehensive range of services to be developed across Wales, to provide care and support locally. We have set as a health target the reduction in the number of suicides across Wales. More specifically, we have funded the Institute of Rural Health in Gregynog to undertake a study of suicide in Powys, in order to examine specific Welsh factors leading to such tragedies. We have been involved also in a conference to identify the causes of rural stress and to create a strategy to tackle the issues. The Rural Stress Information Network was launched on 4 December 1996 and provides a vital link between Government, farming industry and the voluntary sector on all matters concerning rural stress.

Education Spending

Mr. Llwyd: To ask the Secretary of State for Wales what has been the change in the level of education expenditure by each local education authority in the last year against the previous year. [28012]

Mr. Hain: The information requested is given in the following table.

Local Authority Expenditure on Education[1]

	1996–97 [2]*£000*	*1997–98* [3]*£000*	*Change £000*	*Percentage change*
Blaenau Gwent	32,554	32,206	–348	–1
Bridgend	56,316	56,634	318	1
Caerphilly	75,056	74,621	–435	–1
Cardiff	127,438	127,438	0	0
Carmarthenshire	76,360	79,829	3,469	4
Ceredigion	33,961	34,711	750	2
Conwy	42,181	42,297	116	0
Denbighshire	39,001	37,764	–1,237	–3
Flintshire	62,812	62,176	–635	–1
Gwynedd	51,424	52,359	935	2
Isle of Anglesey	31,709	31,583	–126	–0
Merthyr Tydfil	28,272	28,694	422	1
Monmouthshire	33,744	34,432	688	2
Neath Port Talbot	62,469	63,616	1,147	2
Newport	61,585	63,384	1,799	3
Pembrokeshire	53,903	54,402	499	1
Powys	59,079	60,018	939	2
Rhondda Cynon Taff	108,785	113,795	5,010	4
Swansea	100,067	98,992	–1,075	–1
The Vale of Glamorgan	49,225	49,688	463	1
Torfaen	42,323	42,630	307	1
Wrexham	47,822	48,814	992	2
Total Wales	1,276,086	1,290,083	13,997	1

[1] Includes schools, other continuing education, education service strategy and regulation, inter authority education recoupment, gross expenditure on mandatory student awards and payments to government in respect of grant maintained schools. Figures are gross of government grants but net of sales, fees and charges.

[2] Provisional outturn.

[3] Budget. Adjusted for the under five voucher scheme.

Information Technology

Mr. Llew Smith: To ask the Secretary of State for Wales what plans he has to expand provision for information technology in Welsh schools. [28174]

Mr. Hain: The Grants for Education Support and Training programme includes provision of up to £3.35 million for LEAs in Wales in 1998–99 to support a comprehensive package of training in the use of information and communications technologies in school, and the purchase of computer equipment. Individual Authorities were informed of their allocations on 30 January.

In addition, we are making available a further £3 million to allow LEAs to implement the National Grid for Learning in Wales. Authorities are currently drawing up their plans for submission to the Department. I expect to announce details of allocations as early as possible in the new financial year.

Teachers in Wales will also benefit fully from the Lottery-funded ICT training which will be available from 1999, subject to the passage of the National Lottery Bill currently before Parliament.

Farm Incomes

Mr. Alan W. Williams: To ask the Secretary of State for Wales if he will list the average net annual income from 1989–90 to 1996–97 of *(a)* dairy farmers, *(b)* beef farmers, *(c)* sheep farmers and *(d)* farmers in less favoured areas in Wales. [28273]

Mr. Win Griffiths: Net Farm Incomes are calculated for specific farm types from the Farm Business Survey. The figures for the types closest to those requested are set out in the following table.

Levels of net farm income in Wales

Income (£000/farm)

Farm Type[1]	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*
All Dairy	21.7	19.0	20.2	28.4	28.4	21.9	35.3
SDA Sheep	9.3	10.8	16.5	15.1	17.7	8.6	18.2
LFA Cattle and Sheep	8.8	7.6	12.3	13.1	16.0	7.0	18.4

[1] Figures for SDA Beef cannot be published due to the small size of the sample.
Figures for 1996–97 are currently being collated, and the indices will be published in a Statistical Release on Thursday 12 February 1998. A copy will be placed in the Library of the House. Cash figures will be available in Farm Incomes in the United Kingdom 1996–97 which will be published by MAFF in March.

Commercial Airfields

Mr. Barry Jones: To ask the Secretary of State for Wales if he will list the commercial airfields in Wales in order of activity; and if he will make a statement. [28612]

Mr. Hain: The following aerodromes in Wales have been licensed by the Civil Aviation Authority for the purposes of instruction in flying and for the public transport of passengers: Cardiff; Welshpool; Swansea; Hawarden; Caernarfon; and Haverfordwest.

I understand that the Civil Aviation Authority does not require or maintain comprehensive records of airport activity in discharging its aerodrome licensing function. The above list represents in descending order the information available to the CAA on the level of activity at each aerodrome.

I am currently engaged in a series of meetings with airport and airline owners and operators to investigate the scope for developing scheduled air services in Wales.

Planning

Mr. Barry Jones: To ask the Secretary of State for Wales what is his policy concerning *(a)* house building on brownfield sites and *(b)* out-of-town shopping centres. [28613]

Mr. Win Griffiths: Planning Guidance (Wales): Planning Policy (PG(W):PP), May 1996, includes guidance on the use of brownfield sites to reduce pressure for development on greenfield sites. It stresses the need for local planning authorities to make full and effective use of land within existing urban areas and to take account of the scope and potential for rehabilitation, conversion, clearance and redevelopment.

PG(W):PP also provides advice on retailing, setting out a commitment to sustain and enhance town centres. It introduces the sequential test which favours locating new shopping in town centres, then on edge of town centre sites and, only where those options are not available, on out of centre sites with good access to public transport.

Green Barriers and Green Belt

Mr. Barry Jones: To ask the Secretary of State for Wales what is his policy concerning *(a)* green barriers and *(b)* green belts. [28616]

Mr. Win Griffiths: Planning Guidance (Wales): Planning Policy, May 1996, encourages local planning authorities to consider designating Green Belts in the more heavily populated parts of Wales, and I have written to each authority asking them to give the matter serious consideration. Local planning authorities may include appropriate policies and proposals for green barriers in their development plans.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for Wales what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28384]

Mr. Win Griffiths: None and none.

Home Energy Efficiency Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the home energy efficiency scheme. [28614]

Angela Eagle: I have been asked to reply.

This scheme operates throughout Great Britain and is the responsibility of the Department of the Environment, Transport and the Regions. It pays grants for improving the energy efficiency standards of the homes of vulnerable householders. I am reviewing the scheme at present, to find out if it is helping the right people in the most effective way. I will consider carefully any options for developing the scheme which flow from the review.

NORTHERN IRELAND

Drugs

6. **Mr. Robathan:** To ask the Secretary of State for Northern Ireland pursuant to her oral answer of 14 January 1998, *Official Report*, column 337, what action she has taken to investigate alleged links between *(a)* drug traffickers, *(b)* the IRA and *(c)* Sinn Fein and Direct Action Against Drugs. [26870]

Mr. Ingram: The investigation of any criminal activity is a matter for the RUC who rigorously investigate all drug trafficking and other illegal activity regardless of what individuals or organisations may be involved.

Downe Hospital

7. **Mr. McGrady:** To ask the Secretary of State for Northern Ireland what progress has been made towards the provision of funding for the third stage of the Downe Hospital. [26871]

Mr. Worthington: The Down Lisburn Trust has asked to proceed to a Full Business Case and public funding for a new Downe Hospital. I need to decide what public investment will best serve the local population well into

the next century. My officials have been examining the proposal and I will be considering this analysis in the next few days. When I have made my decision I will discuss the way ahead with the Trust and the hon. Gentleman.

Police (Complaints)

8. **Mr. Lock:** To ask the Secretary of State for Northern Ireland what plans she has to improve procedures in relation to complaints against the police; and if she will make a statement. [26872]

Mr. Ingram: The Police (Northern Ireland) Bill, which is currently before this House, contains new provisions on police complaints. These will give effect to a new, radical system in Northern Ireland under which an independent Police Ombudsman will have complete control of the process.

Tourism

9. **Mr. Ian Bruce:** To ask the Secretary of State for Northern Ireland how many tourists and others visited Northern Ireland in the last period for which figures are available. [26873]

Mr. Ingram: During 1996, following the cease-fire breakdown, 1.44 million visitors came to Northern Ireland, including 298,000 pure holiday visitors. Current estimates for 1997 suggest a decline on 1996, with total visits falling to around 1.4 million, and pure holiday visitors to 248,000.

School Funding

11. **Mr. Trimble:** To ask the Secretary of State for Northern Ireland if she will make a statement on the implementation of the Coopers and Lybrand report on school funding. [26875]

Mr. Worthington: Following consultation with schools, significant first steps towards achieving commonality in Local Management of Schools funding formulae, which is the main thrust of the Coopers and Lybrand Report, have now been set in place for 1998–99. All formulae will, in practice, operate on the same basis in relation to small schools and premises costs. Some progress has also been made in moving towards common age weighted pupil units, and further consultations and discussion with education interests on this and on the targeting Social Need element of the formula will take place in the coming year.

Peace Process

12. **Ms Southworth:** To ask the Secretary of State for Northern Ireland what progress is being made in the all-party talks. [26876]

14. **Mr. Hanson:** To ask the Secretary of State for Northern Ireland if she will make a statement on current progress in the peace talks. [26878]

22. **Mr. Winnick:** To ask the Secretary of State for Northern Ireland if she will make a statement on the current peace talks. [26887]

25. **Mr. Quinn:** To ask the Secretary of State for Northern Ireland if she will make a statement on progress in the peace process. [26890]

Marjorie Mowlam: I refer my hon. Friends to the oral answer I gave earlier to my hon. Friend the Member for Islington, North (Mr. Corbyn).

13. **Mr. Wilkinson:** To ask the Secretary of State for Northern Ireland if she will make a statement on the outcome of the Northern Ireland peace talks in London. [26877]

Marjorie Mowlam: The talks at Lancaster House focused on relations between Northern Ireland and the Republic of Ireland and the totality of relationships between the two Irelands. The process benefited from the change of location which helped to increase the pace of negotiation as we approach the May deadline.

17. **Mr. Gareth R. Thomas:** To ask the Secretary of State for Northern Ireland what recent discussions she has had with the Irish Government concerning the Northern Ireland peace process. [26881]

Marjorie Mowlam: I have regular discussions with the Irish government on the peace process, both within the talks process and on other occasions, in pursuit of our shared goal of achieving a widely acceptable political accommodation and a lasting peace.

18. **Mr. Laurence Robertson:** To ask the Secretary of State for Northern Ireland what are her objectives for the outcome of the peace process in Northern Ireland. [26882]

Marjorie Mowlam: The Talks have the purpose of achieving a new beginning for relationships within Northern Ireland, within the island of Ireland and between the peoples of these islands, and to agree new institutions and structures to take account of the totality of relationships.

A political settlement which addressed these relationships to the satisfaction of the talks participants and won widespread support throughout the community in Northern Ireland could bring about political stability and greater democratic accountability, and underpin lasting peace.

19. **Mr. Clifton-Brown:** To ask the Secretary of State for Northern Ireland if she will make a statement on policy with regard to paramilitary organisations' participation in the peace talks. [26883]

Marjorie Mowlam: A number of parties which participate in the political talks have links with paramilitary organisations. No party is entitled to participate if it is in breach of the Mitchell Principles of democracy and non-violence. In assessing that, we shall take account of the activities of organisations with which the party concerned has a clear link, as we did in considering the position of the Ulster Democratic Party.

21. **Mr. Donaldson:** To ask the Secretary of State for Northern Ireland what assessment she has made of the role of the Framework Document in achieving consensus between Unionists and Nationalists in the talks process. [26885]

Marjorie Mowlam: The Government put forward the Framework documents in 1995 as a package that in their view had the potential for securing consensus, but they made clear that they would accept a range of other outcomes broadly acceptable to other participants in talks. We naturally remain committed to the principles reflected

in the Framework documents, but the final outcome depends on where participants themselves can find consensus.

Economic Strategy

15. **Mr. Browne:** To ask the Secretary of State for Northern Ireland what initiatives she has undertaken in the course of her review of the economic strategy for Northern Ireland. [26879]

Mr. Ingram: We are working hard to improve the competitiveness of the Northern Ireland economy and tackle its underlying problems, particularly long-term unemployment. The New Deal, to which we are committing £140 million in Northern Ireland over the life of this Parliament, will greatly increase the opportunities for the long-term unemployed.

I have set in train two important reviews. The first is looking at the Department of Economic Development's structures for delivering industrial support services and will be completed next month. The second is a fundamental re-examination, in partnership with the private sector, of the economic development strategy needed to take Northern Ireland into the new millennium. It will be completed by the autumn of next year.

Guardsmen Fisher and Wright

16. **Mr. Martin Bell:** To ask the Secretary of State for Northern Ireland if she will assess the advantages of the early release of Guardsmen Fisher and Wright. [26880]

Mr. Ingram: My right hon. Friend the Secretary of State considered all aspects of these cases in October 1997 at the five year point in their sentences. She decided that they had not yet served a period that reflected the gravity of the crime they committed and asked that the cases be considered again in October 1998.

27. **Mr. Dalyell:** To ask the Secretary of State for Northern Ireland what assessment she has made of the impact of recent court decisions on the release date of Guardsman Wright. [26892]

Mr. Ingram: On Monday 26 January the High Court in Belfast granted leave for a judicial review of my right hon. Friend the Secretary of State's decision of 27 October 1997 that the cases of the Guardsmen should be referred back to the Life Sentence Review Board in October 1998. No date has yet been set for the hearing.

Sports Council

20. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland what plans she has to allocate sufficient funding to the Sports Council of Northern Ireland for it to provide comparable specialist and competition facilities to those in Great Britain. [26884]

Mr. Worthington: The provision of specialist and competition facilities comparable to those in Great Britain is being pursued under proposals for the United Kingdom Sports Institute. Funding for the Institute will be drawn from the National Lottery.

Mr. Kevin Barry Artt

23. **Mr. Maginnis:** To ask the Secretary of State for Northern Ireland if she consulted the Attorney-General *(a)* before making a public statement relating to the extradition of Mr. Kevin Barry Artt from the United States and *(b)* instructing Northern Ireland's Director of Security to discuss the case with Mr. Artt's solicitors. [26888]

Mr. Paul Murphy: Any public comments that the Secretary of State made were in accordance with normal Government policy on such cases, namely that bail in Artt's case is a matter for the US authorities, whose policy, as I understand it, is to oppose bail in extradition cases. Also, it remains our policy that time served abroad by prisoners at large from the UK does not normally count towards sentences served in this jurisdiction. At the Secretary of State's request the Director of Security in the NIO, who was accompanying her in America, met Artt's attorney to listen to and pass on their representations.

Nursery Education

24. **Mr. Savidge:** To ask the Secretary of State for Northern Ireland if she will make a statement on nursery education in Northern Ireland. [26889]

Mr. Worthington: I refer my hon. Friend to the oral reply I gave earlier to my hon. Friend the Member for Eastwood (Mr. Murphy).

Local Government

26. **Mr. Bill O'Brien:** To ask the Secretary of State for Northern Ireland if she will make a statement on progress with transferring responsibilities to local government in Northern Ireland. [26891]

Marjorie Mowlam: If widely acceptable arrangements can be agreed in the talks process it is the Government's intention to transfer a wide range of responsibilities to new democratically elected institutions in Northern Ireland.

Road Investment

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will make a statement on road investment in the current and next two financial years. [26874]

Mr. Paul Murphy: Our intention is to spend approximately £155 million and £145 million on road investment in 1997/98 and 1998/99 respectively. The level of funding for 1999/00 is dependent on the outcome of the Government's Comprehensive Spending Review.

Northern Ireland Transport Holding Company

Mr. Salter: To ask the Secretary of State for Northern Ireland if she intends to review the role of the Northern Ireland Transport Holding Company. [29277]

Marjorie Mowlam: Yes. I have initiated a review of the Northern Ireland Transport Holding Company and I plan to announce the outcome later this year.

Council of the Isles

Mr. Godman: To ask the Secretary of State for Northern Ireland if, when she last met the representatives of political parties, they discussed the concept of a Council of the Isles. [26865]

Mr. Paul Murphy: The paper 'Propositions on Heads of Agreement', which was tabled in the talks on 12 January, put forward, amongst other things, the idea of an intergovernmental Council to deal with the totality of relationships. This is akin to the idea of a Council of the Isles. The idea was discussed in the talks on 28 January.

Grammar Schools

Sir Teddy Taylor: To ask the Secretary of State for Northern Ireland if she will make a statement on the percentage of children in Northern Ireland who attend grammar schools. [26886]

Mr. Worthington: Some 41 per cent. of schools pupils aged 11–18 attend grammar schools i.e. 35 per cent. of pupils aged 11–16 and 72 per cent. of pupils aged 16+.

SCOTLAND

BSE

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what assessment he has made of the effect which the phasing out of support for the rendering sector will have on *(a)* the viability of the knackery sector and *(b)* the number of fallen beasts which are buried on farms. [24388]

Mr. Macdonald *[holding answer 21 January 1998]:* The support was a transitional measure to enable the industry to adjust to the new circumstances after 20 March 1996. The impact will be a matter of economic adjustment among the various sectors of the meat industry affected. Information on numbers of fallen beasts buried on farms is not available. My officials monitor the situation, however, and have been informed by the enforcement authorities that there is no noticeable increase in the illegal disposal of fallen animals.

Civil Service Staff

Mr. Rhodri Morgan: To ask the Secretary of State for Scotland what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26025]

Mr. Dewar *[holding answer 28 January 1998]:* Of the total number of Senior Civil Service staff within my Department at 31 December 1997:

(a) 66% have spent their entire civil service career within The Scottish Office;

(b) (i) 11% have had secondments to the private sector;

(ii) 13% have been seconded to other Departments; and

(c) 10% have come from other Departments.

[percentages have been rounded to the nearest whole number].

In addition, 47 per cent. of Senior Civil Service staff within my Department, including some from each of the above categories, have experience of work in other public sector organisations or the private sector prior to their joining the Civil Service.

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for Scotland if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27847]

Mr. Dewar: The information for my Department and its agencies is set out in the table. Computer systems with a capital cost of under £250,000 have been excluded. The costs shown are capital purchase cost including VAT. Information relating to NDPBs is not held centrally and could be obtained only at disproportionate cost.

Computer systems commissioned since 1993–94	*Purchase cost (£)*	*Planned commissioning date*	*Actual commissioning date*
Scottish Office			
Agricultural Census	907,000	May 1996	November 1996
Cattle Control Documentation	497,000	January 1996	July 1996
Corporate Finance System	4,177,000	April 1996	April 1996
Crofting Building Grants and Loans	425,000	May 1997	November 1997
Farm Accounts Scheme	908,000	February 1997	May 1997
Finance Public Expenditure Survey System	260,000	July 1993	February 1994
Fisheries Information Network	1,234,000	April 1995	April 1995
Human Resource Management System	750,000	August 1997	October 1997
HM Schools Inspectorate Management Information System	250,000	1993	1993
Industry Department Glasgow: INFORM System	967,000	September 1996	March 1997
National Roads Dir: Programme Management System	331,000	April 1994	April 1995
Office Automation for Solicitor's Office	297,000	August 1996	August 1996
Office Automation for Agriculture Group	640,000	March 1997	March 1997
Office Automation for Department of Health	350,000	March 1998	March 1998
Office Automation for Director of Administrative Services	680,000	1995–96	1995–96
Office Automation for Education Divisions	705,000	July 1994	July 1994
Office Automation for Environment Group	250,000	February 1997	January 1997
Office automation for Fisheries Group	757,000	December 1993	March 1994
Office Automation for Home Department	544,000	October 1996	October 1996
Office Automation for Human Resources Function	777,000	February 1995	July 1995
Office Automation for Industry Department. (Glasgow)	1,032,000	November 1994	November 1994
Office Automation for Personal Secretaries	1,001,000	May-November 1995	May-November 1995

Computer systems commissioned since 1993–94	*Purchase cost (£)*	*Planned commissioning date*	*Actual commissioning date*
Office Automation for Private Office	512,000	April 1995	April 1995
Office Automation for Social Work Services Group	473,000	August 1996	August 1996
Office Automation for Victoria Quay	1,610,000	September 1995	November 1995
Pentland House Office Automation Infrastructure	654,000	April 1996	April 1996
Quota Management IT System	473,000	July 1996	July 1996
Records Management—Computerisation of Central Registries	591,000	March 1998	March 1998
Statistical Software Licences	850,000	December 1993	December 1993
Agriculture Grants Payments System (SIACS) 94	3,798,000	December 1993	December 1993
SIACS 95	1,490,000	December 1994	December 1994
SIACS 96	1,198,000	December 1995	December 1995
SIACS 97	1,926,000	December 1996	December 1996
SIACS BSE & Beef Premium Scheme	1,118,000	July 1996	July 1996
SIACS Development Servers	310,000	May 1996	July 1996
SIACS Upgrades	1,260,000	October 1997	October 1997
SIACS Management Information System	595,000	September 1997	March 1998
Agencies			
Historic Scotland Financial Management Information System	500,000	April 1995	April 1995
Registers of Scotland Computerised Sasines	365,000	June 1993	July 1993
Registers of Scotland Digital Mapping	499,000	November 1994	December 1994
Registers of Scotland Land Register System	509,000	January 1995	February 1995
Registers of Scotland Search Sheet Imaging	1,175,000	June 1997	August 1997
Student Grants System for Student Awards Agency	2,566,000	April 1997	April 1997
Scottish Prisons Computer System (SPIN)	6,000,000	December 1994	January 1995
Ongoing Projects			
New Pension Admin System for Teachers and the NHS	1,300,000	July 1998	July 1998
SIACS 98	324,000	December 1997	December 1997/ through 1998
Field Identification System for Arable Grants	1,772,000	—	through 1998
Planned Purchases for Financial Year 1998–99			
Agriculture Environment Cross Check System	[1]1,000,000	—	—
Registers of Scotland Direct Access System	[1]1,790,000	—	—
Registers of Scotland Finance/Executive Information System	[1]400,000	—	—

[1] Estimated cost.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for Scotland what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28385]

Mr. Dewar: A Supplementary Notice regarding protecting the environment is issued by The Scottish Office with the terms and conditions of all contracts which requires suppliers to satisfy themselves that no product supplied to the Department contains materials derived from threatened species or threatened environments.

My Department has neither specified nor acquired any Brazilian mahogany in 1996 or 1997.

Public Opinion Research

Mr. Duncan: To ask the Secretary of State for Scotland how many contracts for public opinion research his Department has awarded since 1 May; if he will indicate the *(a)* purpose, *(b)* cost, *(c)* value and *(d)* duration of each contract; and which companies (i) bid for and (ii) were awarded each contract. [28874]

Mr. Dewar *[holding answer 10 February 1998]:* My Department has not let any contracts for public opinion research since 1 May 1997. The Government are, of course, keen to consult with the public wherever appropriate and my Department does seek to assess the impact of current policy initiatives through its programmes of research.

Water Industry

Mr. Salmond: To ask the Secretary of State for Scotland what was the level of water charges in current prices and the percentage annual change for each region of Scotland for each of the last five years; and if he will make a statement. [28553]

Mr. Macdonald: The figures are as in the following tables.

1997–98 constant prices Band D water charges

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
East					
Borders	96.45	100.45	100.44	93.96	96.00
Forth Valley	52.71	51.32	48.63	49.56	54.00
Fife	66.17	64.42	67.66	69.18	75.00
Lothian	78.51	85.16	97.27	93.96	96.00
North					
Grampian	99.82	97.17	94.10	95.51	99.00
Highland	90.84	96.42	96.21	95.51	99.00
Tayside	71.78	75.34	78.24	79.50	84.50
Orkney	130.10	134.29	128.99	119.77	111.00
Shetland	118.94	126.65	125.14	119.77	111.00
Western Isles	205.24	211.81	196.65	119.77	111.00

1997–98 constant prices Band D water charges

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
West					
Dumfries and Galloway	94.21	91.71	88.02	92.93	95.40
Strathclyde	84.11	87.35	91.98	92.93	95.40

Year on year percentage change in 1997–98 constant prices Band D water charges

Percentages

	1994–95	*1995–96*	*1996–97*	*1997–98*
East				
Borders	4	0	–6	2
Forth Valley	–3	–5	2	9
Fife	–3	5	2	8
Lothian	8	14	–3	2
North				
Grampian	–3	–3	1	4
Highland	6	0	–1	4
Tayside	5	4	2	6
Orkney	3	–4	–7	–7
Shetland	6	–1	–4	–7
Western Isles	3	–7	–39	–7
West				
Dumfries and Galloway	–3	–4	6	3
Strathclyde	4	5	1	3

Note:
Adjusted to current prices by all items RPI index (forecast for 1997–98).

Mr. Salmond: To ask the Secretary of State for Scotland if he will make a statement on the current proposed price changes for water services in Scotland; and when he will complete his examination of water charges submitted by the water authorities. [28555]

Mr. Macdonald: My right hon. Friend is giving full and detailed consideration to this matter.

Mr. Salmond: To ask the Secretary of State for Scotland what was the level of investment in water services in current prices and the percentage annual change, in Scotland, by region, for each of the last five years; and if he will make a statement. [28554]

Mr. Macdonald: Since taking over water services in April 1996, the water authorities have made investment plans which cover the whole of their areas, and are not disaggregated to former regional areas.

Local Government Officials

Mr. Salmond: To ask the Secretary of State for Scotland how many representations he has received concerning employment issues at West Dunbartonshire Council; and what discussions he has had with *(a)* COSLA, *(b)* West Dunbartonshire Council and *(c)* Unison concerning the procedures for terminating the contracts of senior council officials. [28590]

Mr. Macdonald: One letter has been received by my right hon. Friend the Secretary of State. No discussions have taken place with the above bodies concerning the procedures for terminating contracts of senior council officials since, as independent corporate bodies, local authorities have powers to appoint officers on such reasonable terms and conditions as they think fit. In doing so they are, of course, required to comply with employment law. Ministers have no locus to intervene in such matters.

Mr. Salmond: To ask the Secretary of State for Scotland what guidelines he has issued with reference to safeguarding the non-political status of senior council officials; what is the role of councillors in respect of the termination of employment contracts for senior council officials; and what guidelines he has issued regarding the termination of employment contracts for senior council officials. [28589]

Mr. Macdonald: The Government believe it is important that councils and the public can rely on politically impartial service from senior local government officials, and that councils respect the political neutrality of officials. The political activities of certain local government officials are restricted by Part 1 of the Local Government and Housing Act 1989 and by regulations made by the Secretary of State under that Act. Scottish Development Department Circular 28/89 advised local authorities of the effects of the 1989 Act and letters of 25 April 1990 and 1 August 1990 from the Scottish Development Department advised local authorities about the regulations made under the 1989 Act. I have arranged for copies of these to be placed in the Library of the House. The Government intend to review the number and level of local government officers covered by political restrictions.

Councillors, as employers, have a role should they consider there is the need to terminate the contracts of Chief Executives or chief officers. Local government, through COSLA, have in place agreed procedures which allow councillors to report such matters and participate in any investigating and disciplinary committees which are set up. However, given the unique position of Chief Executives, arrangements are in place between the local authority employers and staff associations for any proposed disciplinary action to be investigated by an independent third party.

No guidelines have been issued by central government regarding the termination of employment contracts for senior council officials. This is a matter for local authorities themselves and would depend on the terms and conditions on which the appointment had been made.

Mr. Salmond: To ask the Secretary of State for Scotland what role he has in respect of breaches of *(a)* the National Code of Local Government Conduct and *(b)* the Conditions of Service for Chief Officials of Local Authorities (Scotland). [28591]

Mr. Macdonald: The Secretary of State has no role in respect of breaches of the National Code of Conduct. Neither has he any role in respect of breaches of the conditions of service for local authorities' chief officials which are entirely matters for local authorities as the employer.

The Government are, as part of our consideration of the ethical framework for local government in the light of the third report of the Committee on Standards in Public Life, considering what changes may be necessary to the code of conduct for councillors and how a revised code might be enforced.

Council Houses

Mr. Welsh: To ask the Secretary of State for Scotland if he will list for each unitary local authority the number of council houses affected by *(a)* dampness and *(b)* condensation at 31 March 1996. [28982]

Mr. Macdonald: The table sets out local authorities' estimates of the position, as at 31 March 1996.

Local authority dwellings affected by dampness and/or condensation: estimates as at 31 March 1996

	Dampness only	*Condensation only*	*Both dampness and condensation*
Aberdeen City	1,585	3,462	201
Aberdeenshire	64	1,480	0
Angus	2	625	0
Argyll and Bute	601	577	1,137
Clackmannan	386	175	329
Dumfries and Galloway[1]	—	—	—
Dundee City	596	8,605	570
East Ayrshire	1,373	7,159	1,823
East Dunbartonshire	683	77	392
East Lothian	625	0	1,408
East Renfrewshire	100	359	304
Edinburgh City	1,851	10,045	4,053
Falkirk	2,381	4,286	2,488
Fife	15	5,218	10
Glasgow City	15,821	25,340	14,824
Highland	1,169	3,400	653
Inverclyde	483	0	2,797
Midlothian	0	0	0
Moray	89	805	87
North Ayrshire	294	1,357	0
North Lanarkshire	10,164	17,473	13,725
Orkney	0	0	0
Perthshire and Kinross	122	1,843	388
Renfrewshire	3,152	3,193	1,897
Scottish Borders	61	44	157
Shetland	26	462	20
South Ayrshire	553	7,398	733
South Lanarkshire	191	1,805	2,020
Stirling	130	1,111	329
West Dunbartonshire	1,592	2,946	693
West Lothian	2,017	864	0
Western Isles	818	604	557
Scotland	46,944	110,713	51,595

[1] Figures not available.

AGRICULTURE, FISHERIES AND FOOD

Beef on the Bone

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how many butchers have been *(a)* cautioned and *(b)* prosecuted for selling beef on the bone; and if he will make a statement. [28004]

Mr. Rooker: Enforcement of the prohibition on the sale of bone-in beef by butchers is the responsibility of local authorities. I am not aware that any butchers have been cautioned or prosecuted for such sales although I understand the Procurator Fiscal is currently considering a possible prosecution in Scotland. Normal practice would be to take legal action only after warnings and advice had been given. Local authorities are enforcing the law, and I expect them to continue to do so.

Quarantine Kennels

Laura Moffatt: To ask the Minister of Agriculture, Fisheries and Food if he will list the quarantine kennels which have *(a)* agreed and *(b)* not agreed to abide by the voluntary code of practice on welfare standards in quarantine kennels. [27941]

Mr. Rooker: Yes.

(a) Those quarantine premises which have agreed to abide by the code are as follows:

Alkamhurst Kennels
Arden Grange International Quarantine Kennels
Aquithie Boarding and Quarantine Kennels and Cattery
Barn Owl Kennels
Bayton Lodge International Quarantine Kennels
Breeny Boarding and Quarantine Kennels
Calagran Quarantine Kennels
Cayla Kennels
Chingford Quarantine Kennels Ltd.
Court Park Cattery
Devon International Quarantine Kennels Ltd.
Edinburgh and Lothians Kennels
Edinburgh International Kennels
Eyersdown Farm Quarantine Kennels
Fairfield Kennels
Four-in-Hand Kennels (1983) Ltd.
Fosscott Kennels Ltd.
Galley Hill International Quarantine Kennels
Gatwick Kennels
Granary Kennels
Greenveldt Quarantine Kennels
Haxted Quarantine Kennels
Hazel House Quarantine Kennels
Highfield Cat Boarding Kennels
Hill Farm Kennels
Holmsley Quarantine Kennels
Ingfield Pet Hotel
International Quarantine Cattery "Cherry Trees"
International Quarantine Kennels (Dover) Ltd.
Kat 'n' Kitten Kountry Kottages
Kingstown Quarantine Kennels
Kitcombe Quarantine Kennels and Catteries
Knightwood Quarantine Kennels
Koriston Kennels
Kynos Kennels
Ladyhaye International Quarantine Kennels
Little Acre Quarantine Centre
Little Creek Quarantine Kennels
Loggerheads Quarantine Kennels
London and Essex International Quarantine Kennels
Mayfield Kennels Ltd.
Meadpark Quarantine Kennels
Millview Kennels
Milton Quarantine Kennels
Moonwinds Quarantine Kennels
Nottinghamshire International Quarantine Kennels
Oakenshaw Grange Kennels
Overhill Quarantine Kennels

Oxted Quarantine Kennels

Paisley Quarantine Cattery

Par Air Quarantine Kennels and Cattery[1]

Precious Pet Valley

Red Lea Pets Holiday Centre and International Quarantine

Rushwood International Quarantine Kennels and Cattery

Rutland Quarantine Kennels

Ryslip Quarantine Kennels

South West (UK) International Quarantine Kennels

Sibthorpe Kennels

Spire Ridge Ltd.

St. Giles Kennels and Cattery

St. Andrews Farm Kennels

Sylvester's Cattery

The Animal Inn

The Firs International Quarantine

The Hearts Quarantine Cattery

The Hollies Farm Quarantine Kennels

Thimbleby International

Thornley Bank Kennels

Top Hat and Tails Ltd. Quarantine Kennels and Cattery

UK Quarantine Kennels

Wadacre Farm International Quarantine Kennels

Westcourt Quarantine Cattery

West Wales Quarantine Kennels[1]

Wey Farm Cattery and Kennels

Willowslea Farm Quarantine Kennels

Wyddial Park Quarantine Kennels

Yorkshire International Quarantine Kennels.

[1] Agreed to comply but, following inspections, were found not to comply with all aspects of the Code.

(b) Those quarantine premises which have not agreed to abide by the requirements of the Code are as follows:

Dover and Folkestone Quarantine Kennels

Raystede Centre for Animal Welfare

Wild Acres Quarantine Kennels.

Computer Systems

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27844]

Mr. Morley: It is not possible to answer this question fully because to do so would incur disproportionate costs. However, the following information may be helpful. This shows the number of IT projects completed/planned in each of the years requested and total costs incurred/estimated for core-MAFF and Agencies. Major project areas where total costs fall in the range £1 million-£10 million, or exceed £10 million, are also identified.

Core-MAFF and Agencies

Year	*Projects completed/planned*	*Total costs £ million*
1993–94	150	43.8
1994–95	163	42
1995–96	266	40.4
1996–97	185	43.2
1997–98	114	46.1
1998–99	92	33.6

	Major Projects
£1 million-£10 million	Establishment of Meat Hygiene Service Farm Survey System
Greater than £10 million	CAP Reform Schemes/Projects Resource Management Strategy MAFF's Corporate Office Systems BSE systems MAFF's Millennium Programme

Knackers Industry

Mr. Levitt: To ask the Minister of Agriculture, Fisheries and Food what meetings he has had with representatives of the knackers industry in respect of current problems with the disposal of fallen stock; and if he will make a statement. [26820]

Mr. Rooker: I met representatives of the Licensed Animal Slaughterers' and Salvage Association (LASSA) on 17 November 1997 to discuss the disposal of fallen stock. The Government consider that it is the responsibility of the livestock industry to ensure that there are suitable arrangements for the collection and disposal of fallen stock. My officials are discussing future arrangements with LASSA, the Meat and Livestock Commission and the farming industry.

Sheepmeat

Mr. Livsey: To ask the Minister of Agriculture, Fisheries and Food if he will investigate the methods of slaughter of *(a)* chilled and *(b)* frozen sheepmeat imported into the UK from (i) within and (ii) outside the EU; and if he will assess the extent to which it meets UK slaughtering and meat hygiene standards. [27064]

Mr. Rooker: The slaughter of sheep in all EU Member States must comply with Community rules governing the protection of animals at the time of slaughter and killing (Directive 93/119/EC). It is a requirement of these rules that meat imported from Third Countries must be from animals slaughtered or killed in accordance with conditions equivalent to those applying in the Community. Common rules on meat hygiene standards, applicable in all Member States, are similarly laid down in Directive 64/433/EEC. For imports from third countries, Directive 72/462/EEC requires compliance with equivalent conditions to those in Directive 64/433/EEC for the hygienic production of fresh meat.

Beef Imports

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food by what means his Department monitors the beef import regulations introduced on 1 January. [25673]

Mr. Rooker *[holding answer 28 January 1998]:* All consignments of animal products imported directly into the United Kingdom from outside the European Union (EU) are subject to checks at designated Border Inspection Posts (BIPs), including checks on the certification requirements on specified risk materials introduced under the Specified Risk Materials Order 1997. Single Market rules permit only random spot-checks at destination on animal products traded within the Community. Consistent with those rules, a daily sample of randomly selected consignments from EU member states are subject to documentary checks by Ministry officials for conformity with the new unilateral controls relating to specified risk material.

Data on the number, type and results of veterinary checks on beef consignments at Border Inspection Posts, most of which are operated by local authorities, and the number and outcome of the random documentary spot-checks on beef consignments arriving from or via other EU Member States are being collated on a monthly basis from 1 January 1998, the date when the Specified Risk Material Order came into force. No data are yet available. They will be published in the Ministry's BSE Enforcement Bulletin which is placed in the Library of the House.

Mr. Laurence Robertson: To ask the Minister of Agriculture, Fisheries and Food what is the average age of cattle at slaughter from which beef is imported from *(a)* the Republic of Ireland, *(b)* the Netherlands, *(c)* France, *(d)* Botswana, *(e)* Namibia and *(f)* Australia. [20714]

Mr. Rooker *[holding answer 16 December 1997]:* European Community rules do not require the certification or documentation accompanying beef traded within the Community or imported from third countries to include information on the age of animals at slaughter.

The sale of meat for human consumption originating from animals over 30 months old from the Republic of Ireland, the Netherlands or France would be a breach of our legislation. Botswana, Namibia and Australia are exempt from these requirements.

Genetically Modified Food

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the answer to the hon. Member for Barnsley, Central (Mr. Illsley) of 15 January 1998, *Official Report*, columns *292–93*, when the results of the studies into genetically modified foods listed will be completed; and when they will be made public. [28225]

Mr. Rooker *[holding answer 9 February 1998]:* The requested information on completion dates is given in the table. Once final reports have been received and evaluated, they are made available through the Department's library and their availability publicised in the Government's Food Safety Information Bulletin. This usually occurs within three months of the project completion date. However, publication of results in peer reviewed scientific journals is encouraged throughout the lifetime of the Department's research projects, and in many cases precedes the availability of the final reports.

Study	*Organisation*	*End date*
Tagging genetically engineered organisms	IFR, Norwich Laboratory	31 March 1997
Development of new methods for safety evaluation of transgenic crops	BIBRA Toxicology International	30 June 1997
Honey from genetically modified plants: integrity of pollen DNA, and expression of promoters in floral organs	Laboratory of the Government Chemist	31 March 1997
Genetically modified organisms in food—evaluation of in vitro and in vivo models for assessing DNA transfer in gut	BIBRA Toxicology International	31 March 1998
Detection of genetically modified organisms in foods	Laboratory of the Government Chemist	31 March 1998
A model system for the quantitative analysis of horizontal spread of DNA from genetically engineered micro-organisms GIT	IFR, Norwich Laboratory	31 March 1996
Potential for gene transfer between manipulated bacteria and the resident microflora of the human gut	Rowett Research Institute	31 May 1998
A model system for the quantitative analysis of horizontal spread of DNA from genetically engineered micro-organisms	Surrey University	31 March 1996
Regulation and targeting of transgene expression in fruit crops	HRI, East Malling	31 October 2000
Causes of instability in transgenic plants	Jones Innes Centre	31 August 1999
Safety of recombinant DNA technology: gene location, market elimination and secondary effect	IFR, Norwich Laboratory	30 September 1999
Compilation of a database of oil compositions from new varieties of oilseeds	Leatherhead Food Research Association	31 August 1997
A database of novel foods and food products cleared in countries other than the UK	AEA Technology, Consultancy Services	24 June 1997
Genes that have been introduced by genetic modification into crop plants intended for food use	AEA Technology, Consultancy Services	24 June 1997
Persistence and potential infectivity of live bacteria in foods	IFR, Norwich Laboratory	30 April 1999
Development of a strategy to promote the public's understanding of biotechnology	Sheffield University	31 March 1998
The effect of agriculturally-relevant environmental factors on the expression and stability of genes affecting wheat lipases	University College Wales, Cardiff	31 December 2000
Survival of DNA in the gut and the potential for genetic transformation of resident bacteria	Rowett Research Institute	31 May 2001
Evaluating the risks associated with using GMOs in human foods	Newcastle University	31 May 2001
Impact of transformation methods, construct and gene cassette architecture on the stability and expression of transgenes	John Innes Centre	31 March 2001

Study	*Organisation*	*End date*
Assessment of the risks of transferring antibiotic resistance determinants from transgenic plants to micro-organisms	Leeds University	31 December 2001
Dissemination of GM DNA and antibiotic resistance genes via rumen micro-organisms	Rowett Research Institute	31 May 2001
Risk of gene transfer from genetically modified crop plants to gut bacteria	IFR, Norwich Laboratory	31 March 2001
Gene expression in anthers and nectaries of transgenic plants	Leicester University	30 September 1995
The stability of expression and inheritance of transgenes in brassica	John Innes Centre	28 February 1996
Risk assessment of genetically engineered avian probiotics	Newcastle University	31 October 1997
Possibility of Agrobacterium as a vehicle for gene escape	Mylnefield Research Services Ltd.	30 April 1996
Do protein sequences imply inter-species gene transfer?	Manchester University	14 February 1996
The effect of background genotype on transgenes	John Innes Centre	6 July 1999
Investigation of novel viruses created by growing viral coat protein transgenic sugar beet plants	Central Science Laboratory/IACR, Brooms Barn	31 July 1995
Mobile genetic elements and lateral gene transfer events in crop species	Manchester University	31 May 1999

Indian Restaurants

Mr. Pearson: To ask the Minister of Agriculture, Fisheries and Food if he will assess the contribution of the Indian restaurant sector to the economy; and if he will make a statement. [25693]

Mr. Rooker *[holding answer 5 February 1998]:* Separate official statistics are not available on this sector of the wider catering market. However, the Department is aware of the contribution of the sector and looks forward to further dialogue with the representative organisations.

HEALTH

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for Health how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27038]

Ms Jowell *[holding answer 2 February 1998]:* The Department aims to reply to Ministerial correspondence within 20 working days of receipt; 76 per cent. of letters received replies within that target during 1997; and the average time taken for reply was 19 working days. Replies are posted within one working day of signing by a Minister.

Tobacco and Alcohol

Mrs. Lait: To ask the Secretary of State for Health what evidence he has evaluated of changes in the level of consumption of alcohol and tobacco by under-age youngsters; and what assessment he has made of the causes of those changes. [27925]

Ms Jowell: Information about the consumption of alcohol and tobacco by young people aged 11 to 15 years is contained in the reports on surveys carried out by the Office for National Statistics on behalf of the Department of Health, entitled: "Young teenagers and alcohol in 1996" and "Smoking among secondary school children in 1996: England".

"Young teenagers and alcohol in 1996" set out the latest biennial teenage drinking figures, and looked for the first time at the social and educational factors associated with young people's drinking. This and other evidence is being considered by the Ministerial Group on Alcopops which will be meeting in the autumn to review the effectiveness of the steps taken so far by the industry to tackle under-age alcohol misuse.

An Office for National Statistics survey "Teenage smoking attitudes in 1996" looked at the smoking behaviour, knowledge and attitudes of secondary school children.

Copies of these reports have been placed in the Library.

District Health Authorities

Dr. Tonge: To ask the Secretary of State for Health if he will provide a comparative list of district health authorities, or combinations of district health authorities, as constituted before and after 1 April 1996. [28003]

Mr. Milburn: The information requested has been placed in the Library. On 1 April 1996 the 105 district health authorities and 90 family health services authorities were abolished and 100 health authorities were created.

Civil Servants

Mr. Forth: To ask the Secretary of State for Health how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26925]

Ms Jowell: Since 1 May 1997, at the equivalent to Grade 3 and above in the Department of Health, three civil servants have resigned, three have retired early and none has been moved to different responsibilities. The three people that resigned left this Department in July and August 1997 after serving the normal three months' notice. The three early retirements were planned. All these moves were made without Ministerial involvement.

Radiation

Mr. Chaytor: To ask the Secretary of State for Health what plans he has to commission further research on *(a)* the health impact of low level radiation and *(b)* the health effects of internal radiation. [28467]

Ms Jowell: The Department of Health maintains a Radiation Protection Research Programme which funds several projects concerned with the possible health effects from environmental radiation exposure and from exposure

to internal radiation. These projects are carried out at various research institutes and universities in the United Kingdom. The National Radiological Protection Board also carries out work in these areas.

Mr. Chaytor: To ask the Secretary of State for Health what research he has *(a)* commissioned and *(b)* evaluated into the impact of low level radiation on genome stability. [28466]

Ms Jowell: The Department has not commissioned research into the effects of radiation on genetic stability. The Medical Research Council fund work in this field. This is undertaken at their Radiation and Genome Stability Unit at Harwell. The results of this work are published in the scientific press and current information has been considered by the National Radiological Protection Board and made available to the independent advisory Committee on Medical Aspects of Radiation in the Environment.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for Health what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28386]

Ms Jowell: No Brazilian mahogany was acquired or specified by the Department in the years 1996 and 1997.

This Department follows the Department of the Environment, Transport and the Regions' published guidance in "Green Guide for Buyers Part 1: Policy and Practice". This guidance, while having regard to the need to secure best value for money, requires minimum use of virgin materials, and then only from sustainable sources.

Severn Caseload Scheme

Mr. Paul Marsden: To ask the Secretary of State for Health what assessment he has made of the Severn caseload scheme at the Royal Shrewsbury Hospital; and what plans he has to expand the scheme across the country. [28286]

Mr. Milburn: No assessment is planned at national level. The scheme will be independently evaluated locally and the findings will then inform local commissioning priorities.

One-to-one midwifery projects such as this are advocated as good practice in "Changing Childbirth", but their introduction is a matter for local commissioners.

Local Government Finance (Buckinghamshire)

Mr. Lidington: To ask the Secretary of State for Health if he will list the social services SSA and the level of special transitional grant for Buckinghamshire County Council in *(a)* 1997–98 and *(b)* 1998–99, expressed (i) in cash terms and (ii) per head of population in Buckinghamshire. [28693]

Mr. Boateng: The information requested for Buckinghamshire County Council is as follows:

£ million

	1997–98	*1998–99*
Personal social services standard spending assessment	50.586	53.125
Personal social services standard spending assessment per head of population	106.94	111.94
Special transitional grant	2.356	2.475
Special transitional grant per head of population	4.98	5.21

The Special Transitional Grant is subject to Parliamentary approval.

Deaths (Nuts and BSE)

Mr. Stunell: To ask the Secretary of State for Health how many deaths in the UK have been attributed to *(a)* consumption of nuts and nut products and *(b)* BSE in each of the last 10 years. [27680]

Mr. Darling: I have been asked to reply.

The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Andrew Stunell, dated 11 February 1998:

I have been asked to reply, as Director of the Office for National Statistics (ONS), to your recent question asking for the numbers of deaths in the United Kingdom attributable to (a) consumption of nuts and nut products and (b) BSE in each of the last 10 years.

The information requested is shown in the table below.

Deaths in the United Kingdom attributable to nuts and BSE/nvCJD[1], 1993–1996

Year	*Nuts*	*Nut products[2]*	*BSE*
1993	4	n/a	0
1994	1	n/a	0
1995	5	n/a	3
1996	2	n/a	10
1997	n/a	n/a	10

[1] New variant Creutzfeldt-Jakob disease (nvCJD) was identified in March 1996; to date there have been 23 deaths. Although the Spongiform Encephalopathy Advisory Committee (SEAC) have concluded that there is convincing evidence that the agents causing BSE and nvCJD are the same, the scientific evidence to date does not tell us anything about the route of infection. SEAC's advice is that the most likely explanation for the nvCJD cases to date is exposure to BSE before the specific bovine offals ban in 1989.

[2] We are unable to identify nut products.

Data for years prior to 1993 can only be retrieved at disproportionate cost.

Written Answers to Questions

Thursday 12 February 1998

HOUSE OF COMMONS

Office Costs Allowance

Dr. Lynne Jones: To ask the President of the Council what are the higher limits of office costs allowance for hon. Members with disabilities; and what are the assessment processes for qualification to receive such allowances. [28667]

Mrs. Ann Taylor: The higher limits are set out in the resolutions of the House of 14 July 1988, *Official Report*, column 686, and 9 March 1995, *Official Report*, column 529, and are respectively 2.57 and 1.33 times the standard limit of the Office Costs Allowance. The assessment processes will vary according to the particular needs and circumstances of the hon. Members concerned.

Dr. Lynne Jones: To ask the President of the Council what allowance is made for additional costs incurred by hon. Members with disabilities in meeting additional costs of accommodation in *(a)* London and *(b)* their constituency. [28668]

Mrs. Ann Taylor: None.

PRIVY COUNCIL

Correspondence

Mrs. Ewing: To ask the President of the Council what is her policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28062]

Mrs. Ann Taylor: Were any such letters received, the Privy Council Office would seek to reply in the language used by the correspondent.

EDUCATION AND EMPLOYMENT

Training Providers (ESF)

Mrs. Organ: To ask the Secretary of State for Education and Employment what representations he has received from voluntary organisations that are training providers for people with learning disabilities on the effects of delays of approval of ESF funds. [24357]

Mr. Andrew Smith: Since 1 May 1997, my right hon. Friend has received representations about delays in approving ESF funds from a provider of training to people with learning difficulties in Gloucester and I have received representations from a similar organisation in Milton Keynes. In 1996 the eligible period of spending was extended by six months to June 1997 to avoid the danger of large underspends. The Gloucester project was funded from these underspends to run until June 1997. The extension to the programme will mean later final payments but enable full funding of the project.

The final payment to the Milton Keynes project was delayed because of an appreciation in the value of sterling against the ECU in 1997, which left insufficient funds to pay all claims. It has now received payment in full.

Sustainable Development

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25908]

Dr. Howells: The DfEE Departmental Spending Review is looking at all areas of the Department's activities and expenditure, many of which contribute to sustainable development objectives including improving economic prosperity and ensuring that economic and environmental benefits are available to everyone. The Government's New Deal, including the Environmental Task Force, is a clear example of taking sustainable development and environmental concerns into account in the formulation of policy. However, no specific mechanism has been put in place to consider environmental matters in isolation.

New Deal Hotline

Mr. Rooney: To ask the Secretary of State for Education and Employment what funding will be allocated to the New Deal hotline; and how many operators there will be in each standard region. [25565]

Mr. Andrew Smith *[holding answer 26 January 1998]:* The New Deal hotline, 0800 163 339, which is the point of contact for participants, employers and providers already involved in New Deal, is an important element in ensuring a quality service to New Deal clients. It will be open between 8am and 6pm and we have initially trained two people per region. We are closely monitoring the demand for the hotline from Pathfinder areas and will adjust the staffing levels accordingly in advance of the national start of the New Deal in April. During the first month approximately 30 calls were received.

There is, in addition, a New Deal information line, 0845 606 2626 which is the main inquiry point for members of the public, employers and providers who would like more details about New Deal. This line is open 24 hours a day and is presently handling 490 calls per week.

New Deal (Cornwall)

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment how many contracts have been *(a)* awarded, *(b)* finalised and *(c)* signed for the New Deal in Cornwall. [25465]

Mr. Andrew Smith *[holding answer 26 January 1998]:* Seven contracts have been awarded in Cornwall and all of these have been finalised. One contract has been signed. In addition 105 employer agreements have been signed with firms and other organisations interested in providing New Deal employment.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment how many contracts have *(a)* been awarded at tender, *(b)* signed at the tender price and *(c)* signed at a price below tender for the New Deal in Cornwall. [25466]

Mr. Andrew Smith *[holding answer 26 January 1998]:* I can confirm that seven contracts have been awarded from 19 tenders. Six contracts have been agreed at tender price, one at below tender price.

Jobseeker's Allowance

Mr. Fitzpatrick: To ask the Secretary of State for Education and Employment how many claimants of jobseeker's allowance restrict their availability for work because of ill health or disability; and how many of these are over the age of 50 years. [26164]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Jim Fitzpatrick, dated February 1998:

The Secretary of State has asked me to reply to your question relating to the number of Jobseeker's Allowance claimants who restrict their availability for work because of ill-health or disability and how many of these are over age 50. This is something which falls within the responsibilities delegated to me as Employment Service Chief Executive.

Jobseeker's Allowance Regulations allow people with physical and mental health problems to restrict their availability, providing the restrictions are reasonable in the light of their condition. Jobseekers agree any restrictions with advisers when they draw up their Jobseeker's Agreement when they first claim Jobseeker's Allowance.

Unfortunately, I am unable to provide the precise information you require. We do not hold information about how many jobseekers there are who place restrictions on ill-health or disability and are over 50 years of age. Statistics are available on the number of claims referred to and decisions made by the adjudication authorities where there is a doubt on availability because an unreasonable restriction has been identified. These can be found within the Analysis of Adjudication Officers Decisions, a copy of which is retained within the House of Commons Library.

I hope this is helpful.

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for Education and Employment how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27041]

Dr. Howells *[holding answer 2 February 1998]:* The Department target is to respond to letters within 15 working days of receipt. Since the election Ministers have responded to 73 per cent. of letters within their deadline. This includes all Ministerial replies, not only those letters from hon. Members. On average Ministers have responded to all letters in 18.2 calendar days.

No assessment has been made of how long it takes to deliver a letter after it has been typed.

Mr. Steinberg: To ask the Secretary of State for Education and Employment if he will make it his policy that he and his Ministers personally read the letters sent to them by hon. Members on constituency matters. [27669]

Dr. Howells: I can confirm that Ministers read all letters sent to them by hon. Members.

New Schools

Mr. Hancock: To ask the Secretary of State for Education and Employment what guidance his Department issues on the appropriate size of sites for new schools. [27387]

Mr. Byers: The Department's Building Bulletin 82, *Area Guidelines for Schools*, was published in 1996. This includes guidance on site areas for new schools.

Foreign Students

Mr. Öpik: To ask the Secretary of State for Education and Employment if he will estimate the gross cost of setting up mechanisms for the means testing of citizens of other EU member states to assess their eligibility to pay tuition fees. [27718]

Dr. Howells: I refer the hon. Member to the reply given to the hon. Member for Havant (Mr. Willetts) on 27 January 1998, *Official Report*, column *191*.

NVQ Provision

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to monitor the quality of NVQ provision in the workplace. [27709]

Dr. Howells: The quality assurance of NVQs is primarily a matter for the Qualifications and Curriculum Authority and the awarding bodies. The Department is currently providing £1.5 million to support additional external verification of NVQs by awarding bodies to help in assuring standards of assessment. In addition the delivery of training funded through Colleges and TECs, which includes NVQ provision in the workplace, is inspected by the Further Education Funding Council and the Training Standards Council.

New School (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Education and Employment what assessment he has made of Portsmouth City Council's proposals to build a school on the site of the East wing of St. Mary's Hospital in respect of the adequacy of the site for a school of the size proposed. [27885]

Mr. Byers: I can confirm that Portsmouth City Council has put forward a public-private partnership proposal to provide a new secondary school. I understand that the Council is still considering a number of possible sites for the school. As part of the new process for assessing the viability of local authority PPP/PFI projects, the Council's proposal is currently being considered by the interdepartmental Project Review Group. An announcement about approved projects is expected shortly.

Education Budgets

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the difference between the education budget and the general schools budget for each local education authority in the country; and how much of that amount was spent on service strategy and regulation activity in the last year for which figures are available. [27500]

Mr. Byers: The following table sets out, for each local education authority in England, the difference between its total education budget and its General Schools Budget, and its Service Strategy and Regulation expenditure for 1996–97.

£000

1996–97 LEA	Difference between total education budget and General Schools Budget	Net current expenditure on Service Strategy and Regulation
Barking and Dagenham	6,783	1,450
Barnet	40,769	1,855
Barnsley	4,600	1,589
Bedfordshire	41,366	1,156
Berkshire	58,035	1,726
Bexley	17,374	1,659
Birmingham	74,431	639
Bolton	12,204	595
Bradford	23,023	259
Brent	45,749	388
Bromley	58,006	1,085
Buckinghamshire	59,395	3,573
Bury	4,401	1,013
Calderdale	28,932	669
Cambridgeshire	61,018	2,119
Camden	17,557	1,028
Cheshire	31,819	1,529
Cornwall	10,689	1,347
Corporation of London	2,063	295
Coventry	11,899	1,020
Croydon	40,567	1,573
Cumbria	50,268	1,286
Derbyshire	70,651	1,748
Devon	35,900	1,766
Doncaster	4,895	223
Dorset	48,766	1,318
Dudley	21,924	1,643
Durham	17,548	806
Ealing	31,416	962
East Sussex	16,744	2,523
Enfield	27,730	2,048
Essex	256,325	6,405
Gateshead	7,197	463
Gloucestershire	80,845	1,251
Greenwich	13,294	1,238
Hackney	18,069	1,122
Hammersmith and Fulham	16,841	1,975
Hampshire	77,345	2,877
Haringey	8,454	602
Harrow	10,596	1,093
Havering	16,282	730
Hereford and Worcester	28,649	1,314
Hertfordshire	88,423	3,341
Hillingdon	44,809	302
Hounslow	9,875	850
Hull	10,871	463
Isle of Wight	5,171	579
Isles of Scilly	253	21
Islington	15,595	692
Kensington and Chelsea	16,779	1,412
Kent	204,930	1,688
Kirklees	15,979	627
Knowsley	7,186	2,918
Lambeth	46,551	750
Lancashire	56,052	1,962
Leeds	26,012	667
Leicestershire	25,109	1,101
Lewisham	18,775	2,027
Lincolnshire	82,098	1,527
Liverpool	35,090	2,277
Manchester	16,281	1,474
Merton	5,724	1,531
Newcastle	17,487	2,779
Newham	14,918	1,346
Norfolk	47,394	886
North Tyneside	4,214	578
Northamptonshire	44,666	1,597
Northumberland	6,447	1,223
Nottinghamshire	34,367	2,351
Oldham	-3,756	515
Oxfordshire	18,167	1,035
Redbridge	11,345	1 105
Richmond	4,732	810
Rochdale	16,566	587
Rotherham	6,016	315
Salford	7,781	682
Sandwell	14,383	879
Sefton	5,467	436
Sheffield	12,710	827
Shropshire	20,853	873
Solihull	3,658	1,621
Somerset	17,014	582
South Tyneside	5,756	82
Southwark	29,274	675
St. Helens	5,048	803
Staffordshire	37,808	1,600
Stockport	4,867	373
Suffolk	13,196	1,988
Sunderland	6,841	264
Surrey	72,845	3,062
Sutton	25,962	758
Tameside	12,144	664
Tower Hamlets	23,107	1,892
Trafford	19,592	700
Wakefield	4,593	582
Walsall	28,150	1,664
Waltham Forest	17,079	2,384
Wandsworth	28,468	1,316
Warwickshire	20,673	1,662
West Sussex	15,310	1,346
Westminster	17,869	2,240
Wigan	725	568
Wiltshire	56,829	1,046
Wirral	15,320	1,535
Wolverhampton	16,151	1,333

Welfare to Work

Miss McIntosh: To ask the Secretary of State for Education and Employment if he will make a statement on the contractual arrangement for the delivery of the New Deal services to provide Welfare to Work. [27687]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Miss Anne McIntosh, dated February 1998:

The Secretary of State has asked me to reply to your question relating to the contractual arrangements for the delivery of the New Deal. This is something which falls within the responsibilities delegated to me as Employment Service Chief Executive.

There are currently three principal contracting models for delivering the New Deal for unemployed young people:

- a joint venture partnership: where a consortium is formed to deliver the whole of the New Deal in a unit of delivery and the Employment Service agrees with members of the consortium jointly to develop and implement a delivery proposal. The contract is between the Secretary of State (acting through the Employment Service) and lead members of the partnership;
- a single consortium: where a consortium is formed, as above, and the Secretary of State has a single contract with either a designated lead organisation or the consortium which has established itself as a legal entity;
- a series of individual contracts: the Secretary of State (acting through the Employment Service) enters into a series of individual contracts, which in aggregate deliver the full New Deal services required in a district.

I hope this is helpful.

New Deal (Child Minders)

Mr. Willetts: To ask the Secretary of State for Education and Employment what estimate he has made of the cost of training 50,000 child-minders under the New Deal; which organisations will be expected to carry out such training; and how many participants are expected to be *(a)* young people unemployed for more than six months, *(b)* single parents and *(c)* others. [27712]

Mr. Andrew Smith: I refer the hon. Member to the reply I gave him on 28 January 1998, *Official Report*, column *237*, on the number of young people likely to train as childcare workers under the New Deal for 18–24 year olds. Potentially, participants on the New Deal for long-term unemployed people could also train as childcare workers under these options, and participants on the New Deal for lone parents could be helped to find employment as a childcare worker.

There are different arrangements for training and funding young people to become childcare workers for each of the options for the New Deal for 18–24 year olds. On the Voluntary Sector (VS) and Employment options young people will be provided with work experience by voluntary childcare organisations, and by private and local authority nurseries respectively, which will work with training organisations to enable participants to attend an approved childcare course for at least the equivalent of a day per week. On the Full Time Education and Training (FTET) option young people will attend approved childcare courses provided by training organisations. In addition to the allowances that will be payable to participants on the FTET and VS options, voluntary organisations will be paid a placement fee for each participant in the VS option (the amount depending on contract), employers will receive a job subsidy of £60 per week per participant under the Employment option, and training organisations will receive a fee which is negotiated locally under the FTET option. Organisations providing placements on the VS and Employment options, will also be paid £750 per participant for training. The overall cost will depend upon the level of take up on each of the options.

Post-16 Students

Mr. Chaytor: To ask the Secretary of State for Education and Employment what plans he has to establish equity of funding for all post-16 students. [28471]

Dr. Howells: The scope for achieving greater equity of funding is being considered as part of the Department's Comprehensive Spending Review which has not yet been completed.

Lifelong Learning

Mr. Chaytor: To ask the Secretary of State for Education and Employment what response he has made to the recommendation of the National Advisory Committee on Lifelong Learning on a common inspection framework for schools and further education colleges. [28474]

Dr. Howells: My right hon. Friend the Secretary of State intends to set out his proposals for harmonising inspection arrangements in the forthcoming consultation paper on Lifelong Learning.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what plans he has to improve the accountability of further education corporations to the communities in which their colleges are located. [28473]

Dr. Howells: My right hon. Friend the Secretary of State expects to announce his plans for improving the local accountability of governing bodies of further education colleges in the forthcoming consultation paper on Lifelong Learning.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for Education and Employment what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28377]

Dr. Howells: No Brazilian mahogany was acquired or specified by the Department in 1996 or 1997.

Shropshire LEA

Mr. Gill: To ask the Secretary of State for Education and Employment what additional funding he is making available to Shropshire Local Education Authority; and how the decision was announced. [28451]

Mr. Byers: In response to an application by Shropshire Local Education Authority for assistance with their capital programme, we have made £2.5 million available for essential capital work as Supplementary Credit Approvals of £500,000 for 1997–98 and £2,000,000 for 1998–99. This information was given to the Authority by means of a letter from officials.

Post-compulsory Education

Mr. Chaytor: To ask the Secretary of State for Education and Employment what plans he has to establish a national framework for strategic planning of post-compulsory education at national, regional and local levels. [28472]

Dr. Howells: We are considering, with the Further Education Funding Council and the Local Government Association, how to work with them and other partners to develop a more co-ordinated approach to post-16 education.

Gas Installers

Mrs. Brinton: To ask the Secretary of State for Education and Employment if he will make it his policy to provide funding support for the compulsory training of gas installation industry employees. [28462]

Dr. Howells: We have no plans to provide funding support for the compulsory training of gas installation industry employees. It is up to employers and self employed people to pay for the training they need to meet their business needs and to comply with gas safety legislation. The proposed National Training Organisation will assist employers in finding accredited training.

National Curriculum Tests

Mr. Don Foster: To ask the Secretary of State for Education and Employment what research his Department has evaluated on the extent to which the results of National Curriculum tests in English at Key Stage 3 can be used to predict a pupil's achievement in GCSE English examinations. [28793]

Mr. Byers: The Department commissioned a major national project on value added in 1994 which reported last year. The project found that the National Curriculum tests in English at Key Stage 3 were highly related to achievement in GCSE English examinations, but that the average test level across the three core subjects at Key Stage 3 was the best basis for predicting achievement in GCSE English examinations. A copy of the final report is available in the Library.

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the agencies commissioned by the School Curriculum and Assessment Authority to evaluate arrangements for statutory assessment at Key Stages 1, 2 and 3 in 1997; what was the cost of each evaluation; when the evaluation reports were *(a)* made available to the Qualifications and Curriculum Authority and *(b)* published; and in what ways the evaluation reports have informed arrangements for statutory assessment in 1998, including the content of the tests and arrangements for marking. [28849]

Ms Estelle Morris: The School Curriculum and Assessment Authority commissioned the following evaluations of the 1997 Key Stage 1, 2 and 3 assessment arrangements:

Agency	*Focus of evaluation*
Institute of Education, University of London	Key Stage 1 assessment arrangements
University of Nottingham	Key Stage 2 assessment arrangements
Social & Market Strategic Research Ltd.	Key Stage 3 assessment arrangements
National Foundation for Education Research	Key Stage 1 English
CFAS, University of Manchester	Key Stage 1 and 3 mathematics
National Foundation for Education Research	Key Stage 2 English
MAK2, University of Leeds	Key Stage 2 mathematics
CRIPSAT, University of Liverpool	Key Stage 2 science
University of Cambridge Local Examinations Syndicate	Key Stage 3 English and science

Total budgetary provision in 1997–98 was £270,000. The contracts for evaluation work are tendered annually and the value of individual contracts is therefore commercially sensitive. The evaluation reports were submitted to QCA in September 1997. The six Key Stage subject reports will be published this month and the three Key Stage general reports in March. The evaluations have helped QCA to identify areas of the tests, marking and administrative arrangements which could be strengthened in 1998.

Early Years Education

Mr. Willis: To ask the Secretary of State for Education and Employment (1) what plans he has to require LEAs to monitor and provide advisory support to private and voluntary sector providers of early years education; [28902]

(2) what plans he has regularly to monitor the quality of public, private and voluntary sector provision of early years education; [28903]

(3) what plans he has to monitor the quality of and provide support to the private and voluntary early years education place providers in North Yorkshire. [28904]

Ms Estelle Morris: All private and voluntary sector providers included in an Early Years Development Plan and in receipt of grant funding will be subject to regular inspection by a Registered Nursery Inspector recruited, trained and registered by Her Majesty's Chief Inspector of Schools. Providers registered under the Children Act 1989 will also be subject to the normal inspection arrangements under that Act. We will shortly be consulting on the current regulatory regimes and how to bring them closer together.

The Early Years Development Plan should indicate how local authorities intend to raise standards of provision whilst maintaining a wide range of providers. This should include, among other aspects of quality assurance, details on how progress will be made towards the involvement of a qualified teacher in raising standards in all settings.

Mr. Willis: To ask the Secretary of State for Education and Employment (1) what plans he has to allow LEAs to state a minimum requirement of free places that have to be offered by private or voluntary providers to entitle them to be included in an Early Years Development Plan; [28901]

(2) what is the minimum number of places a private or voluntary provider of early years education has to have in order that they can be included in a LEA Early Years Development Plan. [28905]

Ms Estelle Morris: Providers which satisfy the eligibility criteria can be included in an Early Years Development Plan as long as they have at least one place available for an eligible four year old.

Early Years Development Plans cannot include providers who, in addition to receiving grant, charge parents fees for the minimum early education entitlement of five two and a half hour sessions a week for 33 weeks in a year. Where parents are willing to pay, private, voluntary and independent sector providers can charge for additional services (such as a longer session or associated daycare). However, they must agree with the Partnership a maximum number of places which will be offered to parents giving the minimum early education entitlement for the grant alone, with no requirement on the parent to buy additional services. It will be for the provider and Partnership to agree how many such places will be offered, based on an assessment of local demand, but for the provider to be included in the Plan there must be at least one such place.

Further Education

Mr. Chaytor: To ask the Secretary of State for Education and Employment what plans he has to establish a national framework for pay and conditions of service within the further education sector. [28695]

Dr. Howells: Pay and conditions are matters for colleges to decide individually. Colleges are independent institutions, responsible for setting their own pay and conditions. My right hon. Friend the Secretary of State has no plans to remove that responsibility from them.

School Meals

Mr. Peter Bottomley: To ask the Secretary of State for Education and Employment when school breakfast clubs started. [28812]

Ms Estelle Morris: Whether to organise school breakfast clubs is a matter for local decision. Information about them is not collected centrally.

Mr. Peter Bottomley: To ask the Secretary of State for Education and Employment what monitoring he has evaluated on recent changes in the nutritional values of school meals. [28821]

Ms Estelle Morris: Statutory nutritional standards for school meals were abolished by the previous Administration in 1980. Local education authorities and schools have since been responsible for deciding and monitoring the nutritional values of meals they provide. The Government propose to introduce new nutritional standards and will be consulting on these.

Pupil Statistics

Mr. Dorrell: To ask the Secretary of State for Education and Employment if he will list for each local education authority in England, the total number of pupils on the roll of maintained schools in its area for the financial year 1997–98. [28269]

Mr. Byers *[holding answer 10 February 1998]:* The information requested will be available in the summer.

Vocational Qualifications

Mr. Dorrell: To ask the Secretary of State for Education and Employment how many NVQs were awarded at each of the five levels in the 11 framework areas for vocational qualifications in each of the last three years. [28199]

Dr. Howells *[holding answer 10 February 1998]:* According to the Qualifications Curriculum Authority (QCA), the numbers of NVQs awarded at each level in the 11 framework areas in each of the last three years are shown in the following tables:

1994–95 *Framework Area*	*Level 1*	*Level 2*	*Level 3*	*Level 4*	*Level 5*	*All Levels*
1. Tendering animals, plants and land	3,814	5,670	518	5	0	10,007
2. Extracting and providing natural resources	100	2,007	7	0	0	2,114
3. Constructing	6,295	13,702	5,942	21	0	25,960
4. Engineering	3,919	20,466	13,101	835	0	38,321
5. Manufacturing	2,689	6,065	195	0	0	8,949
6. Transporting	381	2,497	101	0	0	2,979
7. Providing goods and services	16,119	52,916	4,248	25	0	73,308
8. Providing health, social and protective services	4,120	14,389	2,815	1	0	21,325
9. Providing business services	14,859	46,581	20,920	6,077	902	89,339
10. Communicating	0	3	4	75	0	82
11. Developing and extending knowledge and skills	0	28	831	183	0	1,042
All Framework Areas	52,296	164,324	48,682	7,222	902	273,426

1995–96 *Framework Area*	*Level 1*	*Level 2*	*Level 3*	*Level 4*	*Level 5*	*All Levels*
1. Tendering animals, plants and land	3,356	6,484	784	9	0	10,633
2. Extracting and providing natural resources	59	1,219	39	0	0	1,317
3. Constructing	5,035	12,662	6,313	3	0	24,013
4. Engineering	4,591	25,121	8,855	525	0	39,092
5. Manufacturing	3,889	5,799	214	2	0	9,904
6. Transporting	346	6,352	96	0	0	6,794

1995–96

Framework Area	*Level 1*	*Level 2*	*Level 3*	*Level 4*	*Level 5*	*All Levels*
7. Providing goods and services	22,371	75,694	7,650	36	0	105,751
8. Providing health, social and protective services	6,386	17,112	4,667	23	0	28,188
9. Providing business services	14,341	63,010	32,036	6,375	1,058	116,820
10. Communicating	0	20	31	105	0	156
11. Developing and extending knowledge and skills	0	33	3,109	718	0	3,860
All Framework Areas	60,374	213,506	63,794	7,796	1,058	346,528

1996–97

Framework Area	*Level 1*	*Level 2*	*Level 3*	*Level 4*	*Level 5*	*All Levels*
1. Tendering animals, plants and land	4,107	7,447	1,215	24	0	12,793
2. Extracting and providing natural resources	73	1,024	143	0	0	1,240
3. Constructing	6,526	15,800	5,971	22	0	28,319
4. Engineering	4,861	31,029	14,099	190	0	50,179
5. Manufacturing	3,983	8,791	401	2	0	13,177
6. Transporting	1,792	10,048	85	1	0	11,926
7. Providing goods and services	31,260	92,030	13,850	112	0	137,252
8. Providing health, social and protective services	4,612	22,429	8,591	252	2	35,886
9. Providing business services	19,331	78,613	41,871	6,932	1,168	147,915
10. Communicating	0	178	127	164	0	469
11. Developing and extending knowledge and skills	0	60	4,032	920	2	5,014
All Framework Areas	76,545	267,449	90,385	8,619	1,172	444,170

Disabled Students

Mr. Öpik: To ask the Secretary of State for Education and Employment what plans he has to extend the mandatory disabled student allowance to postgraduate students who are not registered for PGCE qualifications. [27501]

Dr. Howells: The Disabled Students' Allowances are part of the mandatory awards system and as such are available to those receiving mandatory awards who are also disabled. Mandatory awards apply to full-time first degree courses and to the post-graduate certificate of education.

The National Committee of Inquiry into Higher Education (the Dearing Committee) recommended the extension of eligibility to part-time students, to postgraduates and to those who have become disabled since taking a first degree and who now wish to obtain a different first degree level qualification. These recommendations are currently being considered and we hope to make an announcement later this year.

The Government are sympathetic to the needs of disabled students. We have already announced the ending of means-testing for disabled students' allowances and have also increased the rates payable, including doubling the non-medical personal helpers' allowance.

Mr. Öpik: To ask the Secretary of State for Education and Employment what plans he has to support students with disabilities with the costs directly associated with their disabilities on postgraduate legal practice courses. [27502]

Dr. Howells: Disabled people, including those on postgraduate Legal Practice Courses, may be entitled to support from the Benefits Agency. We are still considering a recommendation from the National Committee of Inquiry into Higher Education (the Dearing Committee) about extending the Disabled Students' Allowances to postgraduate students.

Sheffield Training and Enterprise Council

Mr. Bill Michie: To ask the Secretary of State for Education and Employment what are the amounts held in the accounts of Sheffield TEC. [28233]

Dr. Howells: The latest published accounts for Sheffield TEC provide the following information at the year ended 30 March 1997:

	£000
Income and Expenditure Account 1996–97	
Turnover	17,229
Surplus for the year	167
Balance Sheet	
Fixed assets	743
Current assets (including cash at bank 6,820)	9,635
Current liabilities	4,251
Long term liabilities	2,444
Total assets	3,683
Reserves	
Total reserves	3,683
Revenue	1,733
TEC committed reserves	1,950

Source:
Sheffield TEC Annual Audited Accounts for year ending 30 March 1997.

School Security

Mr. Coaker: To ask the Secretary of State for Education and Employment (1) if he will estimate the number of assaults made on teachers by *(a)* pupils,

(b) parents and *(c)* others in the last academic year; what assessment he has made of the trends in those numbers; and what plans he has to tackle the problem of assaults on teachers; [28979]

(2) if he will estimate the number of times the police were called to deal with incidents in schools in the last academic year; and what assessment he has made of the trend in the number of such incidents. [28980]

Ms Estelle Morris: Information is not collected centrally on either the number of assaults on teachers or the number of times police are called to deal with incidents at schools. We recently issued guidance, 'School Security: Dealing with Troublemakers', to help schools deal promptly and effectively with such difficult incidents. We have also announced a further programme of grants to help improve security in schools, supporting an extra £22 million of spending in 1998–99.

Student Finance

Mr. Welsh: To ask the Secretary of State for Education and Employment if students beginning courses in 1999–2000 and beyond will be eligible to claim travel allowance on the same basis as at present. [29211]

Dr. Howells: We are considering the detail of some of the supplementary allowances for new students in 1999–2000 and beyond, including travel. In considering the arrangements for travel we will have regard to the particular circumstances in Scotland.

Mr. Welsh: To ask the Secretary of State for Education and Employment who will be responsible for administering the new hardship loan scheme; how much money in total has been allocated for this purpose; how much each individual student will be able to claim in the form of a hardship loan; if all students who apply will be given a hardship loan; when and how those who take out hardship loans will be expected to repay them; and if he will make a statement. [29212]

Dr. Howells: £5 million has been made available in 1998–99 in England and Wales. New students starting their courses after 1 September 1998 who are eligible for the normal student loan will be eligible to apply additionally for the hardship load, which is discretionary and intended to contribute towards the living costs of students in financial hardship. The amount available to individual students will be £250 per year. The hardship loan will be repayable on an income contingent basis under similar arrangements to the normal loan.

The other points raised are currently being considered and we will be consulting interested parties on the details shortly.

Mines and Quarries

Mr. Bill Michie: To ask the Secretary of State for Education and Employment how many improvement notices have been issued against employers relating to the control of dust at work for each of the geographical areas of the Mines and Quarries Inspectorate for each year over the last 20 years. [28637]

Angela Eagle: I have been asked to reply.

The Health and Safety Executive (HSE) has not issued any improvement notices in respect of mines.

For mines, the Coal Mines (Respirable Dust) Regulations 1975 apply and these require the owner of a coal mine to notify HSE's Inspectorate of Mines when the levels of dust exceeds the permitted amount. The information in respect of notifications to HSE's Inspectorate of Mines for each year over the last 20 years for each geographical area could be obtained only at disproportionate cost.

The HSE has issued improvement notices in relation to the control of dust or other substances hazardous to health in quarries. Details of the numbers of improvement notices issued in each geographical area since 1990 are available and are as shown. The geographical areas represent the current HSE Regional structure.

HSE Area	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*Total*
Midlands	1.00	—	1.00	—	—		—	2.00
North West	1.00	—	2.00	1.00	—	—	—	4.00
Wales & West	3.00	2.00	14.00	3.00	2.00	1.00	—	25.00
Scotland	—	8.00	4.00	9.00	2.00	—	—	23.00
Yorkshire & North East	1.00	—	1.00	—	—	—	—	2.00
London & South East	—	3.00	—	—	—	—	—	3.00
Home Counties	1.00	3.00	—	—	—	—	—	4.00
Total	7.00	16.00	22.00	13.00	4.00	1.00	—	63.00

DEFENCE

Trident

Mr. Llwyd: To ask the Secretary of State for Defence what will be the cost of the Trident programme in the next financial year. [28205]

Mr. George Robertson: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Newport, West (Mr. Flynn) on 11 February 1998, *Official Report*, columns *240–41*.

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for Defence how many non-career civil servants have been appointed to his Department since 1 May 1997. [25857]

Mr. Spellar: The number of casual, fixed term appointees and special advisers appointed between 1 May and 30 November 1997, which is the latest information available, is 3,032, broken down as follows:

Special advisers: 2

Fixed term appointments: 840

Casual appointments (including sandwich course students): 2,190.

This figure does not include fee earners such as consultants, chaplains and medical staff.

The 840 fixed term appointments includes, for example, management accountants brought in to implement Resource Accounting and Budgeting, and administrative support staff at the Army Personnel Centre in Glasgow. Casual staff are employed for a variety of reasons, for example, to cover temporary increases in workload, maternity or long term sick leave, and in situations where units or establishments are due to close.

Civil Servants

Mr. Forth: To ask the Secretary of State for Defence how many civil servants in his Department at grade three or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26924]

Mr. Spellar: Since 1 May 1997; *(a)* no civil servants within the Department at grade three or above have resigned; *(b)* two civil servants within the Department at grade three or above have retired before pensionable age; *(c)* nine civil servants within the Department at grade three or above have moved to different responsibilities.

Civil servants are not normally directly responsible to individual Ministers but serve them collectively.

Mr. Duncan: To ask the Secretary of State for Defence if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27455]

Mr. Spellar *[holding answer 5 February 1998]:* Since 1 May 1997, two Grade 3 officials within the Department have taken early retirement.

Information on official leave is not held centrally and could be provided only at disproportionate cost.

No officials at Grade 3 or above within the Department have been dismissed.

Seven officials at Grade 3 have changed jobs within the Department. One official at Grade 2 has changed jobs within the Department. One official has changed jobs on promotion from Grade 3 to Grade 2.

One official at Grade 3 has commenced a period on loan to another Department.

No officials at Grade 3 or above have been offered and rejected alternative positions either within the Department or in another Department.

Military Assistance Overseas

Mr. Hancock: To ask the Secretary of State for Defence, pursuant to his answer of 28 January 1998, *Official Report*, column *244*, if he will make a statement on progress to date on his review into the release of details of military assistance provided to other countries; and when he expects the review to be completed. [28495]

Dr. Reid: I refer the hon. Gentleman to the reply which I gave him on 10 February 1998, *Official Report*, column *196*.

Annualised Budgeting

Mr. Blunt: To ask the Secretary of State for Defence (1) what proportion of Ministry of Defence (P E) projects have been delayed by the need to conform to annualised budgeting in each of the years 1992–93, 1993–94, 1994–95, 1995–96 and 1996–97; [28322]

(2) what proportion of Ministry of Defence (P E) projects have incurred cost increases due to delay owing to annualised Ministry of Defence budgeting in each of the years 1992–93, 1993–94, 1994–95, 1995–96, and 1996–97. [28321]

Mr. Spellar: The most recent report published by the Comptroller and Auditor General on the progress and costs of major projects (Major Projects Report 1996) identified budgetary constraints as a cause of delay on 13 out of the top 25 projects. However, the information on project cost increases is analysed on a different basis and not directly correlated to budgetary constraints.

The forward defence programme is re-costed and, where necessary, adjusted annually to reflect the latest assessment of individual project timescales and costs, and to ensure that the programme remains affordable within projected annual provision.

Information covering the five years in question as to the total numbers of projects which were changed solely to keep within projected annual budgets and any consequent cost increases could be provided only at disproportionate cost.

NATO Headquarters, Gibraltar

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on the future of the NATO headquarters in Gibraltar. [28660]

Dr. Reid: As part of the implementation of NATO's new command structure GIBMED, the NATO headquarters based in Gibraltar will close. The UK national headquarters in Gibraltar will continue to be available for NATO use when required, and NATO facilities will also remain based on Gibraltar. The defence and security of Gibraltar will of course remain the direct responsibility of the UK.

Small Training Aircraft

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on the small training aircraft the RAF proposes to purchase. [28794]

Dr. Reid: A competition is currently underway to procure flying hours to meet the University Air Squadron and Air Cadet flying requirements. The contract would also cover provision of a range of support services at the University Air Squadron sites. Bidders have offered a choice of aircraft which will be owned by the contractor. We have recently asked the bidders to 'revise or confirm' their prices and aircraft selection will be made following evaluation of their responses taking into account such

factors as cost, operational effectiveness, suitability for task and safety. I very much hope that this process will be completed within the next two months.

Coastal Charts

Ms Roseanna Cunningham: To ask the Secretary of State for Defence how many people have been employed in each of the last three years by the Royal Navy on coastal charts around Scottish territorial waters; what facilities for map making the Royal Navy maintains in Scotland; how many coastal survey charts have been produced by the Royal Navy for Scottish territorial waters in each of the last three years; and if he will make a statement. [28550]

Dr. Reid *[holding answer 11 February 1998]:* The number of people employed in each of the last 3 years by the Royal Navy on surveys for coastal charts inside the Territorial Waters of the United Kingdom adjacent to Scotland and on the United Kingdom Continental Shelf adjacent to Scotland was:

Year	*Number of personnel*
1995	13
1996	13
1997	140

These figures comprise the complements of the ships and Naval Parties which took part in those surveys. Additionally, in excess of 500 personnel at the UK Hydrographic Office, Taunton, assisted in the compilation and production of charts covering Scottish waters during each year.

There are no facilities for Chart production in Scotland, all such production being carried out centrally at the UK Hydrographic Office at Taunton. The Hydrographer of the Navy maintains a Chart Correction Unit at Faslane which currently employs 4 people.The number of new coastal Charts, and new editions of existing charts, covering UK Territorial Waters adjacent to Scotland which were produced following the surveys referred to above in the last 3 years were:

Year	*New Charts*	*New Editions*
1995	1	8
1996	7	1
1997	14	—

Royal Naval Armaments Depot, Broughton Moor

Mr. Campbell-Savours: To ask the Secretary of State for Defence if he will meet representatives of the local community prior to any decisions being announced on the future of RNAD Broughton Moor, Cumbria. [29068]

Mr. Spellar: I have already written to my hon. Friend agreeing to meet Local Authority representatives with him.

Mr. Campbell-Savours: To ask the Secretary of State for Defence if he will list the *(a)* individuals and *(b)* organisations who have expressed an interest in developing the RNAD site at Broughton Moor, Cumbria. [29066]

Mr. Spellar: Twenty expressions of interest in purchasing all or part of the site have been received since August 1991. Of this total, twelve, comprising one individual and eleven organisations, expressed an interest in developing the site. We have received three other expressions, of which two individuals and one organisation were interested in developing, but not purchasing, the site. I am not releasing the names of the companies or firms concerned under exemption 13 of the Code of Practice on Access to Government Information.

Mr. Campbell-Savours: To ask the Secretary of State for Defence (1) when he intends to announce his decisions on the future of RNAD Broughton Moor, Cumbria; [29067]

(2) what surveys are being undertaken on the alternative disposal uses of Broughton Moor RNAD. [29069]

Mr. Spellar: A professional firm of Chartered Surveyors is currently advising the Defence Estate Organisation on potential alternative uses for the site. In addition, consideration is currently being given to what entitlement, if any, former owners might have under the Crichel Down Rules. When the former owner question has been resolved, it is intended to run a campaign inviting expressions of interest in the site.

AWE Aldermaston

Mr. Alan Simpson: To ask the Secretary of State for Defence, pursuant to his answer of 12 January 1998, *Official Report*, columns *132–33*, on the cost of decommissioning old buildings and equipment at AWE Aldermaston, when he expects to be able to provide the information. [28226]

Mr. Spellar: It is a convention that detailed information as to the outcome of the Department's Long Term Costings, of which the decommissioning of old buildings and equipment at AWE Aldermaston forms a part, and the projections and assumptions on which they are based, are not published. Accordingly, I am withholding this information under exemption 2, internal discussions and advice, of the Code of Practice on Government Information.

LORD CHANCELLOR'S DEPARTMENT

Queen's Counsel

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what *(a)* number and *(b)* percentage of members of the judiciary and other consultees who were asked for an opinion on the suitability of applicants for silk, declined to express an opinion in the last year for which figures are available. [28176]

Mr. Hoon: Of those asked for an opinion on the suitability of applicants for silk, during the current round, approximately 157 consultees have not commented, which represents 37 per cent. of the total number consulted.

Shrewsbury and Telford County Courts

Mr. Paul Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department what volume of work was undertaken in *(a)* Shrewsbury and *(b)* Telford county courts each year since 1990. [27934]

Mr. Hoon: The volume of work undertaken by *(a)* Shrewsbury and *(b)* Telford county courts since 1990 is as follows:

(a) Shrewsbury

Year	*Summons*	*Warrants issued*	*Bankruptcy petitions*	*High Court work*	*Divorce petitions filed*	*Mortgage Possession Actions*	*Trials heard*	*Arbitrations heard*
1997	2,211	939	114	221	578	149	2	315
1996	2,296	1,061	112	276	661	181	17	367
1995	2,304	1,034	131	317	534	167	8	207
1994	2,604	1,445	192	406	639	177	8	181
1993	3,431	1,949	204	316	595	162	34	294
1992	4,243	2,504	215	444	633	271	41	244
1991	4,163	2,535	128	721	650	328	15	268
1990	3,996	2,131	90	762	750	301	19	128

(b) Telford

Year	*Summons*	*Warrants issued*	*Bankruptcy petitions*	*High Court work*	*Divorce petitions filed*	*Mortgage Possession Actions*	*Trials heard*	*Arbitrations heard*
1997	5,116	2,069	0	0	800	278	196	409
1996	5,144	2,142	0	0	765	390	128	343
1995	5,378	2,407	0	0	799	435	141	265
1994	4,118	2,266	0	0	748	340	168	259
1993	4,167	3,180	0	0	752	490	193	263
1992	5,855	4,477	0	0	893	697	104	243
1991	6,400	4,565	0	0	833	781	114	226
1990	5,560	4,118	0	0	811	439	46	190

Note:
Bankruptcy petitions include company winding up, creditor and debtor petitions.

Mr. Paul Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department what spare capacity there is in Telford County Court. [27933]

Mr. Hoon: Telford County Court has three court rooms that are used approximately 40 per cent. of the time only.

Television Licences

Mr. Bob Russell: To ask the Parliamentary Secretary, Lord Chancellor's Department how many summonses for non-payment of a television licence have been heard at *(a)* Colchester and *(b)* Harwich magistrates' courts in the past 12 months. [28579]

Mr. Michael: I have been asked to reply.

Information held centrally by my Department on the number of persons prosecuted under the Wireless Telegraphy Acts 1949 to 1967 does not identify the offence of television licence evasion separately from other offences under these Acts.

In 1996, there were 922 persons prosecuted (under summons) at Colchester Magistrates' Court for offences under the above Acts. This figure includes intake from the Harwich court, which was amalgamated with Colchester during 1996.

DUCHY OF LANCASTER

Overseas Visits

Ms Walley: To ask the Chancellor of the Duchy of Lancaster what was the cost to public funds of travel by spouses and partners of Ministers of each of the last five years. [25884]

Dr. David Clark: This information is not available [for the whole period requested]. The total cost of Ministerial travel over the last five years was set out by the Prime Minister on 9 February 1998, *Official Report*, columns *16–17*.

CABINET OFFICE

Ministerial Meetings

Mr. Wilkinson: To ask the Minister without Portfolio if he has discussed the matters raised with Commissioner Liikanen during his recent meeting with *(a)* Ministers from the Foreign and Commonwealth Office and *(b)* representatives of the Prime Minister's Office. [28740]

Mr. Mandelson: I was accompanied at the meeting by a senior official from UKRep Brussels. The main points arising from my meetings in Brussels have been reported in the normal way.

Mr. Wilkinson: To ask the Minister without Portfolio in what capacity he recently met Commissioner Liikanen; what matters were discussed; at whose request the meeting took place; from which Department the civil servants present came; and if he will make a statement. [28739]

Mr. Mandelson: I met Commissioner Liikanen in the course of a programme arranged by the UK Permanent Representation to the European Union (UKRep). I discussed with Commissioner Liikanen his responsibilities for budget, management and staffing issues. I was accompanied by a senior official from UKRep.

Florence Lecture

Mr. Wilkinson: To ask the Minister without Portfolio in what capacity he gave his Florence lecture in January; at what public expense; and what consultations he had with representatives of the Foreign Office beforehand. [28741]

Mr. Mandelson: I was invited by HM Ambassador, Rome to give the lecture at the European University Institute as the first in a series of lectures to mark the United Kingdom Presidency of the European Union. The cost of my visit was approximately £970.

Ministerial Responsibilities

Mr. Wilkinson: To ask the Minister without Portfolio to what extent his ministerial responsibilities cover relations with *(a)* the European Union and *(b)* the European Commission. [28835]

Mr. Mandelson: I am a member of the Ministerial Sub-Committee on European Issues ((E)DOP).

ENVIRONMENT, TRANSPORT AND THE REGIONS

Housing (London)

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each year since 1990 the total expenditure for each London borough on construction of *(a)* local authority, *(b)* housing association and *(c)* co-operative housing and in each case the estimate for 1998–99. [27429]

Mr. Raynsford *[holding answer 4 February 1998]:* The available information is set out in the table, expressed in financial years. Estimates of expenditure outturn in 1998–99 are not yet available.

Figures for housing associations and co-operatives are not available separately, and cannot be provided at local authority level for years prior to 1993–94.

Expenditure on local authority owned new-build and acquisitions

£000

				Estimated Outturn				
	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Barking and Dagenham	222	876	176	1,419	2,016	696	529	122
Barnet	2,116	364	93	—	—	—	—	—
Bexley	302	8	4	—	30	—	—	—
Brent	230	169	44	—	—	—	—	—
Bromley	1,041	206	103	—	—	—	—	—
Camden	1,488	397	—	—	—	—	—	—
City of London	—	—	—	—	24	392	309	168
Croydon	19,682	2,727	1,262	313	154	6	—	—
Ealing	2,888	369	251	153	166	318	—	—
Enfield	995	106	71	253	18	1	2	—
Greenwich	1,078	—	56	29	35	—	—	—
Hackney	4,067	3,356	3,748	7,265	—	—	65	377
Hammersmith and Fulham	—	—	146	—	324	88	—	—
Haringey	3,072	1,916	949	624	50	4	—	—
Harrow	799	1,679	83	—	—	—	—	—
Havering	1,443	15	2	—	—	—	—	—
Hillingdon	5,601	1,812	485	496	300	6	179	3,965
Hounslow	263	49	385	995	—	—	—	—
Islington	1,572	459	3,335	1,998	679	572	5	—
Kensington and Chelsea	—	—	122	46	—	—	—	—
Kingston upon Thames	2,320	93	25	219	417	85	17	102
Lambeth	3,510	1,316	1,275	370	1	112	139	2,092
Lewisham	3,710	2,347	56	—	—	1	—	—
Merton	10	—	—	—	—	—	—	—
Newham	4,762	2,768	867	206	30	—	—	—
Redbridge	—	160	—	—	—	—	—	—
Richmond upon Thames	31	17	18	6	—	—	—	—
Southwark	4,016	719	33	—	1	1,496	9,185	10,058
Sutton	3,892	325	45	30	3	—	—	—
Tower Hamlets	35	2,733	6,432	3,445	785	2,745	1,581	2,704

Expenditure on local authority owned new-build and acquisitions

£000

	1990–91	1991–92	1992–93	Estimated Outturn 1993–94	1994–95	1995–96	1996–97	1997–98
Waltham Forest	1,131	4,655	973	79	95	34	—	2
Wandsworth	75	21	14	—	—	—	—	—
Westminster	676	61	36	—	698	15	—	—
London Total	71,027	29,723	21,089	17,946	5,826	6,571	12,011	19,590

Notes:
Expenditure on new housebuilding covers dwellings to be retained for letting, along with those built for sale under a variety of low-cost home ownership schemes (either by the authority directly or by private developers under licence), and specially designed/mobility dwellings for the sick, disabled or elderly.
Expenditure is included on existing private sector properties acquired for redevelopment, and new dwellings purchased directly from developers for HRA rent, as are any land acquisition costs.
Source:
Housing Investment Programme (HIP2) annual returns.

Expenditure on housing association and co-operatives new-build, and purchase and rehabilitation of private sector properties

£000

	Outturn 1993–94	1994–95	1995–96	1996–97	April 1997–Jan 1998
Barking and Dagenham	4,509	4,971	12,230	7,188	4,147
Barnet	21,063	14,790	14,197	7,084	3,382
Bexley	5,513	946	3,782	2,130	1,010
Brent	36,063	24,640	17,159	17,389	4,770
Bromley	23,249	9,808	8,499	6,181	2,950
Camden	30,625	20,194	16,130	10,735	8,794
City of London	—	657	230	643	1,540
Croydon	28,503	19,674	9,922	15,237	12,003
Ealing	20,897	20,806	15,552	12,753	5,134
Enfield	15,860	12,616	6,252	8,275	2,460
Greenwich	15,068	12,438	7,407	8,480	4,300
Hackney	47,919	33,286	36,120	24,272	5,719
Hammersmith and Fulham	24,151	23,299	13,524	15,347	5,272
Haringey	27,743	24,653	22,404	16,017	7,727
Harrow	5,023	5,751	3,212	3,747	3,195
Havering	5,253	2,413	2,460	3,660	1,353
Hillingdon	14,812	8,444	12,104	11,192	3,448
Hounslow	9,818	17,282	5,357	8,948	3,534
Islington	22,996	22,638	12,180	18,621	9,957
Kensington and Chelsea	27,232	26,515	16,399	8,457	17,797
Kingston upon Thames	5,932	3,421	3,668	4,522	1,145
Lambeth	28,427	30,648	20,981	15,846	7,816
Lewisham	24,939	19,095	13,705	11,341	4,538
Merton	17,622	7,071	2,683	4,316	2,594
Newham	25,467	20,577	19,666	14,632	5,389
Redbridge	5,934	5,838	5,628	7,406	2,657
Richmond upon Thames	9,066	4,986	4,296	3,231	2,406
Southwark	43,019	24,711	17,181	13,651	4,156
Sutton	8,017	5,092	4,450	4,548	1,618
Tower Hamlets	22,140	16,137	9,921	12,270	6,633
Waltham Forest	20,577	9,957	9,008	14,584	3,630
Wandsworth	23,938	16,077	12,931	5,889	9,136
Westminster	31,014	34,099	32,920	16,389	4,470
London Total	652,389	503,530	392,158	334,981	164,680

Notes:
Costs of any associated land acquisition, and of Co-operative housing expenditure, are included but cannot be separately identified.
Source:
Housing Corporation returns.

Radioactive Waste

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to respond to the recommendation of the Radioactive Waste Management Advisory Committee that the Government should address the circumstances in which radioactive sources should be defined as wastes. [28469]

Angela Eagle: We are considering the Radioactive Waste Management Advisory Committee's advice on the import and export of radioactive waste, which included the question of when radioactive sources are defined as waste, with a view to developing detailed guidance for the regulators. Such guidance will be subject to public consultation.

Vehicle Checks

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions how frequently the Vehicle Inspectorate are carrying out vehicle checks at Portsmouth and Poole following consultations with the ferry companies; and what is the difference in the level of checks since last year. [27708]

Ms Glenda Jackson: I have asked the Chief Executive of the Vehicle Inspectorate Agency, Mr. Ron Oliver, to write to my hon. Friend.

Letter from Ron Oliver to Mrs. Gwyneth Dunwoody, dated 12 February 1998:

The Secretary of State has asked me to reply to your question asking how frequently the Vehicle Inspectorate are carrying out vehicle checks at Portsmouth and Poole following consultations with the ferry companies; and what is the difference in the level of checks since last year.

During 1996/97 the number of checks were as follows:

Portsmouth: 4 per month

Poole: 2 per month.

We carry out vehicle checks at ports with the agreement of the port authorities and aim to ensure that all ports are treated fairly and equitably in the way we carry out our enforcement activity. Owing to one port requiring us to reduce our activity, we have accordingly regulated vehicle checks at other ports to ensure they are proportionate with the volume of traffic coming in. As a result, the level of checks for 1997/98 is as follows:

Portsmouth: 4 per month until July and thereafter reduced to 2 per month

Poole: 2 per month until December and thereafter reduced to 1 per month

This does not represent a reduction in the level of our enforcement activity as resources will be redeployed on vehicle checks elsewhere.

Asda Development

Mr. McNulty: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce his decision on whether to call in the proposed Asda development in Wealdstone, Harrow. [28565]

Mr. Caborn: The planning application is under consideration and we hope to reach a decision shortly.

Radioactive Material

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions if radioactive material, whose destination is Sellafield, is routinely carried by aircraft whose flight paths cross Lancashire. [28505]

Ms Glenda Jackson: British Nuclear Fuels Limited have informed me that radioactive material destined for Sellafield is not transported by air across Lancashire.

Packing Waste

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to encourage Railtrack and train operators to take responsibility for the packing waste generated by their retail activities. [28483]

Ms Glenda Jackson: The responsibility for packing waste rests with individual retailers. Railtrack and the train operating companies expect their tenants to meet the obligations set out in the Environmental Proctection Act 1990 and encourage them to keep station facilities free of litter. There are already Regulations in place to encourage larger businesses to recover and recycle more packaging waste. In a reply given by my right hon. Friend the Minister for the Environment on 17 December 1997, *Official Report*, columns *139–94*, proposals were set out for a fundamental review of the Regulations in 1998.

Channel Tunnel Rail Link

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions if it is his policy that a revised contract for the construction of a high speed rail link from the Channel Tunnel will continue to require *(a)* completion of the route in one phase, *(b)* termination at St. Pancras with a direct link to the West Coast Main Line and *(c)* availability of the route for freight; and if he will make a statement. [28335]

Ms Glenda Jackson: My right hon. Friend the Secretary of State for the Environment, Transport and the Regions made a statement to the House on 28 January 1998, *Official Report*, columns 466–74, about the Channel Tunnel Rail Link (CTRL). London and Continental Railways currently hold the Development Agreement for the CTRL and, through that, have 30 days from that time in which to come forward with revised proposals. My right hon. Friend will make a further statement about the CTRL in due course.

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what criteria he will use in awarding the revised contract for the construction of the Channel Tunnel Rail Link. [28604]

Ms Glenda Jackson: The case does not arise. My right hon. Friend the Secretary of State for the Environment, Transport and the Regions made a statement to the House on 28 January 1998, *Official Report*, columns 466–74, about the Channel Tunnel Rail Link (CTRL). London and Continental Railways have 30 days from that time in which to come forward with revised proposals.

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what meetings he has had with Railtrack to discuss its involvement in the construction of the Channel Tunnel Rail Link. [28602]

Ms Glenda Jackson: My right hon. Friend meets Railtrack from time to time to discuss a range of railway infrastructure issues, including Railtrack's thinking on the Channel Tunnel Rail Link.

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what representations he had received in respect of Railtrack's interest in the construction of the Channel Tunnel Rail Link. [28603]

Ms Glenda Jackson: My right hon. Friend has received representations from various quarters recently about the provision of Channel Tunnel Rail Link, including the possible future involvement of Railtrack.

EU Driving Licence

Mr. Gale: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the EU states that have not yet fully implemented the first

EU driving licence as amended in 1991; and if he will list the EU states currently applying the discretionary approach allowed for in the 1991 revision. [27439]

Ms Glenda Jackson *[holding answer 9 February 1998]:* We do not have complete information about implementation of the Second EU driving licence directive (which repealed the first directive), or about practice in other Member States. However, we understand that Germany have not yet implemented the Directive and that infraction proceedings may be taken against them. We understand that Belgium, Denmark, the Netherlands, Sweden and France make some use of the provision in the second directive allowing Group 2 licences to be issued to insulin-treated diabetics in very exceptional cases.

Diabetic Drivers

Mr. Gale: To ask the Secretary of State for the Environment, Transport and the Regions what steps he proposes to take to enforce within the United Kingdom the conditions of the Second EC Driving Licence Directive relating to the driving of lorries between 3.5 and 7.5 tonnes (cat. C.1) and minibuses with 9 to 16 passenger seats (cat. D.1.) by insulin-treated diabetics in order to ensure that EU licence holders from EU countries that have not fully implemented the relevant directive (91/439) will not be able to drive on United Kingdom roads. [27440]

Ms Glenda Jackson *[holding answer 9 February 1998]:* The second directive requires licences issued by Member States to be mutually recognised. This applies to licences issued both before and after the directive came into force. It is for the European Commission to monitor implementation of the Directive and, if necessary, take action against those Member States which have not complied with its requirements. Drivers of vehicles in categories C and D (including C1 and D1) who become resident in the UK are required to register with the Driver and Vehicle Licensing Agency and to meet the medical standards applying in this country.

Housing (Hampshire)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been allocated by *(a)* his Department and *(b)* the Housing Corporation to support new social housing in the Southampton City Council area in each of the last five years. [27557]

Mr. Raynsford: The Department provides funding for new social housing through grant-in-aid to the Housing Corporation. The grant is allocated to Registered Social Landlords through the Housing Corporation's Approved Development Programme. Local authorities can also choose to invest in new social housing. Local authority spending on the provision of new social housing by Registered Social Landlords which meets the Housing Corporation's criteria is reimbursed by Local Authority Social Housing Grant from the Corporation.

Allocations for the provision of new social housing by Registered Social Landlords in Southampton are shown. Additional social lettings are also provided through grants to tenants to help them buy a new home and vacate their existing dwelling for reletting, and the Housing Corporation's Do-It-Yourself Shared Ownership scheme for tenants (DIYSO). Expenditure on these home ownership schemes is excluded from the figures.

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Approved Development Programme	2.99	4.36	2.14	3.80	2.22
Local Authority Social Housing Grant	2.11	2.56	1.21	1.26	0.80

Notes:

1. 1997–98 figures are start of year allocations.
2. The figures include allocations for new build social housing and the purchase and rehabilitation of existing private sector properties for social housing. The figures exclude allocations for: works to existing stock owned by Registered Social Landlords; temporary social and market rent housing; grants to help tenants buy a new home and vacate their existing property for reletting; and the Housing Corporation's Do-It-Yourself Shared Ownership scheme.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been allocated by *(a)* his Department and *(b)* the Housing Corporation to support new social housing in the Winchester City Council area, in each of the last five years. [28333]

Mr. Raynsford *[holding answer 9 February 1998]:* The Department provides funding for new social housing through grant-in-aid to the Housing Corporation. The grant is allocated to Registered Social Landlords through the Housing Corporation's Approved Development Programme. Local authorities can also choose to invest in new social housing. Local authority spending on the provision of new social housing by Registered Social Landlords which meets the Housing Corporation's criteria is reimbursed by Local Authority Social Housing Grant from the Corporation.

Allocations for the provision of new social housing by Registered Social Landlords in Winchester are shown. Additional social lettings are also provided through grants to tenants to help them buy a new home and vacate their existing dwellings for reletting, and the Housing Corporation's Do-It-Yourself Shared Ownership scheme for tenants (DIYSO). Expenditure on these home ownership schemes is excluded from the figures.

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Approved Development Programme	1.45	1.39	0.78	1.87	0.27
Local Authority Social Housing Grant	0	0.06	0.47	1.61	0.63

Notes:

1. 1997–98 figures are start of year allocations.
2. The figures include allocations for new build social housing and the purchase and rehabilitation of existing private sector properties for social housing. The figures exclude allocations for: works to existing stock owned by Registered Social Landlords; temporary social and market rent housing; grants to help tenants buy a new home and vacate their existing property for reletting; and the Housing Corporation's Do-It-Yourself Shared Ownership scheme.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been allocated by *(a)* his Department and *(b)* the Housing Corporation to support new social housing in the East Hampshire District Council area in each of the last five years. [27565]

Mr. Raynsford *[holding answer 10 February 1998]:* The Department provides funding for new social housing through grant-in-aid to the Housing Corporation. The grant is allocated to Registered Social Landlords through the Housing Corporation's Approved Development Programme. Local authorities can also choose to invest in new social housing. Local authority spending on the provision of new social housing by Registered Social Landlords which meets the Housing Corporation's criteria is reimbursed by Local Authority Social Housing Grant from the Corporation.

Allocations for the provision of new social housing by Registered Social Landlords in East Hampshire are shown. Additional social lettings are also provided through grants to tenants to help them buy a new home and vacate their existing dwelling for reletting, and the Housing Corporation's Do-It-Yourself Shared Ownership scheme for tenants (DIYSO). Expenditure on these home ownership schemes is excluded from the figures.

£ million

	1994–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Approved Development Programme	1.46	1.79	0.41	1.33	0.21
Local Authority Social Housing Grant	1.08	1.17	0.08	4.29	1.04

Notes:

1. 1997–98 figures are start of year allocations.
2. The figures include allocations for new build social housing and the purchase and rehabilitation of existing private sector properties for social housing. The figures exclude allocations for: works to existing stock owned by Registered Social Landlords; temporary social and market rent housing; grants to help tenants buy a new home and vacate their existing property for reletting; and the Housing Corporation's Do-It-Yourself Shared Ownership scheme.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been allocated by *(a)* his Department and *(b)* the Housing Corporation to support new social housing in the Hart District Council area, in each of the last five years. [28361]

Mr. Raynsford *[holding answer 10 February 1998]:* The Department provides funding for new social housing through grant-in-aid to the Housing Corporation. The grant is allocated to Registered Social Landlords through the Housing Corporation's Approved Development Programme. Local authorities can also choose to invest in new social housing. Local authority spending on the provision of new social housing by Registered Social Landlords which meets the Housing Corporation's criteria is reimbursed by Local Authority Social Housing Grant from the Corporation.

Allocations for the provision of new social housing by Registered Social Landlords in the Hart District Council area are shown. Additional social lettings are also provided through grants to tenants to help them buy a new home and vacate their existing dwelling for reletting, and the Housing Corporation's Do-It-Yourself Shared Ownership scheme for tenants (DIYSO). Expenditure on these home ownership schemes is excluded from the figures.

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Approved Development Programme	0.13	0.65	0	0.89	0.31
Local Authority Social Housing Grant	0.45	2.89	1.00	1.94	1.45

Notes:

1. 1997–98 figures are start of year allocations.
2. The figures include allocations for new build social housing and the purchase and rehabilitation of existing private sector properties for social housing. The figures exclude allocations for: works to existing stock owned by Registered Social Landlords; temporary social and market rent housing; grants to help tenants buy a new home and vacate their existing property for reletting; and the Housing Corporation's Do-It-Yourself Shared Ownership scheme.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been allocated by *(a)* his Department and *(b)* the Housing Corporation to support new social housing in the Basingstoke and Deane Borough Council area in each of the last five years. [27573]

Mr. Raynsford *[holding answer 11 February 1998]:* The Department provides funding for new social housing through grant-in-aid to the Housing Corporation. The grant is allocated to Registered Social Landlords through the Housing Corporation's Approved Development Programme. Local authorities can also choose to invest in new social housing. Local authority spending on the provision of new social housing by Registered Social Landlords which meets the Housing Corporation's criteria is reimbursed by Local Authority Social Housing Grant from the Corporation.

Allocations for the provision of new social housing by Registered Social Landlords in the Basingstoke and Deane Borough Council area are shown. Additional social lettings are also provided through grants to tenants to help them buy a new home and vacate their existing dwelling for reletting, and the Housing Corporation's Do-It-Yourself Shared Ownership scheme for tenants (DIYSO). Expenditure on these home ownership schemes is excluded from the figures.

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Approved Development Programme	1.00	0.79	0.83	0.68	0.54
Local Authority Social Housing Grant	8.45	4.41	11.46	7.82	2.60

Notes:

1. 1997–98 figures are start of year allocations.
2. The figures include allocations for new build social housing and the purchase and rehabilitation of existing private sector properties for social housing. The figures exclude allocations for: works to existing stock owned by Registered Social Landlords; temporary social and market rent housing; grants to help tenants buy a new home and vacate their existing property for reletting; and the Housing Corporation's Do-It-Yourself Shared Ownership scheme.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many people have been accepted onto the homeless register of Gosport Borough Council in each of the last five years; [27577]

(2) what is the total number of registered homeless people in the Gosport Borough Council area. [27578]

Mr. Raynsford: The table provides the available data on the numbers of households accepted as homeless and in priority need under the homelessness provisions of the 1985 and 1996 Housing Acts in Gosport for the calendar years 1992 to 1996 and the first 9 months of 1997.

Year	*Homelessness acceptances*
1992	161
1993	225
1994	223
1995	206
1996	204
1997[1]	135

[1] Data for three quarters only.

Under Part VI of the Housing Act 1996 authorities must establish and maintain a housing register for the purpose of allocating their housing accommodation but there is no statutory obligation for local housing authorities to hold a register of homeless applicants. Accommodation secured as a discharge of a homelessness duty need not be a tenancy allocated under Part VI of the 1996 Act.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many units of social housing have been built in the Gosport Borough Council area in each of the last five years. [27579]

Mr. Raynsford: The table shows figures of housebuilding completions (i.e. new build only) as reported to the Department by Gosport Borough Council and the National House Building Council:

Gosport Borough Council: social housing new build: completions

Numbers of dwellings

	1993	*1994*	*1995*	*1996*	*1997*
Registered social landlords:					
housing associations	49	92	266	32	109
Local authority	31	14	0	0	0

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been allocated by *(a)* his Department and *(b)* the Housing Corporation to support new social housing in the Gosport Borough Council area in each of the last five years. [27580]

Mr. Raynsford: The Department provides funding for new social housing through grant-in-aid to the Housing Corporation. The grant is allocated to Registered Social Landlords through the Housing Corporation's Approved Development Programme. Local authorities can also choose to invest in new social housing. Local authority spending on the provision of new social housing by Registered Social Landlords which meets the Housing Corporation's criteria is reimbursed by Local Authority Social Housing Grant from the Corporation.

Allocations for the provision of new social housing by Registered Social Landlords in the Gosport Borough Council area are shown. Additional social lettings are also provided through grants to tenants to help them buy a new home and vacate their existing dwelling for reletting, and the Housing Corporation's Do-It-Yourself Shared Ownership scheme for tenants (DIYSO). Expenditure on these home ownership schemes is excluded from the figures.

£ million

Year	*Approved development programme*	*Local authority social housing grant*
1993/94	0.14	2.46
1994/95	1.50	0.90
1995/96	1.44	1.67
1996/97	1.89	1.53
1997/98	0.04	0.59

Notes:

1. 1997/98 figures are start of year allocations.

2. The figures include allocations for new build social housing and the purchase and rehabilitation of existing private sector properties for social housing. The figures exclude allocations for: works to existing stock owned by Registered Social Landlords; temporary social and market rent housing; grants to help tenants buy a new home and vacate their existing property for reletting; and the Housing Corporation's Do-It-Yourself Shared Ownership scheme.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received in the last three years from *(a)* public bodies, *(b)* voluntary organisations, *(c)* the private sector and *(d)* local associations in the Gosport Borough Council area about housing needs in that area. [27581]

Mr. Raynsford: The Secretary of State receives a number of representations from groups and information is not held centrally in the format requested about housing needs.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many properties formerly owned by Government departments have been made available to *(a)* the council and *(b)* housing associations in the Gosport Borough Council area. [27582]

Mr. Raynsford: This information is not held centrally.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the number of properties that are under-occupied in Gosport Borough; and if he will make a statement. [27918]

Mr. Raynsford: Neither the Secretary of State nor the Local Authority have made any robust assessment of the number of properties that are under-occupied in Gosport Borough.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing transfer list of the Gosport Borough Council; and what were the equivalent figures at the same time in each of the last five years. [27919]

Mr. Raynsford: The information requested is not collected centrally.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been allocated by *(a)* his Department and *(b)* the Housing Corporation to support new social housing in the Rushmoor Borough Council area in each of the last five years. [28371]

Mr. Raynsford: The Department provides funding for new social housing through grant-in-aid to the Housing Corporation. The grant is allocated to Registered Social Landlords through the Housing Corporation's Approved Development Programme. Local authorities can also choose to invest in new social housing. Local authority spending on the provision of new social housing by Registered Social Landlords which meets the Housing Corporation's criteria is reimbursed by Local Authority Social Housing Grant from the Corporation.

Allocations for the provision of new social housing by Registered Social Landlords in the Rushmoor Borough Council area are shown. Additional social lettings are also provided through grants to tenants to help them buy a new home and vacate their existing dwelling for reletting, and the Housing Corporation's Do-It-Yourself Shared Ownership scheme for tenants (DIYSO). Expenditure on these home ownership schemes is excluded from the figures.

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Approved development programme	0.42	1.71	0.61	1.00	0.54
Local authority social housing grant	1.46	2.50	1.70	5.54	1.66

Notes:

1. 1997–98 figures are start of year allocations.
2. The figures include allocations for new build social housing and the purchase and rehabilitation of existing private sector properties for social housing. The figures exclude allocations for: works to existing stock owned by Registered Social Landlords; temporary social and market rent housing; grants to help tenants buy a new home and vacate their existing property for reletting; and the Housing Corporation's Do-It-Yourself Shared Ownership scheme.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many properties formerly owned by government departments have been made available to *(a)* the council and *(b)* housing associations in the (i) Havant Borough, (ii) Eastleigh, (iii) Test Valley Borough and (iv) New Forest District council areas in the last three years. [28152]

Mr. Raynsford: This information is not held centrally.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received in the last three years from *(a)* public bodies, *(b)* voluntary organisations, *(c)* the private sector and *(d)* local associations in the (i) Havant Borough, (ii) Eastleigh Borough, (iii) Test Valley and (iv) New Forest District council areas about housing needs for each area. [28153]

Mr. Raynsford: The Secretary of State receives a number of representations from groups and information is not held centrally in the format requested about housing needs.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been allocated by *(a)* his Department and *(b)* the Housing Corporation to support new social housing in the (i) Havant Borough, (ii) Eastleigh, (iii) Test Valley Borough and (iv) New Forest District council areas in each of the last five years. [28154]

Mr. Raynsford: The Department provides funding for new social housing through grant-in-aid to the Housing Corporation. The grant is allocated to Registered Social Landlords through the Housing Corporation's Approved Development Programme. Local authorities can also choose to invest in new social housing. Local authority spending on the provision of new social housing by Registered Social Landlords which meets the Housing Corporation's criteria is reimbursed by Local Authority Social Housing Grant from the Corporation.

Allocations for the provision of new social housing by Registered Social Landlords in the Havant, Eastleigh, Test Valley and New Forest areas are shown. Additional social lettings are also provided through grants to tenants to help them buy a new home and vacate their existing dwellings for reletting, and the Housing Corporation's Do-It-Yourself Shared Ownership scheme for tenants (DIYSO). Expenditure on these home ownership schemes is excluded from the figures.

£ million

Area	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Havant Borough					
Approved development programme	1.36	2.31	1.05	0.55	0.63
Local authority social housing grant	1.12	6.71	1.38	1.21	1.18
Eastleigh					
Approved development programme	1.55	1.21	1.00	0.49	0.08
Local authority social housing grant	0.20	0.93	0.57	3.79	0.26
Test Valley Borough					
Approved development programme	0.82	0.47	0.75	0.73	0.60
Local authority social housing grant	0.40	0.45	1.17	0.87	0.08
New Forest District					
Approved development authority	2.57	3.18	0.48	1.95	1.38
Local authority social housing grant	3.66	1.74	2.29	1.40	1.21

Notes:

1. 1997–98 figures are start of year allocations.
2. The figures include allocations for new build social housing and the purchase and rehabilitation of existing private sector properties for social housing. The figures exclude allocations for: works to existing stock owned by Registered Social Landlords; temporary social and market rent housing; grants to help tenants buy a new home and vacate their existing property for reletting; and the Housing Corporation's Do-It-Yourself Shared Ownership scheme.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing *(a)* transfer and *(b)* waiting lists

of the (i) Havant Borough, (ii) New Forest District, (iii) Test Valley Borough and (iv) Eastleigh Borough councils; and what were the equivalent figures at the same time in each of the last five years. [28155]

Mr. Raynsford: Local authorities in England report the numbers of households on their housing register/waiting list (excluding existing tenants awaiting a transfer) at 1 April each year in their annual Housing Investment Programme (HIP1) returns; no data are collected centrally on transfer lists. The reported data for 1997 and the previous 5 years are as follows:

	Havant	*New Forest*	*Test Valley*	*Eastleigh*
1992	1,965	502	2,997	1,789
1993	2,074	546	2,788	1,844
1994	1,959	672	2,561	1,090
1995	2,131	760	2,199	643
1996	2,194	771	1,781	1,409
1997	2,120	746	1,873	967

Local authorities have different practices for compiling and managing their housing register/waiting lists which mean that simple comparisons between authorities can be misleading. Authorities' practices may change which can also affect comparisons over time.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many properties formerly owned by government departments have been made available to *(a)* the council and *(b)* housing associations in the Rushmoor Borough Council area. [28370]

Mr. Raynsford: This information is not held centrally.

Waste Water Treatment

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the impact of each type of treatment of waste water currently undertaken in the UK on bathing water quality; [28708]

(2) what assessment he has made of the advantages of the use of ultra-violet treatment of sewage in waste water treatment facilities; [28842]

(3) what is the Government's policy on the inclusion of ultra-violet treatment of sewage in waste water treatment facilities. [28843]

Angela Eagle: Bathing water quality monitoring shows that, depending on local circumstances, the required water quality standards can be met by a wide range of treatment methods and outfall arrangements. The approach to treatment will vary accordingly and with the requirements of the Urban Waste Water Treatment Directive. This is a matter, in the first instance, for the discharger and the environmental regulator.

On the issue of the advantages of ultra-violet treatment of sewage effluent, I refer the hon. Member to the answer I gave him on 22 January 1998, *Official Report*, column *613*.

South Downs

Mr. Lepper: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the timetable for considering the results of the recent consultation on the future of the South Downs. [28653]

Angela Eagle: The Countryside Commission are currently considering the results of the recent consultation on the future of the South Downs and hope to bring the results and advice to Ministers in the late Spring.

Waste Fuels (Burning)

Mr. Gordon Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ban the burning of hazardous composite waste fuels by industry. [28968]

Angela Eagle: The burning of such waste derived fuels by industry is regulated under the Integrated Pollution Control (IPC) regime. The Environment Agency is responsible for the enforcement of both IPC and the waste management licensing regime in England and Wales. These regimes provide for rigorous controls and the Agency has powers to prevent or prohibit potentially harmful industrial activities, where it sees fit. The Government have made it clear that they expect the Agency, in performing its functions, to set appropriate standards which fully protect public health and the environment and then to enforce those standards firmly, in accordance with its statutory duties. We expect the Environment Agency to continue to consider applications to burn fuels comprised of waste on their merits, in this light.

Strategic Environmental Assessment

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if the Government will support the European Union's draft directive on strategic environmental assessment. [29020]

Mr. Raynsford: The Government have decided not to put the proposed directive on environmental assessment of plans and programmes to the Council of Ministers during the UK Presidency. However, we support the principle of environmental appraisal at all stages of decision making. Guidance has been published to ensure that environmental considerations are taken into account by Government Departments and agencies and by local authorities, and further work on this is in hand.

Mesothelioma

Mr. Clapham: To ask the Secretary of State for the Environment, Transport and the Regions how many people were diagnosed as suffering from mesothelioma in *(a)* 1993, *(b)* 1994, *(c)* 1995 and *(d)* 1996 in each (i) parliamentary constituency and (ii) local authority area. [29235]

Angela Eagle: Data on cancers, including mesothelioma, are collected by regional cancer registries, but the latest complete year for which data are available is 1991. The Health and Safety Executive maintains registers of deaths in Great Britain for which mesothelioma is mentioned on the death certificate. The numbers of mesothelioma deaths in 1993, 1994 and 1995 by local authority are shown in table 1 which has been placed in the Library of the House. Information on mesothelioma deaths is not yet available for 1996 or for parliamentary constituencies.

Air Quality

Mr. Leslie: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the forthcoming Finance, Management and Policy Review of the Expert Panel on Air Quality Standards. [29751]

Mr. Meacher: As part of the Government's programme of regular, five-yearly finance, management and policy reviews of non-departmental public bodies my Department will conduct a thorough review of the advisory Expert Panel on Air Quality Standards, beginning immediately. The first stage of the review will take a "prior options" study. This will assess the extent to which the Panel's functions are necessary for the achievement of the Government's policies, and whether there is scope for privatising, contracting out or transferring all or part of its functions to another body. This is the first such review of the Panel.

To minimise the uncertainty the prior options study will cause, I expect that study will be completed within three months. Should the Government conclude at the end of the prior options stage that the Panel should continue its work, there will be a further review of its finance, management and policy functions. The time required for this second review cannot be foreseen, but I would expect it to last no more than a further three months.

In carrying out the study my Department will consult the Environment Agencies and the Scottish Environmental Protection Agency, representatives of local authorities, business and industry, environmental and health groups, experts in the field of air pollution and health and others with an interest in the Panel's work.

Comments from interested parties would be welcome by 23 March 1998.

NORTHERN IRELAND

Belfast City Council

Mr. McNamara: To ask the Secretary of State for Northern Ireland what proportion of votes were cast for each political party in the May 1997 elections for Belfast City Council; what proportion of council seats was won by each political party; what proportion of council committee chairs and vice-chairs has been allocated to each political party; what is the proportion of council members in each party nominated to outside authorities; and what is the proportion of council members in each party represented on partnership boards. [27401]

Mr. Paul Murphy: The information is as follows:

Belfast City Council

Percentage

	Votes cast for each political party in May 1997 elections	*Council seats won by each political party*	*Council committee chairs and vice-chairs by political party*[1]	*Council members in each party nominated to outside bodies*[1]	*Council members in each party represented on partnership boards*
Alliance	9.19	11.76	21.88	16.47	9.09
Democratic Unionist party	12.13	13.73	18.75	17.64	10.91
Independent Unionist	0.38	1.96	3.13	—	0.91
Progressive Unionist party	9.17	5.88	6.25	3.53	10.00
Sinn Fein	27.60	25.49	—	3.53	22.73
Social Democratic and Labour party	15.64	13.73	9.37	8.24	16.36
Ulster Democratic party	2.38	1.96	—	—	3.64
Ulster Unionist party	18.86	25.49	40.62	50.59	26.36
Others	4.65	—	—	—	—

[1] Information supplied by Belfast City Council.

Witnesses

Mr. McNamara: To ask the Secretary of State for Northern Ireland what steps have been taken to interview the potential witnesses who came forward in response to a public appeal by Christy Walsh published in the Irish News on 1 July 1996. [27400]

Mr. Ingram: This case now falls to be dealt with by the Criminal Cases Review Commission. Any new evidence should therefore be made available to my right hon. Friend the Home Secretary.

Standing Advisory Commission on Human Rights

Mr. McNamara: To ask the Secretary of State for Northern Ireland what representations she has received on extending the statutory remit of the SACHR in line with the Paris Principles endorsed by the UN General Assembly in December 1993; and if she will make a statement. [27404]

Marjorie Mowlam: The Standing Advisory Commission on Human Rights raised this with me for the first time at a meeting on 4 February. SACHR have for many years been providing advice on issues beyond those set out in their statutory remit; this is a situation that has been endorsed by successive Secretaries of State. I am aware of a call from SACHR to extend the statutory base and will take their views strongly into account in any decision that I take.

Mr. McNamara: To ask the Secretary of State for Northern Ireland when she plans to respond to the 1996–97 report of the Standing Advisory Commission on Human Rights. [27403]

Marjorie Mowlam: I issued a full response to the twenty-second Annual Report of the Standing Advisory Commission on Human Rights on 3 February.

Mr. Godman: To ask the Secretary of State for Northern Ireland if she will list the organisations and other interested parties which have been consulted anent her response to the recommendations of the Standing Advisory Commission on Human Rights; and if she will make a statement. [28628]

Marjorie Mowlam: I consulted no organisations or other interested parties outside Government before issuing my response to the Commission's recent annual report.

Prisoners

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) how many prisoners currently serving *(a)* a determinate sentence and *(b)* a life sentence in each paramilitary faction are due to be released in each year until the last is released; [27394]

(2) many republican and loyalist prisoners have time left to serve of *(a)* one year or less, *(b)* two years, *(c)* three years, *(d)* four years, *(e)* five years, *(f)* six years, *(g)* seven years, *(h)* eight years, *(i)* nine years, *(j)* 10 years, *(k)* 11 years, *(l)* 12 years, *(m)* 13 years, *(n)* 14 years, *(o)* 15 years, *(p)* 16 to 20 years, *(q)* 21 to 25 years, *(r)* 26 to 30 years, *(s)* 31 to 35 years, *(t)* 36 to 40 years and *(u)* over 40 years. [27395]

Mr. Ingram: Statistical information in the format requested could be provided only at disproportionate cost. I will arrange for a written reply to my hon. Friend which details available information on prisoners with perceived paramilitary affiliations serving both determinate and indeterminate sentences in Northern Ireland for offences connected to terrorism and their sentence lengths.

Royal Ulster Constabulary

Mr. McNamara: To ask the Secretary of State for Northern Ireland what are the staffing levels of the RUC in each Belfast sub-division broken down by *(a)* gender and *(b)* perceived religious/community origin. [27402]

Mr. Ingram: The tables indicate the staffing levels of the RUC in each Belfast sub-division by gender and perceived religious/community origin as at 1 January 1998.

Location	*Male*	*Female*	*Total*
Musgrave Street	262	30	292
Mountpottinger	133	12	145
Donegall Pass	138	14	152
Dunmurry	131	15	146
Grosvenor Road	215	25	240
Woodbourne	142	14	156
Lisburn	201	19	220
Antrim Road	208	32	240
North Queen Street	155	19	174
Tennent Street	150	15	165
Newtownabbey	188	23	211
Carrickfergus	95	14	109
Antrim	196	18	214
Strandtown	352	22	374
Castlereagh	376	43	419
Bangor	145	19	164
Stormont	931	167	1,098
Urban Region	4,018	501	4,519

Sub-division	*CB1*	*CB2*	*CB3*	*Total*
Musgrave Street	261	26	5	292
Mountpottinger	125	14	6	145
Donegall Pass	138	10	4	152
Dunmurry	133	11	2	146
Grosvenor Road	209	20	11	240
Woodbourne	132	15	9	156
Lisburn	192	16	12	220
Antrim Road	204	23	13	240
North Queen Street	149	18	7	174
Tennent Street	152	7	6	165
Newtownabbey	182	25	4	211
Carrickfergus	95	9	5	109
Antrim	188	19	7	214
Strandtown	339	19	16	374
Castlereagh	368	34	17	419
Bangor	145	16	3	164
Stormont	974	89	35	1,098
Urban	3,986	371	162	4,519

CB1—Perceived to be from the Protestant community.
CB2—Perceived to be from the Roman Catholic community.
CB3—Other.
Note:
The figures shown in the tables relate to RUC Regulars. The figures for the Stormont sub-division include HQ stations (ie Brooklyn, Garnerville, Knocknagoney, Stormont, Lisnasharragh and Ladas Drive).

Tuition Fees

Mr. Öpik: To ask the Secretary of State for Northern Ireland if she will estimate the gross cost of setting up mechanisms for the means testing of citizens of other EU member states to assess their eligibility to pay tuition fees. [27717]

Mr. Worthington: No realistic estimate of cost is yet possible.

Decisions about joining the Department for Education and Employment scheme and an estimate of the cost will be made in the light of the outcome of consultations with Education and Library Boards.

Fair Employment

Mr. McGrady: To ask the Secretary of State for Northern Ireland which district councils have submitted Section 31 Reviews to the Fair Employment Commission. [27954]

Mr. Ingram: The Fair Employment Commission has received section 31 reviews from all 26 District Councils.

Mr. McGrady: To ask the Secretary of State for Northern Ireland which district councils did not meet the requirements of the Fair Employment (NI) Act 1989 in respect of affirmative action and outreach programmes in the recent monitoring reviews; and what action will be taken in respect of them. [27955]

Mr. Ingram: The findings of individual employers' Section 31 reviews and any action arising from these is a matter for the employers and the Fair Employment Commission (FEC). The FEC has advised me that it is its policy not to comment publicly about its discussions with individual employers and their Section 31 reviews.

The Commission has advised me that there are 15 Councils with whom it is still in discussion about their affirmative action programmes.

Mr. Godman: To ask the Secretary of State for Northern Ireland what plans she has to place the Policy Appraisal Fair Treatment guidelines on a statutory basis; and if she will make a statement. [28627]

Mr. Worthington: The Standing Advisory Commission on Human Rights has provided a major report on Employment Equality which includes over 160 recommendations, one of which is to place PAFT on a legislative basis. The important thing is that, whatever system we have for injecting equality of opportunity into Government policy in Northern Ireland, it really is an effective one. The Government's consideration of the recommendations, including those on Policy Appraisal and Fair Treatment, is well advanced and the Government's response will be given in a full document to be published shortly.

Mr. Godman: To ask the Secretary of State for Northern Ireland what plans she has to meet representatives of *(a)* the Standing Advisory Commission on Human Rights, *(b)* the Fair Employment Commission, *(c)* the Equal Opportunities Commission and *(d)* the Commission for Racial Equality before she publishes her response to the Employment Equality Review; and if she will make a statement. [28626]

Mr. Worthington: My right hon. Friend the Secretary of State will meet with representatives of the Standing Advisory Commission on Human Rights to discuss the Employment Equality Review on 20 February. It is also proposed to have a Ministerial meeting with representatives of the Fair Employment Commission prior to publication of the Government's forthcoming paper on employment equality. If appropriate, meetings may be arranged with the Equal Opportunities Commission for Northern Ireland and the Commission for Racial Equality for Northern Ireland.

Political Prisoners

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what contact either she or her officials have had with the South African Government concerning processes for the release of political prisoners; what assessment she has made of the applicability of such processes to Northern Ireland; and if she will make a statement. [29073]

Mr. Ingram: A number of the participants in the political process and others have made proposals to the Government in respect of prisoners. Some of these proposals have cited the process in South Africa as an example and as a consequence the Prison Service requested factual information from the South African High Commission in November of last year. To date no response has been received and no assessment has been made of the applicability of such processes to Northern Ireland. The Secretary of State is aware of the significant differences between the situations and does not imagine that solutions adopted in one environment will transfer to another. However, she has said that she is prepared to discuss prisoner issues with the participants in the talks process and to work on an account of what could happen in respect of prisoner releases in the context of a peaceful and lasting settlement being agreed. The request for information regarding the approach to the issue taken in other jurisdictions is fully consistent with that undertaking.

FOREIGN AND COMMONWEALTH AFFAIRS

MI6

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will release for public scrutiny the files held by MI6 relating to the Zinoviev letter. [24746]

Mr. Robin Cook *[holding answer 26 January 1998]:* The records of the Secret Intelligence Service are not released: they are retained under Section 3 (4) of the Public Records Act 1958. Having reviewed the arguments, I recognise that there is an overwhelmingly strong reason for this policy. When individuals or organisations co-operate with the service, they do so because an unshakeable commitment is given never to reveal their identities. This essential trust would be undermined by a perception that undertakings of confidentiality were honoured for only a limited duration. In many cases, the risk of retribution against individuals can extend beyond a single generation.

But I want to be as open as I can. The records of the SIS for the relevant period are incomplete, and offer an inconclusive picture on whether the Zinoviev letter was a forgery. But I have commissioned the FCO Historians to write a short memorandum, drawing on papers held by the SIS, as well as those in the FCO archives. When the memorandum has been prepared, I will write to the hon. Member and place a copy in the Libraries of the House.

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27797]

Mr. Fatchett *[holding answer 5 February 1998]:*

Cost of theft and fraud

£

	1995–96	*1996–97*	*1997–98 to date*
FCO	54,408	32,606	121,385
Agencies	Nil	Nil	Nil
NDPBs (British Council)	76,518	35,050	16,216

Great Lakes Region

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives he proposes to restrict the export of arms from the EU to the Great Lakes Region. [28971]

Mr. Doug Henderson: A variety of initiatives exist to restrict the export of arms from the EU to the Great Lakes region. Arms exports to the Democratic Republic of the Congo are prohibited under an EU arms embargo imposed against the then Zairean regime in 1993. Arms exports to Rwanda are subject to a UN embargo imposed following the 1994 genocide. In 1995 this embargo was lifted in respect of the Government of Rwanda. Its restrictions still apply to arms exports to neighbouring countries, including Burundi, if that supply is for end use within Rwanda.

All applications to export arms to the Great Lakes are scrutinised on a case by case basis. Under the arms export criteria announced by my right hon. Friend the Foreign Secretary on 28 July 1997, *Official Report*, columns *26–29*, we will not issue an export licence if there is a clearly identifiable risk that the proposed export might be used for internal repression or international aggression. The need not to affect adversely regional stability, and the risk of the export being re-exported or diverted to an undesirable end-user, will also be taken into account.

Diplomatic Personnel

Mr. Wilkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what communications he has had with the Chancellor of the Exchequer about *(a)* the payment of private school fees for the children of HM diplomatic personnel out of public funds and *(b)* the provision of return air flights to and from the United Kingdom to the children of HM diplomatic personnel in posts overseas out of public funds. [28984]

Mr. Doug Henderson: In the context of the Comprehensive Spending Review, the Chief Secretary to the Treasury has asked a number of questions about the independent review of FCO Overseas Allowances carried out by Sir Derek Hornby in 1996. Sir Derek's review includes recommendations on the provision of education for the children of HM Diplomatic Service Personnel overseas. My right hon. Friend the Foreign Secretary has had no communication with Treasury Ministers about the provision from public funds of return air flights to and from the UK to the children of HM Diplomatic personnel in Posts overseas.

Mr. Wilkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the cost to the Exchequer in the current financial year of *(a)* providing return air flights to and from the United Kingdom out of public funds to the children of diplomatic personnel posted overseas and *(b)* the payment of school fees out of public funds for the children of HM diplomatic personnel. [28985]

Mr. Doug Henderson: We estimate that the cost of providing return air flights for such children who are being educated in the UK will be £895,000 in the current financial year. This excludes the cost of travel for children who are accompanying their parents to and from overseas Posts for which we have no separate estimates.

We estimate that the education costs for the children of diplomatic personnel over the same period will be £10,708,000. Of this, Boarding School Allowance, which contributes to the cost of fees at UK boarding schools is £7,732,000, and the cost of education at local schools overseas is £2,976,000.

Mr. Nazakat Ali

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the letter to the hon. Member for Walsall, North of 19 January (ref. no. 303198), for what reasons entry clearance has not yet been issued to Mr. Nazakat Ali. [29072]

Mr. Fatchett: Entry clearance was issued to Mr. Ali on 6 February 1998.

ATTORNEY-GENERAL

Brazilian Mahogany

Mr. Alan Simpson: To ask the Attorney-General what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28390]

The Attorney-General: My Department has not *(a)* acquired or *(b)* specified any Brazilian mahogany in 1996 or 1997.

French Convalescent Home

Dr. Desmond Turner: To ask the Attorney-General if he will review the decision of the Charity Commissioner to permit the disposal of the French Convalescent Home. [28681]

The Attorney-General: I do not have any power to review the decisions of the Charity Commissioners. Like other interested parties I could have appealed to the High Court and asked it to quash the Commissioners' decision but I was not persuaded that grounds for an appeal were made out.

Cannabis

Mr. Flynn: To ask the Attorney-General what is his estimate of the total time and cost entailed in prosecuting those accused of cannabis offences in each of the past five years. [29136]

The Attorney-General: The Crown Prosecution Service holds no central records of the time or cost committed to prosecuting particular offences.

PRIME MINISTER

Political Advisers

Mr. Bercow: To ask the Prime Minister how many secretarial and support staff work full-time in support of his political advisers. [25196]

The Prime Minister *[holding answer 23 January 1998]:* Four Personal Secretaries work full-time in support of the Special Advisers in 10 Downing Street.

Overseas Visits

Mr. Bercow: To ask the Prime Minister how many times his wife has accompanied him on overseas visits; and what was the cost of her travel and other expenses. [25139]

The Prime Minister *[holding answer 23 January 1998]:* I refer the hon. Member to the answer I gave to the hon. Member for Spelthorne (Mr. Wilshire) on 9 February 1998, *Official Report*, column *15*.

Civil Servants

Mr. Burns: To ask the Prime Minister how many non-career civil servants have been appointed to the staff of *(a)* No. 10 Downing Street and *(b)* the Cabinet Office under the Minister without Portfolio since 1 May. [25878]

The Prime Minister: Twenty non-career civil servants have been appointed on fixed term contracts, as casuals or as Special Advisers to No. 10 Downing Street since 1 May 1997. None have been appointed to the Cabinet Office under the Minister without Portfolio since that date.

Mr. Jenkin: To ask the Prime Minister how many non-career civil servants are employed in No. 10 Downing Street; and what was the number one year ago. [26011]

The Prime Minister *[holding answer 28 January 1998]:* I refer the hon. Member to the answer I gave to the hon. Member for West Chelmsford (Mr. Burns) today for the present figures. The number of people appointed on fixed-term contracts, as casuals or as Special Advisers in No. 10 Downing Street in the financial year 1996/97 was 15.

Mr. Jenkin: To ask the Prime Minister how many non-career civil servants are employed as information officers in Government departments; and what the number was one year ago. [26010]

The Prime Minister *[holding answer 28 January 1998]:* A non-career civil servant is someone appointed other than on a permanent contract, e.g. fixed term appointments, casuals and special advisers. The figures are as follows:

Department	*January 1997*	*January 1998*
Ministry of Agriculture, Fisheries and Food	0	0
Cabinet Office	0	0
Department for Culture, Media and Sport	0	0
Ministry of Defence	3	1
Department for Education and Employment	0	3
Department of the Environment, Transport and the Regions	1	2
Foreign and Commonwealth Office	0	1
Department of Health	5	4
Home Office	0	0
Department for International Development	0	0
Lord Chancellor's Department	0	0
Northern Ireland Office	0	0
Prime Minister's Office	0	3
Scottish Office	2	2
Department of Social Security	0	5
Department of Trade and Industry	1	2
HM Treasury	0	0
Welsh Office	0	0

Millennium Compliance

Mrs. Gillan: To ask the Prime Minister if he will establish a central contingency fund which Government departments may draw on to address the millennium computer compliance problem. [27285]

The Prime Minister *[holding answer 3 February 1998]:* Each department must find the funds required from within its own budget.

Mrs. Gillan: To ask the Prime Minister if he will give overall responsibility for overseeing the millennium computer compliance problem in both the private and public sector to one Minister. [27284]

The Prime Minister *[holding answer 3 February 1998]:* My right hon. Friend the Chancellor of the Duchy of Lancaster has responsibility for overseeing the millennium computer compliance problem in central Government systems. My right hon. Friend the President of the Board of Trade has set up Action 2000 to help turn awareness into action in the private sector. My right hon. Friend the President of the Board of Trade also chairs a Cabinet Committee to drive action across the public and private sectors to ensure that the national infrastructure is not damaged.

Mr. David Atkinson: To ask the Prime Minister what advice has been issued to strategic industries and Government departments on drawing up contingency plans in the event of the failure of computer systems to be millennium compliant; and if he will make a statement. [27869]

The Prime Minister: This is one of the issues which is being discussed by the Ministerial Group on the Millennium Date Change. With regard to contingency planning by Government departments I refer the hon. Member to the reply my right hon. Friend the Chancellor of the Duchy of Lancaster gave to my right hon. Friend the Member for Dumfries (Mr. Brown) on 30 January 1998, *Official Report*, columns *403–04*.

Country Landowners Association

Mr. Gordon Prentice: To ask the Prime Minister on which dates since 1 May he met representatives of the Country Landowners Association; and what matters were discussed. [27487]

The Prime Minister: I have had no formal meetings with representatives of the Country Landowners Association. Ministers in other Departments have met a wide range of groups with interests in countryside matters, including the Country Landowners Association, to discuss matters of mutual interest.

Social Exclusion

Mr. Willetts: To ask the Prime Minister how many people the Government estimate to be socially excluded; and if he will break down the figures by age group and sex. [27714]

The Prime Minister: There is no agreed measure of social exclusion. The Social Exclusion Unit has been asked as part of its work programme to draw up key indicators and recommend how these can be tracked to monitor the effectiveness in reducing social exclusion.

Theft and Fraud

Mr. Malcolm Bruce: To ask the Prime Minister what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date. [27807]

The Prime Minister *[holding answer 5 February 1998]:* In respect of my office, nil.

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Prime Minister if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27808]

The Prime Minister *[holding answer 5 February 1998]:* In respect of my office, none.

Bank of England

Mr. Malcolm Bruce: To ask the Prime Minister for what reasons the announcement of the appointment of the next Governor of the Bank of England has been delayed; and if he will make a statement. [28394]

The Prime Minister *[holding answer 10 February 1998]:* I refer the hon. Member to the answer given by the Economic Secretary on 22 January 1998, *Official Report*, column *642*.

Welsh Consumer Council

Mr. Wigley: To ask the Prime Minister if he will transfer responsibility for the Welsh Consumer Council from the Department of Trade and Industry to the Welsh Office; and if he will make a statement. [28989]

The Prime Minister: I have no plans to transfer responsibility for the Welsh Consumer Council from the Department of Trade and Industry to the Welsh Office.

The position of the Welsh Consumer Council has been considered in the context of the creation of a National Assembly for Wales. The Government's present policy is that the functions of my right hon. Friend the Secretary of State for Wales will be transferred to the assembly. Consumer protection policy is the responsibility of my right hon. Friend the Secretary of State for Trade and Industry.

Ministerial Code

Mr. Heathcoat-Amory: To ask the Prime Minister if the Paymaster General submitted the case of his interest in the Orion trust to him for determination in accordance with the requirements of paragraph 109 of the Ministerial Code. [25486]

The Prime Minister: *[holding answer 26 January 1998]:* No. This paragraph does not require every case to be submitted to me.

WALES

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for Wales if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories *(a)*, *(b)* and *(c)* in the next financial year; and what is their estimated cost. [27846]

Mr. Ron Davies: The only major purchase by my Department in the last 5 years was £540,000 on the purchase of replacement hardware and software for a Unix computer system. The planned date of commissioning of this system is the end of February 1998. My Department has no plans for the purchase of major computer systems during the next financial year.

Welsh Assembly

Mr. Wigley: To ask the Secretary of State for Wales what procedure he intends to follow in designating locations in Wales, away from the main meeting place of the Assembly, where meetings can occur; and if plenary meetings of the Assembly will take place in these centres. [27480]

Mr. Ron Davies: Decisions on holding meetings in locations other than the main Assembly building will be a matter for the Assembly to determine. It will also be for the Assembly to determine whether it holds plenary sessions in locations other than the main Assembly chamber.

Welsh Office (Relocation)

Mr. Wigley: To ask the Secretary of State for Wales if he will estimate the cost of relocating the Welsh Office from Cardiff to Swansea; and if he will make a statement. [27482]

Mr. Ron Davies: I have no plans to relocate the Welsh Office from Cardiff to Swansea. If I decide that the Assembly should be based in Swansea, the bulk of the support staff will still remain in Cathays Park, Cardiff.

Farm Prices

Mr. Alan W. Williams: To ask the Secretary of State for Wales if he will list the average price obtained by farmers in Wales for *(a)* lamb, *(b)* beef and *(c)* milk for each year since 1990. [28274]

Mr. Win Griffiths: The information requested is as follows:

Finished sheep and cattle prices

Year	Pence per kilo	
	Finished Sheep[1]	*Finished Cattle*[2]
1990–91	—	104
1991–92	—	106
1992–93	87	114
1993–94	105	128
1994–95	113	121
1995–96	115	122

[1] From January 1992, sheep price reporting has been undertaken on a liveweight basis. This followed the discontinuation of the variable premium scheme at the end of 1991. The market price is therefore now the producer's total return.

[2] Figures are derived from auction market information obtained from a sample of Welsh markets. The prices shown are liveweight averages for finished steers, heifers and young bulls.

Note:

The 1996–97 figure will be published in 'Welsh Agricultural Statistics 1997' available in March 1998.

Milk prices: average net prices paid to wholesale producers

Year	Pence per litre North Wales	South Wales	Gwent[1]
1990–91	19.089	19.199	19.137
1991–92	19.833	19.964	19.958
1992–93	20.881	20.825	20.932
1993–94	22.308	22.136	22.355

[1] Figures for Gwent cannot be identified separately and those shown relate to the West Midlands region of the Milk Marketing Board of which Gwent forms a part.

Note:
Later figures are not available due to the demise of the Milk Marketing Board.

Commission for Racial Equality

Mr. Llwyd: To ask the Secretary of State for Wales how many cases of alleged racism regarding the Welsh language have been reported to the Commission for Racial Equality during the past five years; how many have been acted upon; and if he will make a statement. [27973]

Mr. Ron Davies: I understand the Commission for Racial Equality does not keep records that would readily enable it to identify any such cases. However if the hon. Member writes to the CRE at its London or Cardiff office with details of his specific concerns, CRE will, I am sure, make every effort to be helpful.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27736]

Mr. Ron Davies *[holding answer 5 February 1998]:* The cost of Ministerial cars and drivers in my Department is as follows:

1995–96: £183,778

1996–97: £196,868

1997–98: £165,115 (to date)

1997–98: £203,900 (estimate).

The information relating to the cost of taxis in my Department is not held centrally.

HOME DEPARTMENT

Young Offenders Institution, Colchester

Mr. Whittingdale: To ask the Secretary of State for the Home Department (1) what was the capital cost of establishing the Young Offenders Institution, Colchester; [26237]

(2) if the monitoring of those offenders who have served sentences at the Young Offenders Institution, Colchester, will continue after its closure; [26211]

(3) what arrangements have been made in respect of those offenders who are serving sentences at the Young Offenders Institution, Colchester, after it closes. [26213]

Ms Quin: The cost of establishing Colchester Young Offender Institution was approximately £460,000. About £49,000 of this represented capital costs.

Data on young offenders will continue to be monitored after the closure of Colchester and the outcomes will be compared with those of other similar offenders.

Those young offenders currently at Colchester who will not be able to complete their sentences there will be transferred to other establishments.

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories *(a)*, *(b)* and *(c)* in the next financial year; and what is their estimated cost. [27840]

Mr. Straw: The available information for computer systems purchases over the past five years, with an initial purchase price over £500,000, is given in the table in cost bands to protect commercial confidentiality.

Initial purchase cost band	Computer system	Date
£500,000 - £1,000,000	Prison Service Local Inmate Database	1994
	Criminal Cases Review Commission Information System	1997
£1,000,000 - £[illegible],000	Prison Service Inmate (Criminal Justice Act 1992) Information System	1993
	National Criminal Intelligence Service, Alert System	1994
	Prison Service Personnel System	1994
	Business and Accounting Strategic Systems, Resource Accounting System	1995
	Prison Enterprise Services Management Information System	1996
	Prison Service Industries and Farms System	1996
£5,000,000 - £10,000,000	Immigration and Nationality Directorate Suspect Index System	1993
£10,000,000 - £20,000,000	Prison Service Inmate Information System	1993
	Prison Service Finance System (FOCUS)	1997

Note:
These figures exclude support, maintenance, Home Office costs, upgrades and infrastructure projects. No new computer systems over £500,000 are reported for the next financial year by the Home Office, Prison Service, United Kingdom Passport Agency, Forensic Service or Fire Service College.

In addition, the Immigration and Nationality Directorate is engaged in a major project using the Private Finance Initiative, which will introduce a new computerised casework system to replace the current paper-based processes.

A full answer could be provided only at disproportionate cost.

Consultants

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his estimate of the expenditure of his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies on external consultants in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year; and if he will also estimate the cost savings resulting from the employment of such consultants for each of the above years. [26675]

Mr. Straw *[holding answer 5 February 1998]:* My estimate of expenditure of my Department, its agencies and non-departmental public bodies (NDPBs) on external consultants is as follows:

£

	1995–96	*1996–97*	*1997–98*[1] *(to date)*	*1997–98*
Home Office	[2]10,200,000	1,956,535	557,975	1,754,412
Agencies	[2]10,200,000	9,848,449	3,300,000	4,000,000
NDPBs	944,000	713,000	493,000	580,000

[1]To end November 1997 (latest available figure).
[2]Estimated figure for Home Office and agencies.

The cost savings resulting from the employment of external consultants by the Home Office, its agencies and NDPBs for each of the above years could be obtained only at disproportionate cost.

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27788]

Mr. Straw *[holding answer 5 February 1998]:* Items recorded stolen or lost from the Home Office between 1 April and 30 September 1997, and valued at more than £25, are as follows:

Nature of loss or theft	*Number of cases*
Laptop computers	10
Desktop personal computers	6
Computer printers	3
Computer disk drives and memory	3
Cash	11
Stock (office equipment, clothing)	4
Phonecards	1
Field Gates	1
Tools	4
Video equipment	3

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26676]

Mr. Straw *[holding answer 5 February 1998]:* I refer the hon. Member to the reply my right hon. Friend the Chancellor of the Duchy of Lancaster gave him on 10 February 1998, *Official Report*, column *116*.

Service Providers

Ms Oona King: To ask the Secretary of State for the Home Department what steps have been taken in the UK to give legal effect to the decision of the European Court of Justice in the cases of Vander Elst [1994] ECR 1–3803 on the rights of third country national employees of service providers based in another member state to provide services in the UK. [28302]

Ms Quin: We observe the terms of this judgment by not requiring work permits of third country national employees of service providers established in another member state when they are sent to fulfil a contract in the United Kingdom.

Immigration

Ms Oona King: To ask the Secretary of State for the Home Department how many non-EEA family members who arrived in possession of entry clearance holding an EEA family permit have been refused entry by immigration officers at the British port of entry since 1 February 1997. [28296]

Ms Quin: We do not keep records of the number of persons refused entry in possession of a family permit, although we estimate that the numbers are very small.

Passports

Ms Oona King: To ask the Secretary of State for the Home Department how many passports or identity documents purported to be issued by a member state presented by passengers on arrival in the UK have been the subject of inquiries with the authorities of the member state to determine *(a)* the document's genuineness and *(b)* that issue to the holder was correct since 1 February 1997. [28301]

Ms Quin: The information requested is not available. This is because Immigration Service document experts using specialist equipment and reference materials rarely need to consult the authorities of European Union member states to confirm the genuineness of a passport or identify document. It would be neither worthwhile nor cost effective to maintain statistical records in these circumstances.

Security Service Files

Dr. Julian Lewis: To ask the Secretary of State for the Home Department (1) if he will make it his policy to disclose all representations received from members of the Government relating to the destruction of files held on them by the security service; [28037]

(2) pursuant to his answer of 3 February 1998, *Official Report*, column *589*, for what reasons it is not his policy to give information about any representations he has received from hon. Members, Ministers or from other sources in relation to the destruction of files held by the security service; [28036]

(3) for what reasons it is not his policy to specify the total numbers of representations received from *(a)* hon. Members and *(b)* other individuals in respect of the destructions of security service files. [28121]

Mr. Straw *[holding answers 6 February 1998]:* I am not prepared to give any information about representations received in relation to the destruction of files held by the Security Service, including the number of such representations, where the provision of such information might enable the identity of any individual to be deduced, or might give rise to speculation about their identity. I consider it important that people should feel free to make representations on such matters in the knowledge that their confidentiality will be respected. This applies to any representations from people in the categories mentioned by the hon. Member as it would to others.

Hedges

Mr. Pearson: To ask the Secretary of State for the Home Department if he will include the loss of light due to high hedges as a category of neighbour nuisance in the Crime and Disorder Bill [*Lords*]; and if he will make a statement. [28518]

Mr. Michael: No. The proposal for anti-social behaviour orders in the Crime and Disorder Bill is intended to prevent criminal or near-criminal activity affecting families and communities. It is not intended to deal with neighbour disputes of this sort. We have no plans to amend the Bill to make special provision for such categories.

Vehicles (Police)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what powers police officers have to intervene to prevent contractors removing a vehicle in circumstances where the police believe no offence has been committed. [28504]

Mr. Michael: I understand that my hon. Friend has in mind action taken by contractors on behalf of a local authority which carries out on-street parking enforcement under provisions contained in the Road Traffic Act 1991. The Act provides for orders to be made in respect of particular geographical areas which transfers the enforcement responsibility from the police to the local authority. Arrangements of this kind operate throughout London and in certain other parts of the country. Vehicles contravening parking regulations are issued with penalty charge notices (PCNs). The penalty charges are civil debts, due to the local authority and enforceable through a streamlined version of the normal civil debt recovery process.

As the whole purpose of these parking provisions is to enable responsibility for enforcement to be transferred from the police to local authorities, the police have no specific powers to intervene in the type of situation which concerns my hon. Friend.

Drivers who wish to dispute local authority enforcement action, which may include wheelclamping and vehicle removal, are entitled to make representations to the authority concerned. If these are rejected, they may appeal to the independent adjudicators who are appointed by the Parking Committee for London which oversees local authority parking enforcement as the Metropolis under section 73 of the Road Traffic Act 1991.

Alcohol (Petrol Stations)

Ms Shipley: To ask the Secretary of State for the Home Department what research his Department has undertaken into the behaviour of people when buying alcohol from garages and petrol stations. [28326]

Mr. George Howarth: None.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for the Home Department what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28379]

Mr. Straw: There are no central records relating to the purchase of Brazilian mahogany for the Home Office. Initial inquiries suggest that none has been purchased or specified by my Department during 1996 or 1997, but this could be verified only at disproportionate cost.

It is Home Office policy to ensure that, as far as possible, wood used in building works, furniture etc. comes from sustainably managed forests. Furniture purchased through the Department's central call-off contract does not use Brazilian mahogany, and the Home Office Procurement Manual states that, where possible, building materials using unsustainably produced tropical hardwoods should be avoided.

Housing (Wormwood Scrubs)

Mr. Soley: To ask the Secretary of State for the Home Department how many flats and houses are empty on the Wormwood Scrubs site; for how long they have been empty; and what plans exist for their future use. [28392]

Ms Quin: There are 19 empty flats at the Du Cane Road site as at 6 February 1998. All have become vacant since September 1997 and are in a deteriorating condition. Five flats remain occupied: these will not be re-allocated when they next become vacant.

There are no plans to make further use of the dwellings as they are deemed to be beyond economic repair and potentially dangerous. The Prison Service plans to demolish them to enable redevelopment on the frontage of Wormwood Scrubs.

Wormwood Scrubs also has two flats and one house that are not on the Du Cane Road site that are empty and on sale on the open market.

Prisoners

Mr. Vaz: To ask the Secretary of State for the Home Department how many, and what percentage of prisoners *(a)* nationally and *(b)* in Leicestershire are (i) of Asian origin and (ii) of Afro Caribbean origin. [28578]

Ms Quin: Information on the ethnicity of prisoners is given in the table.

Percentage of prisoners in prison by ethnic group on 31 December 1997

(Provisional) Ethnic Group	Leicestershire		England and Wales	
	Per cent.	Number	Per cent.	Number
White	82	2,016	81	50,271
Black African	1	30	2	1,387
Caribbean	6	148	8	4,694
Other	3	83	3	1,598
Total	11	261	12	7,679
South Asian				
Indian	3	84	1	788
Pakistani	2	46	2	1,048
Bangladeshi	—	7	—	146
Total	6	137	3	1,982
Chinese and Other	1	36	3	2,108
Total	100	2,450	100	62,040

Percentages have been calculated independently and may not sum to 100.
The symbol '—' = less than 0.5 per cent.

Mr. Vaz: To ask the Secretary of State for the Home Department what is the total number of prisoners in *(a)* Leicestershire and *(b)* each individual prison in Leicestershire. [28575]

Ms Quin: The figures requested are given in the table.

Total population of prisoners in prison in Leicestershire on 31 December 1997

Prison	Number
Ashwell	454
Gartree	363
Glen Parva	844
Leicester	333
Stocken	456
Total	2,450

Prison Suicides

Mr. Vaz: To ask the Secretary of State for the Home Department how many suicides there were in Leicestershire prisons in 1997. [28576]

Ms Quin: The number of self-inflicted deaths in Leicestershire prisons from 1990 to date is given in the following table:

Year	Ashwell	Gartree	Glen Parva	Leicester	Stocken
1990	0	0	1	0	0
1991	0	0	1	0	0
1992	2	1	1	1	0
1993	0	0	0	3	0
1994	0	1	0	3	0
1995	0	0	0	1	0
1996	0	1	2	1	1
1997	0	1	1	0	0
1998 (to date)	0	0	0	0	0

Note:
Not all self-inflicted deaths conclude with a verdict of suicide.

Mr. Vaz: To ask the Secretary of State for the Home Department what steps he is taking to reduce the incidence of suicides in British prisons. [28577]

Ms Quin: The Government are committed to doing everything possible to reduce the number of suicides in prisons.

The Prison Service has a well-developed and well-respected strategy for caring for prisoners who are at risk of suicide or self-injury. It involves the identification and support of those prisoners who are considered to be at risk. Every prison has a multi-disciplinary suicide awareness team which meets regularly and oversees the implementation of the strategy in their establishment.

Prison staff also work closely with the Samaritans, who befriend prisoners in crisis through visits to prisons and by telephone. Over the last five years, the Samaritans have been actively involved in setting up listener/befriender schemes in prisons where selected prisoners are trained to provide peer group support for fellow prisoners in crisis. Listener schemes provide a valuable contribution in reducing the likelihood of suicide and self-injury.

I recently held a meeting with a range of representatives from interest groups concerned about suicides in prisons. The meeting provided a useful forum for the exchange of ideas on how to develop further strategies for reducing suicides in prisons.

The suicide awareness support unit (SASU), in Prison Service headquarters, examines each death in prison custody to see whether lessons can be learnt. They also provide advice and support to establishments, particularly those who are experiencing a cluster of deaths. The suicide awareness strategy in establishments is also audited by the Prison Service standards audit team. Her Majesty's Chief Inspector of Prisons in England and Wales has been asked to carry out a thematic review of suicides in custody.

The Northern Ireland Prison Service reviewed its management guidelines on suicide awareness and prevention and published a revised policy document on 1 August 1996, individual or wing-based copies of which are available to staff in each prison. A synopsis of the guidelines identifying specifically the role and responsibilities of prison officers has been issued to every officer with prisoner contact in the Service.

Multi-disciplinary suicide awareness and management groups meet in each prison at least quarterly to discuss local suicide management issues, identify potential difficulties and recommend appropriate action where necessary.

The Samaritans provide regular support services in most prisons and are currently engaging with prison management in discussions regarding the potential for establishing the first listener scheme in a Northern Ireland prison later this year.

The Scottish Prison Service is currently re-examining its suicide awareness and prevention strategy. A revised strategy document is to be implemented in the near future: revised documentation is to be piloted in four prisons over a one-month period to establish if it is workable. Upon completion of the pilot study, the findings will be acted on as appropriate and it is hoped that the strategy will be implemented in full shortly thereafter. Teams of three

staff from each prison are being trained in the delivery of the strategy: this process should be completed by the end of April. The pilot study is running in parallel with the current strategy.

Artificial Earths

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what estimate he has made of the number and location of artificial earths. [28484]

Mr. George Howarth: The information requested is not collected and we are not aware of any such estimates.

Domestic Violence

Ms Moran: To ask the Secretary of State for the Home Department if he will make a statement on the steps he intends to take to promote best practice in eradicating domestic violence across Europe during Britain's Presidency of the EU. [28449]

Mr. Michael: Combating violence against women is a significant priority of the United Kingdom Government. In an address on 2 February to the European Parliament, my right hon. Friend the Secretary of State for Social Security announced that, during our Presidency, we shall be working closely with the Commission, fellow members and the European Parliament towards organising a Europe-wide Conference of member states and applicant countries including non-Governmental organisations. The purpose is to raise awareness of ways to tackle domestic violence and we hope the conference can be held towards the end of 1999. Our Presidency will also be co-ordinating European Union member states' approach to the meeting in March of the United Nations Commission of the Status of Women, a major theme of which will be violence against women. My hon. Friend the Under-Secretary with responsibility for Women will be leading the European Union delegation and will deliver a speech on behalf of the European Union Presidency.

Retractable Metal Batons

Dan Norris: To ask the Secretary of State for the Home Department (1) what plans he has to review the use by the police of retractable metal batons; [28166]

(2) what assessments of injuries sustained by the public his Department has evaluated since the introduction of new-style retractable metal batons. [28165]

Mr. Michael: Decisions about what types of baton to issue are the responsibility of individual chief police officers, except that, in the Metropolitan Police district, the Commissioner requires the consent of the Home Secretary as Police Authority before introducing a new piece of defensive equipment.

The Home Office has not carried out any evaluation and has no plans at present to review the police use of metal retractable batons. The use of batons and other equipment is kept under review by the Self-Defence and Restraint Committee of the Association of Chief Police Officers. In reaching decisions, chief officers also have available expert technical advice from the Home Office Police Scientific Development Branch. This suggests that friction lock batons have an impact force slightly or moderately higher than the traditional wooden truncheon. Training provided to officers carrying metal retractable batons emphasises that, when striking a suspect, areas such as the head and neck should be avoided except as a last resort because of the high probability of causing serious harm or death, and that officers must be prepared to justify striking such areas.

Europol Officers

Mr. Beith: To ask the Secretary of State for the Home Department what discussions he has had with ministers of European Union countries concerning the issue of immunity of Europol officers; and if he will make a statement. [28848]

Mr. Michael: The immunities which will be granted to Europol officers are set out in the Protocol on Privileges and Immunities of Europol, which was signed on 19 June 1997, following extensive discussions with all member states of the European Union at both ministerial and official level. The Protocol must be ratified by all member states before it enters into force. The United Kingdom will complete this process shortly: following debates in both Houses, an Order passed through the Privy Council on 17 December 1997.

Europol will not be an operational police force, and its staff will not be able to perform executive policing functions. Their role will generally be limited to the handling of information and the analysis of criminal intelligence in support of the law enforcement agencies of member states. The immunities that they will be given will apply only in situations where they are performing these official functions, and in all other situations they will be subject to the legal process in the normal way. The Government believe that the immunities which will be granted to Europol officers are appropriate for the tasks which they will undertake and are necessary for the proper functioning of the organisation. Were Europol's role to be extended beyond what is allowed under the present Convention, there is specific provision in the Protocol requiring the question of privileges and immunities of its staff to be reviewed.

Police Funding

Mr. Beith: To ask the Secretary of State for the Home Department what is the real terms change in the level of Home Office *(a)* revenue, *(b)* capital and *(c)* total grant for the police from 1997–98 to 1998–99. [28846]

Mr. Michael: The latest Gross Domestic Product deflators issued by Her Majesty's Treasury indicate that the real terms change in the level of Home Office grants from 1997–98 to 1998–99 is:

Revenue grant: +2.2 per cent.

Capital grant: –14.9 per cent.

Total grants: +1.8 per cent.

Total grant also includes grant paid under section 48 of the Police Act 1996, party conferences grant, and loan charges grant paid on pre-1990 debt.

Altcourse and Parc Prisons

Mr. Beith: To ask the Secretary of State for the Home Department what contractually specified *(a)* services and *(b)* facilities were not available when the Altcourse

and Parc prisons opened; what steps the Prison Service is taking to secure full contract compliance in each case; and if he will make a statement. [28841]

Ms Quin: Her Majesty's Prisons Parc and Altcourse opened one month and six months respectively ahead of their contractual opening date. This early opening was undertaken by the contractors in recognition of the Prison Service's urgent need for additional accommodation. Altcourse is building up its population ahead of schedule and thereby providing additional relief to the pressure on prisoner places in the north west.

As a consequence of this early opening, some services and facilities were incomplete or not available when the prisons opened. Deficiencies have been, or are being, addressed at each prison in respect of the areas set out in the list.

HMP Parc

(a) Services

the level of work and training;

automatic transmissions between the prison's own information system (PIMS) and the Prison Service central database;

a bail information scheme for prisoners;

direct debiting of telephone costs from prisoners' cash;

drug testing;

prisoners' consultation committees; and

arrangements for prisoners' visitors.

(b) Facilities

a creche for visitors' children.

HMP Altcourse

(a) Services

throughcare;

personal officer scheme;

legal advice information;

sentence planning;

the levels of work and education;

shop and haircutting arrangements;

drug testing

number of drug sniffer dogs; and

arrangements for prisoners' visitors.

(b) Facilities

a creche for visitors' children; and

fitting out of workshops.

All of these have been brought to the contractors' attention in writing locally, as requiring remedial action. In addition, there have been, and continue to be, regular (approximately fortnightly) meetings at corporate level with the Prison Service to discuss issues of particular concern. When the prisons reach full occupancy, there will be a full audit of contractual compliance which will also ensure that remedial action is being implemented to an agreed timetable.

Where specified performance measures are not being delivered, performance penalty points are being applied. Cumulatively, these may lead to a reduction in the contract price.

Young Offenders

Dr. Cable: To ask the Secretary of State for the Home Department how many 15 and 16 year old females are on remand in *(a)* young offender units and *(b)* women's prisons in (i) London and (ii) the Home Counties. [28788]

Ms Quin: The latest available information is for 31 December 1997. On that date, no females aged 15 or 16 years were held on remand in prisons in England and Wales.

Dr. Cable: To ask the Secretary of State for the Home Department what is the percentage of convictions of young offenders after admittance on remand to young offender units. [28786]

Mr. Michael: Information on the sentencing of young offenders held in remand at young offender units is not collected centrally. Information is available on the sentencing of young offenders remanded in custody by the court, although the place of remand is not available.

Youths remanded in custody are usually remanded to local authority accommodation. Exceptionally, 15 or 16-year-old boys meeting certain conditions are remanded to a remand centre or prison. These conditions are:

that the defendant is charged with a violent or sexual offence on one punishable in the case of an adult with imprisonment for a term of 14 years or more; or

that the defendant has a history of absconding while remanded in local authority accommodation and is charged with or has been convicted of an imprisonable offence alleged or found or have been committed while he was so remanded; and

in either case, that the court considers that only a remand to a remand centre or prison would be adequate to protect the public from serious harm.

In 1996, 70 per cent. of 15 or 16-year-old male defendants remanded in custody and charged with a violent or sexual offence (or one punishable in the case of an adult with imprisonment for a term of 14 years or more) were convicted. No information is available on either previous propensity to abscond or court deliberations.

Dr. Cable: To ask the Secretary of State for the Home Department how many young offender units have an in-take of males in the age range of 15 to 21 years in *(a)* London and *(b)* the Home Counties. [28787]

Ms Quin: There is one young offender institution (YOI) in London, Her Majesty's YOI Feltham. This is the only YOI in London and the home counties which takes 15 and 16-year-old male offenders. In the home counties, there are seven YOIs. These are listed in the table with their age intake.

At age 21, male offenders are deemed to be adults and on conviction will be sent to an adult prison.

Young Offender Institutions in London and the Home Counties

YOI	*Area*	*Age intake*
Feltham	London	15–20
Aylesbury	Buckinghamshire	18–20
Chelmsford	Essex	17–20
Colchester	Essex	18–20
Dover	Kent	18–20
Reading	Berkshire	17–20
Rochester	Kent	17–20
Woodhill	Buckinghamshire	17–20

Dr. Cable: To ask the Secretary of State for the Home Department (1) how many 15 and 16 year old males were admitted on remand to young offender units in *(a)* London and *(b)* the Home Counties in each of the last five years; [28791]

(2) how many 15 and 16 year old males were admitted on remand to young offender units in the last quarter for which figures are available in *(a)* London and *(b)* the Home Counties. [28790]

Ms Quin: The information requested is given in the table.

Initial receptions of 15 and 16 year old males on remand into Young Offender Institutions in London and the Home Counties 1992–1997

Year	London	All remand[1] Home Counties
1992	230	4
1993	280	—
1994	350	2
1995	450	2
1996	530	—
October–December 1997[2]	130	—

[1] The figures for "all remand" record once only a person received as an untried prisoner who is subsequently received also as a convicted unsentenced prisoner
[2] Provisional figures.

Prison Accommodation

Mr. Cox: To ask the Secretary of State for the Home Department which prisons had spare cell accommodation on 1 February. [28669]

Ms Quin: Spare accommodation is defined as the in use certified normal accommodation (CNA) at an establishment less the number of prisoners held on a specific date. The table lists the establishments reporting spare accommodation on 30 January 1998 (the nearest day to 1 February for which data are available).

Establishments with In Use CNA greater than the population held on 30 January 1998

Acklington
Aldington
Aylesbury
Blundeston
Brockhill
Bullwood Hall
Camphill
Castington
Colchester
Coldingley
Dartmoor
Deerbolt
Dover
Drake Hall
East Sutton Park
Eastwood Park
Erlestoke
Featherstone
Ford
Foston
Grendon
Haslar
Hatfield
Hewell Grange
Hindley
Hollesley Bay
Holme House
Hull
Kingston
Kirkham
Kirklevington
Lancaster
Lancaster Farms
Latchmere House
Leyhill
Lindholme
Long Lartin
Moorland
Norton Hall
North Sea Camp
Onley
Parc
Prescoed
Rochester
Send
Spring Hill
Standford Hill
Stoke Heath
Styal
Sudbury
Swinfen Hall
Thorn Cross
Wealstun
Weare
Wellingborough
Wetherby
Whatton
Wymott.

Police (Bicycles)

Mr. Cox: To ask the Secretary of State for the Home Department what steps his Department takes to encourage police officers to use bicycles while they are on patrol duty. [28656]

Mr. Michael: The Home Office does not take any steps specifically to encourage the use of bicycles. Guidance on how police forces can make the most effective use of patrol is set out in the handbook, "Tackling patrol effectively", which was issued in November 1996 jointly by the Home Office, the Audit Commission, Her Majesty's Inspectorate of Constabulary and the Association of Chief Police Officers. The handbook stresses that

"there is no single model for the organisation and management of patrol work"

which should be designed to meet local needs.

Asylum Seekers

Mr. Cox: To ask the Secretary of State for the Home Department how many applications for political asylum were being dealt with by his Department on 1 February. [28665]

Mr. Mike O'Brien: As at 31 December 1997, (the most recent date for which information is available) there were 51,795 applications for asylum in the United Kingdom, excluding dependants, awaiting an initial decision by the Asylum Directorate of the Home Office.

Licensed Premises

Ms Shipley: To ask the Secretary of State for the Home Department what multi-agency measures his Department is taking to tackle disorder within licensed premises. [28837]

Mr. George Howarth: We are determined to tackle alcohol-related disorder. We have agreed with the drinks industry a significant increase in the use of toughened glasses, to reduce injuries caused by "glassings". We have reminded the courts of their exclusion order powers to prohibit from licensed premises anyone convicted of a violent offence there. We are considering how the licensing regime might deal more effectively with premises which are the focus of disorder.

Disorder (Town Centres)

Ms Shipley: To ask the Secretary of State for the Home Department if he will create fora to bring together representatives from licensing authorities, town centre management, the police and community safety practitioners to tackle disorder in and around town centres. [28836]

Mr. Michael: The Crime and Disorder Bill will require the police and local authorities together to undertake a crime and disorder audit in the district, borough or unitary authority area, in consultation with other agencies and the wider community. They will then have to develop a local strategy to tackle the identified crime and disorder problems. The work of the partnerships created to implement the local strategies, which will include clear targets, will include action at a much more local level within the local authority area. If the process identifies town centre disorder as a problem, the partners would be expected to draw together those who have an interest in tackling the problem or to work with any existing forum in order to develop strategies for tackling the identified problems. Whether a forum of the form described by my hon. Friend would be the right vehicle would depend on local circumstances but may well play a significant role. The test of a forum approach would be whether it is clearly focused and effective in cutting crime and disorder.

Travellers

Mr. Swayne: To ask the Secretary of State for the Home Department what plans he has to clarify the law in respect of gatherings of travellers on private land; and if he will make a statement. [28710]

Mr. Michael: We have no plans to change sections 61 and 62 of the Criminal Justice and Public Order Act 1994, which provides the police with the power to remove trespassers in certain circumstances. I understand that my right hon. Friend the Secretary of State for the Environment, Transport and the Regions has no plans to change sections 77 to 79 of the Act, which provide local authorities with the power to direct unauthorised campers to leave land. In exercising the wide discretion which they have under these powers, it is important for the police and local authorities to work together. Many police forces have, or are negotiating, agreements with local authorities, and the Department of the Environment, Transport and the Regions is currently developing good practice guidelines for local authorities.

Custodial Sentences

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department, pursuant to the oral statement of 5 February 1998, *Official Report*, columns 225–27, if he will estimate the weekly numbers of people convicted for the first time of a criminal offence that could be followed by a custodial sentence of six months or more. [28811]

Mr. Michael: Information available centrally on previous convictions relates to standard list offences only. It is estimated that, on average, 2,400 people were convicted in each week of 1995 for a first such offence (this is the latest year for which figures are available). Standad list offences included all indictable and some of the more serious summary offences. As 98 per cent. of those sentenced for standard list offences in 1995 were sentenced for offences that carry a maximum sentence of six months or more, exclusion of offences with a lower maximum penalty would not materially affect this estimate.

Some offences not on the standard list also carry a maximum sentence of six months' imprisonment. These accounted for 134,000 of all those sentenced in 1995, but their contribution to the estimate requested is not known.

Citizenship

Mr. Gerald Howarth: To ask the Secretary of State for the Home Department, pursuant to his answer of 22 January 1998, *Official Report*, column *637*, if he will list the statutory requirements for British citizenship. [28724]

Ms Quin: The requirements applicable in most cases for registration or naturalisation as a British citizen are set out in the British Nationality Act 1981. Further provision is made by the British Nationality (Falklands Islands) Act 1983, the Hong Kong (War Wives and Widows) Act 1996 and the British Nationality (Hong Kong) Act 1997.

Circus Animals

Mr. Baker: To ask the Secretary of State for the Home Department (1) what assessment he has made of the video produced by Animal Defenders on the treatment of animals in circuses, a copy of which has been sent to him; [29132]

(2) if he will make it his policy to ban the use of animals in circuses; [29131]

(3) what assessment he has made of the effectiveness of the legislation in respect of the welfare protection afforded to circus animals. [29133]

Mr. George Howarth: I understand that the video and other material have been passed to the police. It would not, therefore, be appropriate for me to comment on Animal Defenders' allegations.

The Protection of Animals Act 1911 makes it an offence to ill-treat or cause any unnecessary suffering to any domestic or captive animal. The maximum penalties for offences under the Act are a fine of £5,000, or six months' imprisonment, or both. The court may, in addition, deprive a person of ownership of an animal and order its removal if it is satisfied that to leave the animal with the owner would expose it to further cruelty.

In addition, the Performing Animals (Regulation) Act 1925 requires trainers and exhibitors of animals to be registered with the local authority. Under this Act, the police and officers of local authorities (who may include veterinary surgeons) have the power to enter and inspect premises where animals are being trained and exhibited. If cruelty or neglect is found, magistrates' courts can prohibit or restrict the training or exhibition of the animals and suspend or cancel the registration granted to the trainer or exhibitor.

These are widely based legislative provisions which apply to travelling circuses and winter or training quarters.

The All Party Parliamentary Group for Animal Welfare is currently preparing a full report on the welfare of circus animals. The Government will consider carefully any recommendations.

Cannabis-related Offences

Mr. Flynn: To ask the Secretary of State for the Home Department what are the totals and percentage of those accused of *(a)* possession of and *(b)* dealing in cannabis who were (i) found not guilty, (ii) fined and (iii) imprisoned in each of the past five years in each police area. [29139]

Mr. George Howarth: The information requested is not available by police force area. It could be provided only at disproportionate cost. Figures for the United Kingdom are given in the table.

Cannabis offences (possession, 'dealing'), and certain outcomes by type of offence, United Kingdom, 1991–95

Number

Year	*All cases*	*Not guilty*	*Fine*	*Imprisoned*
Unlawful possession				
1991	35,622	2,103	11,514	808
1992	34,706	1,993	8,828	563
1993	48,902	3,095	10,010	584
1994	62,328	3,315	13,358	746
1995	64,516	3,081	13,355	896
Possession with intent to supply unlawfully				
1991	1,430	235	338	450
1992	1,474	275	291	446
1993	2,460	574	282	630
1994	3,072	688	351	825
1995	3,532	781	299	1,031
Unlawful supply				
1991	1,194	163	262	337
1992	1,073	175	197	276
1993	1,679	455	191	358
1994	1,889	408	190	429
1995	2,198	503	220	541

Note:

'Dealing' has been taken to mean possession with intent to supply unlawfully and unlawful supply.

Source:

Home Office Research and Statistics Directorate, Crime and Criminal Justice Unit.

Cannabis offences (possession, 'dealing'), and certain outcomes by type of offence, United Kingdom, 1991–95

Per cent.

Year	*All cases*	*Not guilty*	*Fine*	*Imprisoned*
Unlawful possession				
1991	100	6	32	2
1992	100	6	25	2
1993	100	6	20	1
1994	100	5	21	1
1995	100	5	21	1
Possession with intent to supply unlawfully				
1991	100	16	24	31
1992	100	19	20	30
1993	100	23	11	26
1994	100	22	11	27
1995	100	22	8	29
Unlawful supply				
1991	100	14	22	28
1992	100	16	18	26
1993	100	27	11	21
1994	100	22	10	23
1995	100	23	10	25

Note:

'Dealing' has been taken to mean possession with intent to supply unlawfully and unlawful supply.

Source:

Home Office Research and Statistics Directorate, Crime and Criminal Justice Unit.

Mr. Flynn: To ask the Secretary of State for the Home Department how many and what percentage of those fined for cannabis offences in the past four years were fined *(a)* the maximum the law allows, *(b)* 50 per cent. or less of the maximum and *(c)* 10 per cent. or less of the maximum. [29135]

Mr. George Howarth: This information is not available in the form requested since there is no limit in theory to the amount of fine which may be imposed. However, information relating to the number of fines

imposed for cannabis offences by various amount bands is routinely published. Data for 1991–95 (the latest available) are given in the table.

Persons fined for cannabis offences by amount of fine, United Kingdom, 1991–95

	1991	1992	1993	1994	1995
£5 and under	28	19	42	27	24
Over £5 up to and including £10	80	72	115	89	89
Over £10 up to and including £20	266	568	2,261	335	303
Over £20 up to and including £50	5,745	4,334	4,084	5,898	5,537
Over £50 up to and including £100	4,852	3,487	3,332	5,756	6,055
Over £100 up to and including £200	1,447	1,179	1,126	2,570	2,774
Over £200 up to and including £500	404	365	245	534	614
Over £500 up to and including £1,000	48	36	57	74	45
Over £1,000	10	17	21	21	17
Average amount of fine (£)	85	86	76	92	92
Total	12,880	10,077	11,383	15,304	15,458

Notes:
Cannabis offences comprise production or cultivation of cannabis plants, possession, possession with intent to supply unlawfully, supply, offering to supply, or being concerned in supply, and permitting premises to be used for unlawful purposes.
Source:
Home Office Research and Statistics Directorate, Crime and Criminal Justice Unit.

Mr. Flynn: To ask the Secretary of State for the Home Department what was the total annual cost of imprisonment of those convicted of possessing or dealing in cannabis in each of the past five years. [29137]

Mr. George Howarth: The cost of imprisonment for those convicted of possessing or dealing cannabis is not calculated separately from other offenders. The available information gives an average cost per place in cash terms for all prisoners. This is shown in table A. Table B provides information on immediate custodial sentences handed down in England and Wales for offences of possession or unlawful supply of cannabis. This is available only for the five year period commencing 1991.

Average cost per prisoner place 1991–92 to 1996–97

Year	Average cost per place £
1992–93	22,723
1993–94	23,080
1994–95	23,391
1995–96	24,178
1996–97	24,271

Number of immediate custodial sentences for possession and unlawful supply of cannabis 1991–95

	Offence		
Year	Possession	Possession with intent to supply unlawfully	Unlawful supply
1991	681	374	295
1992	467	376	242
1993	501	546	325
1994	652	724	383
1995	806	967	480

Prisoners (Prescriptions)

Mr. Flynn: To ask the Secretary of State for the Home Department how many prescriptions were issued per 100 prisoners in British jails for *(a)* tranquilisers and *(b)* other medicinal drugs in each of the last five years. [29127]

Mr. George Howarth: Information is available only for the year 1996–97. Based on a sample of six prisons in England and Wales representing 4.2 per cent of the average daily population for that year, it is estimated that prescriptions which might generally be termed as tranquillisers amounted to 224 per 100 inmates. For other medications, the estimate is 2,078 per 100 inmates.

Illegal Drugs

Mr. Flynn: To ask the Secretary of State for the Home Department if he will give for *(a)* the United Kingdom and *(b)* the Netherlands, (i) the number of heroin addicts per 1,000 of the population, (ii) the average age of heroin addicts, (iii) the number of deaths from ecstacy, (iv) the number of deaths from glue sniffing and (v) the number of cannabis users per 1,000 of the population, in each of the past five years. [29134]

Mr. George Howarth: Information relating to the Netherlands cannot be provided.

The number of heroin addicts per 1,000 of the United Kingdom population notified to the Home Office in each year from 1992 to 1996 was 0.2924, 0.3251, 0.3821, 0.4186 and 0.5199 respectively. Information concerning the average age of these addicts is not available. However, the average age for all notified addicts, of whom between 66 and 70 per cent were addicted to heroin, in the years in question was 29.4, 29.2, 28.8, 28.7 and 28.4 years.

With regard to the number of deaths from ecstasy and glue sniffing, I refer my hon. Friend to the reply given to him by my hon. Friend the Economic Secretary to the Treasury on 21 January 1998, *Official Report,* columns *533–34.*

Information concerning the number of 'cannabis users' per 1,000 of the United Kingdom population is not available. However, the British Crime Survey 1996 (which covers England and Wales) indicates that about 9 per cent. of persons in the 16–59 age group had used cannabis in the year prior to interview.

Prisoners Formerly in Care

Mr. Hinchliffe: To ask the Secretary of State for the Home Department how many current prison inmates are known to have previously been in care as children or young people; what proportion of the prison population this represents; and if he will make a statement. [27269]

Ms Quin: It is not known how many current prison inmates have previously been in care as children or young people since this information is not held centrally. However, according to the 1991 National Prison Survey, 26 per cent. of prisoners said that they had been taken into local authority care at some time.

HEALTH

Secure Accommodation

Mr. Clappison: To ask the Secretary of State for Health if he will list the locations of those new places in local authority secure accommodation which *(a)* have been provided and *(b)* it is planned to provide within the next five years and which were not planned for on 1 May 1997. [25932]

Mr. Boateng: The location of the new places provided under the secure accommodation development programmes is shown in the table.

Local authority	*Secure unit*	*New places from within the 170 place supply plan*
Northumberland County Council	Kyloe House	7
Lancashire County Council	Dales House	8
Salford City Council	Barton Moss	12
Leeds City Council	Eastmoor	9
Sheffield City Council	Aldine House	8
Coventry City Council	Stoke House	8
Staffordshire County Council	Watling House	12
Derbyshire County Council	Brunel	3
Lincolnshire County Council	Lincolnshire Secure Unit	4
Nottinghamshire County Council	Clayfields	10
Cambridgeshire County Council	Clare Lodge	10
Essex County Council	Leverton Hall	16
Northamptonshire County Council	St. Johns, Tiffield	16
Southwark London Borough	Orchard Lodge	16
Hampshire County Council	Swanwick Lodge	5
Devon County Council	Atkinson	4
South Gloucestershire County Council	Vinney Green	6
Neath/Port Talbot	Hillside—Welsh Unit	6
Hammersmith & Fulham London Borough	Stamford House	[1]10

[1] Available summer 1998

I refer the hon. Member to the reply from the Minister of State, Home Office, my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), on 12 January 1998, *Official Report*, columns *64–66*.

Correspondence

Mr. Steinberg: To ask the Secretary of State for Health if he will make it his policy that he and his Ministers personally read the letters sent to them by hon. Members on constituency matters. [27672]

Ms Jowell: My right hon. Friend the Secretary of State and his Ministers read and take account of the representations made to them on constituency and other matters.

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for Health if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories *(a)*, *(b)* and *(c)* in the next financial year; and what is their estimated cost. [27843]

Mr. Milburn: In the last five years the Department of Health, including its agencies, had implemented the major computer systems shown in the tables.

System	*Estimated cost (£ million)*	*Final cost (£ million)*	*Planned commissioning date*	*Actual commissioning date*
Department				
OISII—Office system upgrade	4.1	3.5	March 1997	May 1996
NHS Executive Regional Offices Office System	11.5	10.5	April 1996	April 1996
Hospital Episode Statistics	1.4	1.3	June 1995	October 1995
Agencies				
Medicines Control Agency				
PLUS	3.2	3.19	October 1994	October 1994
BLIS	0.5	0.6	December 1994	December 1994

The Department's executive Non Departmental Public Bodies (NDPBs) have implemented no major Information Technology (IT) systems during this period.

Major planned systems in the Department of Health for 1998–99 are given in the table:

System	£ Planned cost
Personnel System	443,000
Office System Upgrade	3.8 million

No agencies or NDPBs have plans for spend on major IT systems in 1998–99.

Surplus Land (Essex)

Mr. Bob Russell: To ask the Secretary of State for Health, pursuant to his oral answer of 27 January 1998, *Official Report*, column 139, how many acres of land in Colchester are planned to be disposed of by *(a)* the Department of Health, *(b)* the Regional Health Authority, *(c)* North Essex Health Authority, *(d)* Essex Rivers Healthcare Trust, *(e)* North Essex Mental Health Trust and *(f)* New Possibilities Health Trust. [28005]

Mr. Milburn: The National Health Service Executive's North Thames Regional Office is leading on the planning and disposal of all the surplus land in Colchester held by the Department of Health, Essex Rivers Healthcare NHS Trust and North East Essex Mental Health NHS Trust.

The amount of land is as follows:

	Acres
Department of Health	89
Essex Rivers Healthcare NHS Trust	3
North East Essex Mental Health NHS Trust	108
Total	200

Note:
All these figures are approximations.

No land is to be disposed of by North Essex Health Authority or the New Possibilities NHS Trust. Regional Health Authorities were abolished in 1996.

Mr. Bob Russell: To ask the Secretary of State for Health, pursuant to his oral answer of 27 January 1998, *Official Report*, column 139, if he will invite the three NHS trusts in the Colchester constituency to merge their property and estate portfolios. [28006]

Mr. Milburn: The National Health Service Executive's North Thames Regional Office is working on behalf of all three trusts in Colchester to dispose of their surplus estate. We have no plans to invite the trusts to merge other aspects of their property and estate portfolios.

GP Recruitment

Mr. Hesford: To ask the Secretary of State for Health what plans he has to deal with shortfalls in GP recruitment; and if he will make a statement. [28288]

Mr. Milburn: We are introducing a series of measures to enhance the attractiveness of general practice. Measures such as the salaried doctors scheme, an improved retainer scheme and Primary Care Act pilots will provide more flexible employment opportunities and be of particular help in areas with the greatest recruitment problems. The establishment of Primary Care Groups, as set out in the White Paper "The New NHS", will also give general practitioners and other primary care professionals greater scope to influence the development of health services locally.

Private Finance Initiative

Dr. Brand: To ask the Secretary of State for Health what is the proportion of private beds in *(a)* each PFI contract approved and *(b)* each PFI contract being planned; and how many private and NHS beds there are in these contracts. [28308]

Mr. Milburn: Information on the number and proportion of private and National Health Service beds planned at the major acute approved Private Finance Initiative schemes and currently proposed for the major acute schemes testing for PFI is provided in the table. Information is also provided on the number of private beds currently provided at these trusts.

Information is not held centrally on the provision of private beds in smaller scale (capital value of £10 million or less) and non-acute PFI schemes.

Trust	Current number of private beds	Number of NHS beds provided by PFI scheme	Number of private beds provided by PFI scheme	Proportion of private beds provided by PFI scheme (%)
Norfolk and Norwich	18	809	20	2.5
South Buckinghamshire	11	535	[1]14	2.6
Calderdale	0	573	[2]20	3.5
South Manchester	10	881	0	0
Wellhouse	20	406	20	4.9
Dartford and Gravesham	0	400	0	0
Worcester	0	390	0	0
Bromley	0	507	[3]0	0
Swindon and Marlborough	10	516	10	1.9
North Durham	0	454	0	0
Carlisle	[4]0	508	[4]0	0

Trust	Current number of private beds	Number of NHS beds provided by PFI scheme	Number of private beds provided by PFI scheme	Proportion of private beds provided by PFI scheme (%)
Hereford	0	340	0	0
Bishop Auckland	1	341	1	0.29
Greenwich	[4]0	565	[7]0	0
South Tees	2	980	0	0

[1] This is the initial planned figure; there is provision for the total to increase to a maximum of 28.
[2] This may decrease to 14 during the detailed design phase.
[3] There is the possibility that a small number of NHS beds at the new hospital may be used for private patients.
[4] There are currently no dedicated private beds but some amenity beds are used for private patients.
[5] There are no plans for dedicated private beds but the current arrangement of using amenity beds for private patients will continue.
[6] There are currently no dedicated private beds but some amenity beds are used for private patients.
[7] There are no plans for dedicated private beds but the current arrangement of using amenity beds for private patients will continue.

Barnet Community Health Council

Mr. Dismore: To ask the Secretary of State for Health if he will list *(a)* the names, *(b)* the appointing authority and *(c)* the terms of office of the members of Barnet Community Health Council. [28306]

Mr. Milburn: The information requested is provided in the tables.

Barnet community health council membership list—as at 5 February 1998

Appointed by local authorities	*(Total number of members: 12)*
Appointing body:	London Borough of Barnet, The Town Hall, The Burroughs, London NW4 4BG
Appointed until:	31 August 1998
Member Name:	i. Mr. Wayne Casey
	ii. Mr. Roger Chapman
	iii. Mr. David Williams
	iv. Mr. Alan Sloan
	v. Ms Jean Smith
	vi. Vacant
Appointed until:	31 August 2000
Member Name:	vii. Ms Kate Brown
	viii. Ms Pam Coleman
	ix. Mr. Raymond Mann
	x. Mr. Alvin Ormonde
	xi. Ms Katherine Rounce
	xii. Vacant

Appointed by voluntary organisations	*(Total number of members: 8)*
Appointed until:	31 August 1998
Member Name:	Name of Appointing Body:
i. Mr. Rod Clay	Ravenswood
ii. Ms Suzanne Collins	Mental Health Consultative Group
iii. Mr. Peter Packer	Friends of Finchley Memorial Hospital

Appointed by voluntary organisations	*(Total number of members: 8)*
iv. Ms Ruth Rees	Alzheimer's Disease Society
Appointed until:	31 August 2000
v. Ms Evelyn Brand	League of Jewish Women
vi. Ms Jean Coops	Citizen's Advice Bureau
vii. Ms Rhoda Flynn	Barnet Mencap
viii. Ms Mary Leigh	Disablement Association, Borough of Barnet

Appointed by the Secretary of State for Health	*(Total number of members: 4)*
Appointed until:	31 August 1998
Member Name:	i. Mr. Derek Williams
	ii. Vacant
Appointed until:	31 August 2000
Member Name:	iii. Ms Sally Malin
	iv. Ms Elizabeth Manero—Chair

GP Commissioning

Mr. Hesford: To ask the Secretary of State for Health what assessment he has made of the impact on non-medical staff requirements of the implementation of GP commissioning; and if he will make a statement. [28289]

Mr. Milburn: As set out in the White Paper "The New NHS", the development of primary care groups will be evolutionary. These primary care groups will involve a range of primary care professionals as well as general practitioners. As part of the process of establishing primary care groups, we shall be considering the role of such bodies in securing an appropriately qualified and competent workforce. Guidance on these and other related issues will be prepared by the National Health Service Executive and issued in due course.

Evesham Community Hospital

Mr. Luff: To ask the Secretary of State for Health when he expects to respond to the letter from the hon. Member for Mid-Worcestershire of 9 December 1997 concerning the future of Evesham Community Hospital; and if he will make a statement. [28609]

Mr. Milburn: I replied to the hon. Member on 9 February.

Female Circumcision

Mr. Rowe: To ask the Secretary of State for Health how many operations of female circumcision were carried out in the NHS in *(a)* 1995, *(b)* 1996 and *(c)* 1997. [28486]

Ms Jowell: None. The Prohibition of Female Circumcision Act 1985, makes it an offence to carry out the practice. It also makes it an offence for anyone to aid, abet, counsel or procure the carrying out of these procedures by any other person on her own body.

Nytol

Ms Stuart: To ask the Secretary of State for Health what evidence he has assessed on the use of Nytol in conjunction with Ecstasy; and if he will make Nytol a prescription only drug. [28499]

Ms Jowell: The Department has not received any reports of the use of Nytol, a medicine containing diphenhydramine for temporary sleep disturbance, in conjunction with Ecstasy.

Medicines are restricted to prescription control if they are frequently, and to a very wide extent, used incorrectly, and as a result are likely to present a direct or indirect danger to human health. The Medicines Control Agency keeps the safety of all medicines under regular review and, wherever necessary, takes appropriate action to safeguard public health on the basis of new information. There is at present, no evidence to justify making Nytol a prescription only medicine.

School Expulsions (Drugs)

Mr. Peter Bottomley: To ask the Secretary of State for Health who in health and social services should provide advice and help to a child expelled from school for the use of drugs below school leaving age and to the parents concerned. [28814]

Ms Jowell: Where a young person's drug misuse is problematic, and treatment is required, the health authority is responsible for ensuring that treatment is provided, within available resources and in the light of local priorities. The Children Act 1989 provides a framework of powers and responsibilities to ensure that children receive the care and protection they need. Section 47 of the Act requires local authority social services departments to make inquiries where they have reasonable cause to suspect that a child in their area is suffering, or is likely to suffer, significant harm and this may include situations where a child is misusing drugs. There may also be situations where there are concerns about a child's well-being and development as a result of drug misuse but where abuse is not the issue. Section 17 of the Children Act requires local authorities to provide support and services for children in need.

Department for Education and Employment Circular 4–95 "Drug Prevention in Schools", issued to all schools in May 1995, offers guidance on dealing with drug-related incidents. The document places particular emphasis on the development of an agreed policy to deal with drug-related incidents and the desirability of schools developing a repertoire of responses to incidents.

Our strategy on drugs makes young people a priority. Guidance sent to health authorities and directors of social services in March last year asked them to work together with their Drug Action Team on ensuring that agencies are clear about their responsibilities, and that services for drug misusers are properly planned locally. The guidance recommended that services should be structured to meet the requirements of and be sensitive to the needs of particular groups such as young people. The Department launched in November 1997 three documents aimed at helping all agencies concerned to meet the needs of young people for drug services. This included advice on which groups are at most risk of problematic drug misuse, based on the available evidence. Young people excluded from school are identified as being at particular risk of problematic drug use.

Public Health

Mr. Peter Bottomley: To ask the Secretary of State for Health if he will make a statement on the ways in which his health targets vary from the equivalent previous targets. [28828]

Ms Jowell: The targets we have proposed will allow us to focus on our key aims: to improve the health of the population as a whole by increasing the length of people's lives and the number of years people spend free from illness, and to improve the health of the worst off in society and to narrow the health gap.

The targets differ from those in the previous strategy because they cover different time periods, different combinations of diseases, different age groups (for cancers) and, in the case of accidents, a measure of illness and disability rather than one for mortality. While *Health of the Nation* targets contained a mixture of outcomes and determinants, only four national outcome targets have been proposed in *Our Healthier Nation,* one in each of the four priority areas. This will help to focus the strategy on improving health outcome. A wide range of actions will be needed to achieve these targets and health benefits should accordingly occur across a broad front.

Our Healthier Nation goes substantially beyond *Health of the Nation,* as it acknowledges the impact that social and economic factors can have on producing health inequalities, and sets out national contracts which show what action can be taken at Government, local and individual level to improve health. Built into this process is the opportunity to set local targets which will allow local areas to address their particular concerns and to tackle the health problems of those local neighbourhoods or groups which suffer more from poor health. In association with other measures identified in *Our Healthier Nation* this will help to address the major health inequalities which exist.

The targets proposed in *Our Healthier Nation* have been set to be challenging yet realistic. They were set by taking into account recent historical trends in this country,

international trends where available, and examination of other relevant factors—for example, the fact that progress is likely to get harder and slower to achieve as the easy challenges are overcome and the really difficult and most deep-seated problems are tackled. There are signs of this happening in other countries who are further along the progress curve than we are. In Australia, for instance, long-standing steady progress on coronary heart disease is showing signs of some slowing down. It cannot, therefore, be assumed that past trends will continue indefinitely.

The proposed targets are now the subject of consultation. A full list, along with the nearest related *Health of the Nation* targets, were given in reply to the hon. Member for Runnymede and Weybridge (Mr. Hammond) on 10 February 1998, *Official Report*, columns *153–54*.

Asthma

Mr. Peter Bottomley: To ask the Secretary of State for Health if he will estimate the relative contributions of *(a)* the house mite with central heating and *(b)* motor vehicle pollution to asthma and changes in the incidence of asthma. [28810]

Ms Jowell: The prevalence of asthma has doubled in the United Kingdom over the last 15–20 years, in line with trends in other western countries. Asthma is a complex disease which is likely to be due to a number of different factors, including environmental. Neither the exact cause of asthma nor the precise reasons for this increased prevalence are known. A range of factors are known to trigger attacks in asthmatics including: exposure to allergens, infections, environmental tobacco smoke, high levels of outdoor air pollution, breathing cold dry air, exercise, and emotion.

It is not possible to estimate the relative contribution of these different factors to the prevalence of asthma. Central heating and well insulated homes provide the sorts of conditions in which house dust mites thrive. Sensitivity to the house dust mite allergen is certainly common in the UK. Motor vehicles are a major source of outdoor air pollution, high levels of which can lead to a worsening of symptoms in asthmatics. Also, there is some evidence that those who live close to busy roads are more likely to suffer from respiratory ailments and more asthma attacks.

A number of projects in a £3 million Department of Health/Department of the Environment, Transport and the Regions/Medical Research Council research programme on air pollution and health are currently examining some of the possible links between asthma and outdoor air pollution. The results of these should be known early next year. In addition, contracts for a three year £1 million joint DH/DETR indoor research programme looking at aspects of the indoor environment have just been let. When both these programmes have been completed, our understanding of some of the mechanisms at play in the development of asthma should be greatly improved.

NHS Management Costs

Mr. Jenkin: To ask the Secretary of State for Health what assessment he has made of NHS health authority management costs in England and Wales; and if he will list each authority in order of management costs per head of population, showing *(a)* annual expenditure, *(b)* expenditure per head of population and *(c)* management costs per head of population. [28670]

Mr. Milburn: Health authority costs in England were £450 million in 1996–97. Action is in hand to reduce these costs by £18 million in real terms in 1997–98 and then by a further £12 million in real terms in 1998–99. The figures requested have been placed in the Library. Health authority costs in Wales are a matter for my right hon. Friend the Secretary of State for Wales.

General Practitioners

Mr. Maples: To ask the Secretary of State for Health what discretion GPs will have to refer patients as they wish when ECRs are abolished; and what will be the source of funding of referrals not covered by contracts. [28891]

Mr. Milburn: Under the proposals set out in the White Paper, "The new NHS", all but a small minority of general practitioner referrals to hospitals should be covered either by long term agreements reflecting the views of all local GPs or by the new high level commissioning arrangements for specialist services. The new system will continue to allow for instances where a patient's special clinical needs or personal services require a GP to make individualised arrangements, but will eliminate the bureaucracy of the current system of extra-contractual referrals.

The Government's proposals for funding patient treatment currently covered by extra-contractual referral invoicing are set out in paragraphs 9.16 and 9.17 of the White Paper, "The New NHS". Copies have been placed in the Library.

More detailed advice will be issued by summer 1998.

Aricept

Mr. Waterson: To ask the Secretary of State for Health what is the Government's policy on the prescribing of Aricept (Donepezil); and if he will make a statement. [28863]

Mr. Milburn: The Standing Medical Advisory Committee is currently considering the benefits of the drug Aricept and is preparing guidance for clinicians in the National Health Service. Health authorities and clinicians already have access to a number of sources of information on Aricept, on which they can make decisions about the use of this drug.

Compulsory Competitive Tendering

Mr. Maples: To ask the Secretary of State for Health what estimate he has made of the cost to the National Health Service of the abolition of compulsory competitive tendering. [29008]

Mr. Milburn: The continuing requirement to market test the three hotel services, catering, cleaning and laundry, is being considered currently as part of a review of market testing policy. Whatever the outcome of the review, we are committed to achieving the best value in terms of both cost and quality of service for all National Health Service patients.

Breast Cancer

Mr. Flynn: To ask the Secretary of State for Health what assessment he has made of the reasons for the disparities in life expectancy for those suffering from breast cancer in *(a)* the UK, *(b)* France and *(c)* the USA. [29128]

Mr. Boateng: We are very concerned about the incidence of breast cancer in the United Kingdom and that so many women die from this condition. Despite the volume of research into breast cancer both here and abroad, we do not have definitive answers on the reasons for this. We do know that contributory factors include diet, lifestyle and hormonal (eg late menarche, childlessness) and hereditary factors.

There are substantial international variations in recorded survival rates, but these may reflect in part differences in factors such as varying levels of completeness of cancer registration. International comparisons are also potentially misleading because only a limited number of countries, including the UK, have comprehensive cancer registration systems. In the United States of America, only 12 per cent. of the population is covered. It is difficult to establish conclusive links between, for instance, treatment and survival rates when data on other factors which may influence the eventual outcome are lacking.

Clearly, we want to do all we can to ensure that all women with breast cancer receive the best possible treatment to maximise outcomes. This is why we have made clear our commitment to improving cancer services across the board. We have already made an extra £10 million available for breast cancer services. This will help speed access to diagnosis and treatment as a first step towards reducing waiting times, and improving specialist breast cancer services to ensure that women are diagnosed quickly and receive the best possible treatment.

Traumatic Brain Injury

Mr. Oaten: To ask the Secretary of State for Health how many patients treated by the NHS in the last three years for traumatic brain injury were *(a)* in permanent in-patient care, *(b)* receiving day care and *(c)* cared for by primary care teams in the community. [24278]

Mr. Boateng *[holding answer 21 January 1998]:* There were an estimated 66,600 in-patient episodes of care with a primary diagnosis of traumatic brain injury in England in 1995–96 compared with an estimated 70,000 in 1994–95 and 73,300 in 1993–94. The same person may be counted more than once if they have more than one episode of care.

A revised international statistical classification of diseases and related health problems (ICD10) became effective from 1 April 1995 and several thousand new classification codes were introduced. It is therefore not always possible to provide an *exact* equivalent match between an ICD10 code and the former ICD9 classification when a time series is required.

The information available is shown in the table and is based on finished consultant episodes, which represent the number of episodes of care under individual consultants. There is no separate information for those receiving permanent in-patient care, day care or those cared for by primary care teams in the community.

Number of FCEs by primary diagnosis [given by ICD9 codes] and patient classification national health service hospitals in England

Primary diagnosis	*Ordinary admission*	*Day case*	*Total*
1993–94			
8001 Fracture of vault of skull closed with intracranial injury	647	3	650
8003 Fracture of vault of skull open with intracranial injury	169	—	169
8011 Fracture of base of skull closed with intracranial injury	944	1	945
9013 Fracture of base of skull open with intracranial injury	118	—	118
8031 Other and unqualified skull fractures closed with intracranial injury	416	—	416
8033 Other and unqualified skull fractures open with intracranial injury	70	—	70
8041 Multiple fractures involving skull or face with other bones closed with intracranial injury	20	—	20
8043 Multiple fractures involving skull or face with other bones open with intracranial injury	8	—	8
850 Concussion	3,103	2	3,105
851 Cerebral laceration and contusion	711	5	717
852 Subarachnoid subdural and extradural haemorrhage following injury	2,492	14	2,506
853 Other and unspecified intracranial haemorrhage following injury	643	2	646
854 Intracranial injury of other and unspecified nature	58,909	40	58,949
Total	73,252	68	73,320
1994–95			
8001 Fracture of vault of skull closed with intracranial injury	627	2	630
8003 Fracture of vault of skull open with intracranial injury	134	—	134
8011 Fracture of base of skull closed with intracranial injury	852	3	854
8013 Fracture of base of skull open with intracranial injury	113	—	113
8031 Other and unqualified skull fractures closed with intracranial injury	417	1	418
8033 Other and unqualified skull fractures open with intracranial injury	67	1	68
8041 Multiple fractures involving skull or face with other bones closed with intracranial injury	36	—	36
8043 Multiple fractures involving skull or face with other bones open with intracranial injury	8	—	8
850 Concussion	7,841	52	7,893
851 Cerebral laceration and contusion	829	1	830
852 Subarachnoid subdural and extradural haemorrhage following injury	2,722	7	2,728
853 Other and unspecified intracranial haemorrhage following injury	576	2	578
854 Intracranial injury of other and unspecified nature	55,654	52	55,716
Total	69,874	131	70,005

Note:
Data in this table are grossed for both coverage and unknown/invalid clinical data

Source:
Hospital Episode Statistics.

Number of FCEs by primary diagnosis [given by ICD09 codes] and patient classification national health service hospitals in England

Primary diagnosis	*Ordinary admission*	*Day case*	*Total*
1995–96			
S060 Intracranial injury concussion	6,255	31	6,286
S061 Intracranial injury traumatic cerebral oedema	218	—	219
S062 Intracranial injury offuse brain injury	1,185	1	1,186
S063 Intracranial injury focal brain injury	460	1	461
S064 Intracranial injury epidural haemorrhage	569	—	569
S065 Intracranial injury traumatic subdural haemorrhage	2,118	16	2,134
S066 Intracranial injury traumatic subarachnoid haemorrhage	402	—	402
S067 Intracranial injury with prolonged coma	34	1	35
S068 Other intracranial injuries	671	5	676
S069 Intracranial injury unspecified	12,736	81	12,817
S098 Other specified injuries of head	458	7	465
S099 Unspecified injuries of head	41,133	219	41,353
Total	66,250	362	66,612

Note:

Data in this table are grossed for both coverage and unknown/invalid clinical data

Source:

Hospital Episode Statistics.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Gordon Prentice: To ask the Minister without Portfolio what contingency plans he has formulated to ensure that visitors can get to the Dome if the completion of the Jubilee Line is delayed. [27485]

Mr. Mandelson: London Underground publicly confirmed earlier this week that the Jubilee Line Extension will be completed, with up to 24 trains an hour running through from Stanmore to Stratford from spring 1999, well before the opening of the Millennium Experience at Greenwich. The proposed level of service will cater fully for the substantial number of visitors expected to travel to the Greenwich site on the Jubilee Line in 2000.

CULTURE, MEDIA AND SPORT

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26627]

Mr. Tom Clarke *[holding answer 5 February 1998]:* I refer the hon. Member to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 10 February 1998, *Official Report*, column *116*.

Sporting Events

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 27 January 1998, *Official Report*, column *133*, if any of the nine international events will be staged in *(a)* the North West or *(b)* Lancashire. [28454]

Mr. Tom Clarke: The World Cup in Orienteering (Events 3 & 4) will be staged in the Lake District in May, this year. The Sports Acrobatics World Championships were staged in Manchester in September 1997. Should the Football Association's bid to stage the Soccer World Cup (2006) in England be successful, it will be held at venues across the country, including the North West.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 27 January 1998, *Official Report*, column *133*, if he will list the locations for each of the successful bids for events to be held in the United Kingdom later this year. [28455]

Mr. Tom Clarke: The World Disabled Athletics Championships are to be held at the Alexander Stadium in Birmingham from 10–17 August 1998.

The European Showjumping Championships are to be held at the Showground in Harrogate from 25–28 August 1999.

The World Orienteering Championships are to be held in Inverness and the Scottish Highlands from 1–8 August 1999.

The IAAF World Cross Country Championships are to be held in Belfast from 27–28 March 1999.

Broadcasting

Mr. Cawsey: To ask the Secretary of State for Culture, Media and Sport what is the timescale for the transition from analogue to digital terrestrial broadcasting; and if he will make a statement. [29660]

Mr. Chris Smith: I have today published a Government consultation paper "Television: the Digital Future" alongside the report "A Study to Estimate the Economic Impact of Government Policies towards Digital Television" which outlines the results of research undertaken, by National Economic Research Associates (NERA) and Smith System Engineering Ltd., on behalf of my Department and the Department of Trade and Industry's Radiocommunications Agency. I have placed copies of both documents in the Libraries of the House.

SCOTLAND

Railways

Mr. Dalyell: To ask the Secretary of State for Scotland for what reason the promotion of private legislation in Scotland to permit the building of new railway lines is to remain a Westminster matter. [23303]

Mr. McLeish *[holding answer 16 January 1998]:* The provision and regulation of railway services is proposed to be a matter in respect of which legislative competence is reserved to the Westminster Parliament by virtue of Section 2 of Head 5 of Schedule 5 of the Scotland Bill. Therefore, any legislation, whether private or public, in respect of that reserved matter is properly a matter for the Westminster Parliament as it will be outwith the competence of the Scottish Parliament to legislate in relation to reserved matters.

It is sensible in practical terms that safety, security and regulatory matters should be reserved to the UK Parliament to achieve consistent standards across the whole GB network and to allow for the smooth operation of services.

Confederation of British Industry

Mr. Ancram: To ask the Secretary of State for Scotland what steps he is taking to address the concerns of CBI Scotland in relation to the tax issues they raised with him on 30 January. [28795]

Mr. Dewar: I had a useful and constructive meeting with CBI Scotland. As I indicated to them, the Government will shortly be issuing a paper setting out their proposals for dealing with a range of second order issues relating to the operation of the Scottish variable tax rate. The paper will cover the main issues raised with me by CBI Scotland and I believe that it will meet their main concerns. The Government will take account of any further views expressed in response to this paper before preparing the appropriate secondary legislation.

Community Pharmacists

Mr. McAllion: To ask the Secretary of State for Scotland on what basis he calculated the dispensing fee of *(a)* 89p per item and *(b)* 60p per item for second and subsequent dispensings for patients considered to be at risk for community pharmacy contractors; what research he (i) commissioned and (ii) evaluated into the adequacy of this level of remuneration; and if he will make a statement. [28649]

Mr. Galbraith: Community pharmacy remuneration is based on a global sum for spending on pharmaceutical services. In order to deliver the overall global sum to pharmacists a statistical model is used which takes into account both historical data and predicted growth in prescription volume. The community pharmacists' professional allowance and the feescale for specific items have been set in accordance with the model to deliver a global sum in 1997–98 of £72.6 million; an increase of 2.4 per cent. on the previous year.

Crime (Knives)

Mr. Sarwar: To ask the Secretary of State for Scotland what measures he is taking to tackle crimes involving knives. [28804]

Mr. McLeish: The Government implemented the main provisions of the Knives Act 1997 on 1 September 1997. These create an offence of marketing a knife in a way which suggests that it is suitable for combat or which encourages violent behaviour. They supplement existing legislation, including the Knives (Scotland) Act 1993, aimed at preventing or dealing with knife-related crime. The Crime and Disorder Bill includes provisions for extended sentences for violent offenders which will enable the courts to impose supervised release beyond the end of a custodial term where this is required for the protection of the public. We remain open to proposals for measures which will address the problem of the use of knives as weapons without interfering with their legitimate everyday use.

NHS Dentists

Mr. Sarwar: To ask the Secretary of State for Scotland what plans he has to increase the number of NHS dentists in Scotland. [28806]

Mr. Galbraith: In August of last year, I introduced the Scottish Dental Access Initiative to encourage dentists to set up or expand NHS practices in areas where there is unmet demand by patients for NHS general dental services. "Return to Work" grants have also been made available to encourage dentists on a career break to return to the profession and join established dental practices in areas of unmet demand to offer NHS general dental services.

Sheltered Housing

Mr. Sarwar: To ask the Secretary of State for Scotland how much money was allocated to Glasgow City Council for the provision of warden services in sheltered housing for 1997–98. [28807]

Mr. Galbraith: The Government do not allocate funding for these services separately. It is for councils to determine from their available resources the level of funding for a particular service.

Hospital Patients

Mr. Sarwar: To ask the Secretary of State for Scotland what has been the average length of patient stay in each hospital trust in Scotland in each of the last five years. [28808]

Mr. Galbraith: The information requested is provided in the table.

In-Patient Mean Stay (days)[1]: by NHS Trusts/DMUs: All Specialties and Acute Specialties: Years ending 31 March 1993–97

	All specialties					Acute[2] specialties				
	1993	*1994*	*1995*	*1996*	*1997*	*1993*	*1994*	*1995*	*1996*	*1997*
Scotland	14.8	13.8	13.1	12.3	11.7	6.0	5.8	5.5	5.4	5.3
Argyll & Bute NHS Trust	21.8	19.5	19.0	19.0	18.7	7.8	7.5	7.5	7.2	6.9
Inverclyde Royal NHS Trust	5.3	5.4	4.9	4.8	5.1	5.8	5.8	5.4	5.2	5.5
Lomond Healthcare NHS Trust	13.2	12.9	12.1	12.2	11.8	6.2	6.1	5.8	5.7	5.5
Renfrewshire Healthcare NHS Trust	114.1	113.6	105.7	100.3	100.5	—	—	—	—	—
Royal Alexandra Hospital NHS Trust	5.2	5.0	5.3	5.0	4.8	5.3	5.1	5.5	5.1	5.0
Ayrshire & Arran Community Health Care NHS Trust	75.1	70.0	62.2	60.1	52.7	9.0	9.5	9.0	10.0	9.2
North Ayrshire & Arran NHS Trust	6.8	6.6	6.4	6.5	6.4	5.5	5.3	5.1	5.2	5.1
South Ayrshire Hospitals NHS Trust	8.5	8.0	7.7	7.3	7.2	5.3	5.2	5.0	4.7	4.4
Borders Community Health Services NHS Trust	72.9	65.1	59.6	53.7	46.5	18.0	17.7	17.0	16.4	18.4
Borders General Hospital NHS Trust	7.3	7.5	7.1	6.8	6.4	5.6	5.6	5.5	5.3	5.2
Dumfries & Galloway Acute & Maternity Hospitals NHS Trust	5.4	4.9	4.9	4.9	5.0	5.2	4.6	4.6	4.6	4.8
Dumfries & Galloway Community Health NHS Trust	95.7	90.6	75.3	70.1	64.6	13.0	13.6	13.7	13.9	17.1
Fife Healthcare NHS Trust	49.1	61.7	78.4	71.4	72.8	9.0	8.9	12.6	13.6	16.1
Kirkcaldy Acute Hospitals NHS Trust	4.8	4.8	4.9	4.6	4.0	4.8	4.9	5.1	4.9	4.2
Queen Margaret Hospital NHS Trust	8.0	6.7	6.9	7.3	7.9	5.3	5.2	5.3	5.6	6.2
Central Scotland Healthcare NHS Trust	285.5	240.5	193.0	181.6	160.3	—	—	—	—	—
Falkirk & District Royal Infirmary NHS Trust	6.6	6.0	6.0	6.1	6.0	5.2	5.0	5.2	5.5	5.3
Stirling Royal Infirmary NHS Trust	5.8	5.6	5.3	4.7	5.0	5.1	4.9	4.5	4.1	4.0
Aberdeen Royal Hospitals NHS Trust	5.5	5.3	5.1	5.0	4.8	5.5	5.4	5.2	5.0	4.8
Grampian Healthcare NHS Trust	51.8	46.8	46.0	47.7	45.8	11.3	10.9	10.6	10.9	10.8
Moray Health Services NHS Trust	23.0	19.7	17.9	14.4	12.4	10.6	10.0	9.6	8.1	7.1
Glasgow Dental Hospital & School NHS Trust	—	—	—	—	—	—	—	—	—	—
Glasgow Royal Infirmary University NHS Trust	8.9	8.0	7.4	7.3	7.1	5.8	5.3	5.3	5.4	5.4
Greater Glasgow Community & Mental Health Services NHS Trust	186.0	180.3	153.5	128.6	118.5	—	—	—	—	—
Southern General Hospital NHS Trust	11.7	11.0	9.6	9.2	8.4	7.2	7.3	6.7	6.5	5.9
Stobhill NHS Trust	11.2	10.4	9.1	8.1	7.7	6.7	5.9	5.1	4.7	4.5
The Victoria Infirmary NHS Trust	10.6	9.8	9.1	8.3	8.1	6.9	5.9	5.6	5.2	5.3
The Yorkhill NHS Trust	4.8	4.4	4.2	3.9	3.8	4.7	4.1	4.0	3.7	3.6
West Glasgow Hospitals University NHS Trust	8.7	8.0	7.6	7.4	7.1	5.8	5.7	5.5	5.4	5.2
Caithness & Sutherland NHS Trust	12.5	12.1	11.7	11.8	11.3	5.6	5.8	5.7	5.5	5.2
Highland Communities NHS Trust	46.7	39.5	35.5	31.7	25.7	9.3	8.5	8.3	10.4	10.4
Raigmore Hospital NHS Trust	5.9	5.5	5.4	5.4	5.5	5.9	5.4	5.3	5.3	5.4
Hairmyres & Stonehouse Hospitals NHS Trust	9.9	9.6	9.5	8.9	8.6	6.8	6.4	6.3	5.7	5.6
Lanarkshire Healthcare NHS Trust	127.3	165.2	161.7	138.8	141.3	26.3	26.5	30.7	26.7	27.9
Law Hospital NHS Trust	7.7	7.0	6.8	6.7	6.1	6.3	6.9	5.9	5.7	5.3
Monklands & Bellshill Hospitals NHS Trust	5.5	5.5	5.3	5.1	5.1	4.9	4.9	4.8	4.6	4.8
East & Midlothian NHS Trust	24.6	21.7	21.5	19.3	18.6	7.7	7.0	6.4	6.1	6.6
Edinburgh Healthcare NHS Trust	114.8	115.2	106.3	96.4	95.0	31.6	29.4	28.9	26.2	25.8
Edinburgh Sick Children's NHS Trust	3.5	3.5	3.4	3.2	3.2	2.8	2.9	2.9	2.8	2.8
Royal Infirmary of Edinburgh NHS Trust	7.0	6.9	6.4	5.9	5.3	5.9	5.5	4.9	4.9	4.7
West Lothian NHS Trust	12.9	11.5	11.3	10.4	10.0	4.3	4.2	4.1	4.0	4.1
Western General Hospitals NHS Trust	9.5	8.9	8.7	9.1	9.1	6.2	5.8	5.7	6.0	6.2
Orkney Health Board Unit	21.0	20.5	18.4	17.7	15.2	9.2	14.4	11.8	10.7	11.6
Shetland Hospitals & Community Services Unit	20.4	17.2	15.4	14.4	14.7	7.5	6.2	5.4	5.6	5.9
Angus NHS Trust	23.6	21.8	20.7	20.8	19.6	7.7	7.5	6.7	6.8	6.2
Dundee Healthcare NHS Trust	100.8	98.0	87.2	77.6	72.5	12.8	12.7	14.4	14.0	15.6
Dundee Teaching Hospitals NHS Trust	5.6	5.6	5.5	5.5	5.3	5.7	5.6	5.4	5.5	5.3
Perth & Kinross Healthcare NHS Trust	16.2	15.4	15.0	14.4	13.8	6.6	6.3	6.1	6.3	6.3
Western Isles Health Unit	16.6	15.7	14.2	13.5	12.2	7.9	7.2	6.4	6.2	6.7

[1] These figures represent a crude average and take no account of differences in case mix between Trusts.

[2] Comprises all acute specialties, excluding Special Care Baby Units. Excludes obstetrics, psychiatric, learning disabilities, geriatric assessment, geriatric long-stay and younger physically disabled specialties.

Source:
ISD(S)1.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Scotland if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28939]

Mr. Dewar *[holding answer 10 February 1998]:* The information requested is as shown:

Launch Pathfinder Project, Tayside (by car)

Press and Journal 250th Anniversary Dinner, visit Aberdeen Children' Hospital, meet Lord Provost and Senior Councillors, Aberdeen (by train and car)

National Youth Orchestra of Scotland New Year Concert, Glasgow (by car)

Meet EU Commissioners, London (by car)

News Conference on site of Scottish Parliament, Edinburgh (by car)

Business Lunch, London (by car)

Social Exclusion Seminar, Edinburgh (by car)

Meet millionth visitor to Gallery of Modern Art, Glasgow (by car)

Visit SECC, Glasgow (by car)

Business Dinner, Glasgow (by car)

News Conference on Parliament Building, Edinburgh (on foot)

Visit Dumfries and Galloway College, Burns Howff Club Burns Supper, Dumfries (by car)

Burns Supper, City of London (by car)

Visit IBM, Greenock (by car).

I generally travel between my offices in London and Scotland by sleeper. In January I flew on four occasions.

Correspondence

Mrs. Ewing: To ask the Secretary of State for Scotland what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28053]

Mr. Wilson *[holding answer 10 February 1998]:* The Scottish Office has received no letters recently in the languages listed at *(b)* to *(e)*. Correspondents who write in Gaelic may expect to receive a reply in Gaelic.

Gaelic Broadcasting

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what representations have been made to him regarding a possible conflict of interest in the appointment of a consultant to undertake a report on the opportunities for Gaelic broadcasting in the digital era; and if he will make a statement. [29214]

Mr. Wilson: Three letters have been received. Replies have pointed out that there is no conflict of interest, since the Scottish Office has no role in the award of licences for programme service providers or in contracts for television production. These are matters for the Independent Television Commission and the broadcasters respectively.

Student Awards

Mr. Welsh: To ask the Secretary of State for Scotland if he will list the membership of the committee set up to review the handling of grant applications by the Student Awards Agency for Scotland; when the review committee will meet; and when the review committee will publish its findings. [29176]

Mr. Wilson: The membership of the Steering Committee which is overseeing the Review of the Student Awards Agency for Scotland follows. The Committee held its first meeting on 22 January. I expect the findings of the Review, which will be made public, to be reported to Ministers in April.

Chairman

Mr. G. R. Wilson, Secretary, The Scottish Office Education and Industry Department

Members

Mr. E. J. Weeple, The Scottish Office Education and Industry Department

Mr. N. G. Campbell, The Scottish Office Home Department

Mr. D. M. Cattanach, Committee of Scottish Higher Education Principals

Mr. A. T. McKechnie, Committee of Scottish Higher Education Principals

Mr. T. J. Kelly, Association of Scottish Colleges

Mr. K. Lloyd-Jones, National Union of Students (Scotland)

Mr. R. C. S. McKendrick, The Scottish Office Trade Union Side

Ms E. McQuater, Bank of Scotland

Mr. A. G. Grant, General Accident

Mrs. M. D. Campbell, Standard Life.

Teacher Training

Mr. Welsh: To ask the Secretary of State for Scotland what factors underlay the decision to give the Scottish Higher Education Funding Council the responsibility for deciding the annual intake figures for teacher training courses. [29178]

Mr. Wilson: Since its inception, the Scottish Higher Education Funding Council has been responsible for allocating funded student places to individual institutions offering teacher education courses. The Secretary of State has made recommendations to SHEFC about overall intake levels to the different types of teacher education courses. In his report on teacher education and training for the National Committee of Inquiry into Higher Education, Sir Stewart Sutherland recommended that we should consider the desirability and implications of increasing the maximum intake to courses of teacher education. In responding to that recommendation I have indicated that we have no plans to abandon entirely controls on the numbers of new teachers being trained. We have, however, decided that the Government should focus in future on their strategic objectives for teacher education and supply, including minimum requirements for newly trained teachers. In keeping with its responsibilities for funding higher education generally, it will be for the Funding Council to set intakes to teacher education courses as it considers appropriate, while ensuring that the Government's strategic objectives are met. This should introduce more flexibility into the teacher education system while ensuring that the needs of the school system are met.

Student Travel Allowance

Mr. Welsh: To ask the Secretary of State for Scotland if students beginning courses in 1999–2000 and beyond will be eligible to claim travel allowance on the same basis as at present. [29173]

Mr. Wilson: We are considering the detail of some of the supplementary allowances for new students in 1999–2000 and beyond, including travel.

Student Loans

Mr. Welsh: To ask the Secretary of State for Scotland if students beginning courses in 2000 who are over the age of 50 years will be able to take out a student loan under the new arrangements. [29174]

Mr. Wilson: The question of the upper age limit for student loans under the new student support arrangements is under consideration.

Mr. Welsh: To ask the Secretary of State for Scotland who will be responsible for administering the new hardship loan scheme; how much money in total has been allocated for this purpose; how much each individual student will be able to claim in the form of a hardship loan; whether all students who apply will be given a hardship loan; when and how those who take out hardship loans will be expected to repay them; and if he will make a statement. [29175]

Mr. Wilson: £0.64 million has been allocated for this purpose in 1998–99 in Scotland. New students starting their courses in 1998–99, who are eligible for the student loan, will be able to apply for the hardship loan. It will be discretionary and is intended to contribute towards the living costs of students who may need extra help. The maximum amount available to individual students will be £250 per year and it will be repayable on an income contingent basis under similar arrangements to those for the student loan for new students in 1998–99 and beyond.

The other points raised are currently being considered as part of the work on the new scheme.

AGRICULTURE, FISHERIES AND FOOD

Farm Incomes

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral answer of 22 January 1998, *Official Report*, column 1132, on farmers' incomes, if he will tabulate income levels in pounds above and below the median, in octiles as a percentage of all holdings in the United Kingdom for the latest year for which figures are available and 1990, adjusted for inflation. [27020]

Mr. Rooker: The information is given in the table for England and Wales. Comparable information for the United Kingdom could not be provided in the time available. These figures are based on grossed up data from the 2,500 full-time farms in the Farm Business Survey.

Net farm incomes in octiles (England and Wales)

Octile	*Octile income (£/farm)*	
	1990–91 (adjusted to 1996 prices)	*1996–97*
1.	−5,000	−1,500
2.	2,300	6,000
3.	7,200	11,200
4. (median)	11,700	17,600
5.	17,300	25,400
6.	26,900	36,800
7.	44,600	61,100

Correspondence

Mr. Steinberg: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy that he and his Ministers personally read the letters sent to them by hon. Members on constituency matters. [27666]

Dr. John Cunningham: I and my ministerial team read all letters sent to us by hon. Members on constituency matters.

Beef Exports

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food what measures he proposes to take to regulate the export of beef and bonemeal from the United Kingdom to non-EU destinations. [27510]

Mr. Rooker: The export of beef derived from bovine animals slaughtered in the UK and of all meat and bonemeal is prohibited by European Commission Decision 96/239/EC, as amended. The Government have submitted proposals to the European Commission for two schemes which would permit the export of deboned beef, and products made from that beef, from the UK. Those proposals, which include strict control measures to regulate such exports, are under consideration by the Commission in accordance with the procedures agreed at the Florence European Council.

BSE

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the Belgian authorities on the incidence of BSE in that country, and the regulation of meat imports therefrom; and if he will make a statement. [27470]

Mr. Rooker: Belgium has had one case of BSE. That case has been discussed extensively by the European Commission's Standing Veterinary Committee on which the UK is represented by the Chief Veterinary Officer or one of his veterinary staff. On the basis of the controls on the production and marketing of meat laid down in Community law, there is no reason for imposing additional controls on the import of meat from Belgium.

Veterinary Surgeons

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food how many veterinary surgeons are employed by *(a)* his Department and *(b)* other public bodies, for animal inspection duties; and what proportion of these are (i) United Kingdom citizens, (ii) citizens of other EU countries and (iii) other nationals. [27468]

Mr. Rooker: In the State Veterinary Service, there are 310 directly employed Veterinary Surgeons. Of these, 301 are UK Citizens, five are Citizens of other EU Member States and four are other nationals.

In the Joint Food Safety and Standards Group there are 13 directly employed Veterinary Surgeons. Of these 12 are UK Citizens and one is a Citizen of another EU Member State.

In the Veterinary Laboratories Agency there are 93 directly employed Veterinary Surgeons. Of these, 91 are UK Citizens and two are Citizens of other EU Member States.

The Meat Hygiene Service directly employs 48 Veterinary Surgeons. Of these, 39 are UK Citizens, six are Citizens of other EU Member States and three are other Nationals. The Meat Hygiene Service also contracts out Veterinary Services to Veterinary Agencies and Practices. There are 486 Official Veterinary Surgeons employed in this way. Of these, 408 are UK Citizens, 73 are Citizens of other EU Member States and five are other nationals.

The Department does not keep records of Veterinary Surgeons employed by other Public Bodies.

Slaughter Process (Public Health)

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food if he will publish comparisons of charges made to ensure public health in the slaughter process in the United Kingdom with those prevailing in other EU states. [28114]

Mr. Rooker: The information requested is not available. Council Directive 85/73/EEC (as amended) on the financing of veterinary inspections and controls, requires Member States to recover the costs of those hygiene inspections conducted at licensed fresh meat premises in accordance with harmonised EC meat hygiene rules. The Directive sets minimum standard charges (in ECUs) applicable in all Member States, for hygiene inspections of red meat, poultry meat and game meat dependent on the species and size of animals being slaughtered. Subject to meeting specified criteria, such as the efficiency of operations at individual plants, the Directive provides for the standard charge to be abated by up to 55 per cent. Conversely, where the actual cost of inspection exceeds the standard charge, the Directive provides for actual costs to be charged. Similar principles apply in respect of charges for cutting plants. The European Commission is responsible for ensuring that individual Member States comply with their Community obligations.

Beef on the Bone

Mrs. Browning: To ask the Minister of Agriculture, Fisheries and Food if the requirement to remove bone from beef applies to animals killed on the farm for farmers' own consumption. [27855]

Mr. Rooker *[holding answer 5 February 1998]:* The Beef Bones Regulations do not require meat to be de-boned if it is derived from a bovine animal slaughtered on the farmer's farm for his own consumption. Such slaughter must be carried out in accordance with the Welfare of Animals (Slaughter or Killing) Regulations 1995 and the Specified Risk Material Regulations 1997. If the bovine animal is sent for slaughter off the farm, then meat must be de-boned before it is returned to the farmer for consumption in his household.

Fishery Quotas

Mr. Townend: To ask the Minister of Agriculture, Fisheries and Food if the quota system, as a system of national quotas, is a derogation from the general rule of equal conditions of access to fishery resources and the principle of non-discrimination. [28655]

Mr. Morley: The system of national quotas under the Common Fisheries Policy applies without discrimination to all Member States and is not a time-limited derogation.

Meat Prices

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food if he will instigate an investigation into the level of meat prices in United Kingdom supermarkets; what representations he has made to UK supermarkets concerning *(a)* the price of meat and *(b)* the promotion of British meat; and if he will make a statement. [27913]

Mr. Rooker *[holding answer 9 February 1998]:* The levels of retail prices for meat are set by competition, which is strong in the food retailing sector. The Director General of Fair Trading keeps the market under review to ensure that it continues to remain competitive. I see no case, at present, for separate investigation, or for specific representations to food retailing firms. As regards beef, we are introducing a voluntary beef labelling scheme in the United Kingdom with effect from 1 April 1998; this will allow consumers to make informed choices about the beef they purchase and will reassure them that British beef meets the traceability requirements.

Scotch Whisky

Mrs. Ewing: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the requirements and enforcement of legislation in EU nations regarding the definition and labelling of Scotch whisky. [27904]

Mr. Rooker *[holding answer 12 February 1998]:* Council Regulation 1576/89 lays down EU rules on the definition, description and presentation of spirit drinks (including Scotch whisky) which must be enforced in all Member States. In the United Kingdom, local authorities are empowered by statutory instrument to enforce the provisions through their trading standards, environmental health and port health officers. The same officers enforce the purely domestic provisions of the statutory instrument defining Scotch whisky made under the Scotch Whisky Act 1988.

Farmers (Early Retirement)

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what research he has *(a)* commissioned and *(b)* evaluated into the impact of a farmers' early retirement scheme on the overall level of production in the (i) livestock, (ii) arable and (iii) dairy sectors. [28855]

Dr. John Cunningham *[holding answer 10 February 1998]:* None. We can undertake such research only when we have fully assessed what measures we can take in this regard and have consulted the industry on them.

Beef

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food how many officials are currently directly involved in *(a)* the entry-point monitoring of beef imports and *(b)* the point of sale monitoring of beef on the bone sales. [27910]

Mr. Rooker *[holding answer 9 February 1998]:* These checks are carried out by local authority staff. It is possible to answer the question only at disproportionate cost.

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food if he will list the procedures adopted to monitor the import of beef; what documentation is required by beef importers to satisfy the conditions on imports set by the United Kingdom Government; and if he will make a statement on the procedures in place to ensure the adequate traceability from herd to point of sale for all beef imports. [27911]

Mr. Rooker *[holding answer 9 February 1998]:* Consignments of all animal products imported into the European Union (EU) are subject to documentary, identity and physical checks at designated Border Inspection Posts (BIPs). All consignments are subject to documentary checks. The levels of identity and physical checks, which are laid down in Community legislation, depend on the product and country of origin. Single Market rules permit random spot-checks only at destination on animal products traded within the Community.

Beef imported from other EU Member States or third countries must, in accordance with Community law, be accompanied by commercial documentation or health certification, depending on the country of dispatch. Certain animal products imported into the UK require additional official veterinary certification relating to Specified Risk Materials (SRM). The certification confirms that the product does not contain and was not derived from SRM; or was produced before 1 January; or contains only materials derived from animals born, reared and slaughtered in New Zealand or Australia.

In order to aid traceability, all imported beef must have the health markings provided for in Council Directive 64–433, which identify the approved establishment from which it originated. Commercial documentation or veterinary or other certification accompanying imported beef must also contain details of the approved establishment so that, if necessary, problems can be referred back to the relevant authorities in the exporting country.

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food what percentage of beef imports to the United Kingdom come from countries with a record of BSE incidence in their herds; and if he will make a statement. [27912]

Mr. Rooker *[holding answer 9 February 1998]:* Official Overseas Trade Statistics for the year to 31 October 1997, showing the quantities and percentages of beef, beef preparations and beef offal imported from countries with recorded cases of BSE in home-bred animals, are set out in the following table.

UK imports of bovine meat, offal and meat preparations November 1996-October 1997

	tonnes	*percentage of total imports*
Belgium-Luxembourg	2,067	0.9
France	5,396	2.3
Irish Republic	72,769	31.2
Netherlands	18,775	8.1
Portugal	0	0.0
Others	133,883	57.5
Total	232,890	

Note:
All data are provisional and subject to amendment.

TREASURY

Economic and Monetary Union

16. **Mr. Gapes:** To ask the Chancellor of the Exchequer if he will make a statement on preparations for economic and monetary union. [27217]

Mr. Gordon Brown: The Government consider it vital that British business is ready for the single currency when it arrives on 1 January 1999 and that the British people have a genuine choice whether or not to join EMU early next Parliament.

The Business Advisory Group on the euro which I established last July has reported. Its key message is that UK business must prepare for the strategic implications of the introduction of the euro on 1 January 1999.

The Bank of England is continuing its excellent work to ensure that the wholesale financial markets are ready for January 1999.

The Standing Committee I set up to oversee preparation has agreed a programme to ensure business has the information it needs to prepare. It will publish an outline plan around the end of the year on how the UK might change over to the euro if we join.

29. **Mr. Plaskitt:** To ask the Chancellor of the Exchequer what recent representations he has received from business on the European single currency. [27230]

Mr. Gordon Brown: The Government receive a large number of representations from business on a wide range of issues, including Economic and Monetary Union. In July, I announced the establishment of a Business Advisory Group on EMU to allow dialogue between the Government and business on the practical and strategic implications of the single currency. A report summarising the conclusions from the group was published on 30 January and is available in the House Library.

30. **Jacqui Smith:** To ask the Chancellor of the Exchequer when he last met his EU counterparts to discuss the single currency. [27231]

Mr. Gordon Brown: I met my EU counterparts at ECOFIN on 19 January, when the items for discussion included the preparations for stage 3 of EMU.

Mr. Mitchell: To ask the Chancellor of the Exchequer, pursuant to the answer of 3 February 1998, *Official Report*, column 572, which parts of the statutes of the Bank of England and the related Acts of Parliament would need to be *(a)* deleted, *(b)* amended and *(c)* inserted in preparation for, or consequent to, the United Kingdom joining the third stage of Economic and Monetary Union. [28896]

Mr. Darling: Amendments would have to be made to the provisions of the current Bank of England Bill in relation to aspects of the independence of the Bank of England and its integration in the European System of Central Banks. The statutory basis of the ways and means facility provided by the Bank of England pursuant to section 12 of the National Loans Act 1968 would have to be repealed. The Exchange Equalisation Account Act 1979 would have to be amended to enable effect to be given to the provisions of the Maastricht Treaty dealing with foreign reserves. Finally, the legislation dealing with notes and coin, in particular the provisions of the Currency and Bank Notes Acts 1928 and 1954, would have to be amended in order to reflect the substitution for sterling of euro notes and coin and their status as legal tender.

Hypothecated Taxes

17. **Mr. Sheerman:** To ask the Chancellor of the Exchequer what plans he has to increase the use of hypothecated taxes. [27218]

Mr. Darling: There are great difficulties with hypothecation. However, we look at each case on its merits.

Married Women's Taxation

18. **Mrs. Lait:** To ask the Chancellor of the Exchequer if he will make a statement on his plans for the future of independent married women's taxation. [27219]

Mr. Darling: Decisions on tax are a matter for my right hon. Friend the Chancellor of the Exchequer's Budget statement. The hon. lady would not expect me to anticipate it. But my right hon. Friend has already made clear that there will be no return to the pre-1990 system in which a married woman was effectively treated as a chattel for tax purposes.

Windfall Tax

19. **Ms Julie Morgan:** To ask the Chancellor of the Exchequer what proposals he has to use the revenues accruing from the windfall tax. [27220]

Ms Blears: To ask the Chancellor of the Exchequer if he will make a statement on his policy on spending the windfall levy. [27237]

Mr. Gordon Brown: The receipts of the Windfall Tax are being used not only to provide new work and training opportunities for young people, the long-term unemployed, lone parents and persons who are sick and disabled who want the right to work, but also to fund £1.2 billion of capital expenditure for schools, and is contributing to the development of a National Child Care Strategy. I can tell the House that £2.6 billion of the sum has already been paid by the utilities.

Mr. Ainger: To ask the Chancellor of the Exchequer how much will be raised in the present financial year from the windfall levy. [27215]

Mr. Geoffrey Robinson: The windfall tax is expected to raise some £5.2 billion in total, payable in two equal instalments. The payments made to date are fully in line with our forecast of some £2.6 billion this financial year.

Public Pay

20. **Mr. Skinner:** To ask the Chancellor of the Exchequer what will be the impact of the public pay review bodies' recommendations on the public spending limits of 1998–99. [27221]

Mr. Darling: The recommendations would have cost some £1.3 billion. Staging their implementation means that the settlements will cost some £896 million in 1998–99. These costs will be contained within existing spending plans.

Inflation Forecasts

21. **Mr. Amess:** To ask the Chancellor of the Exchequer what forecasts he has made for inflation up to 2000. [27222]

Mr. Darling: The November 1997 Pre-Budget Report (Cm 3804) included inflation forecasts up to the end of 2000.

Overseas Visits

22. **Mr. Green:** To ask the Chancellor of the Exchequer how many official visits to Brussels have been made by Ministers in his Department since 1 May to discuss offshore trusts. [27223]

Mr. Darling: There have not been any Ecofin discussions about off-shore trusts as such. There have of course been several discussions about various aspects of taxation particularly in the context of the Harmful Tax Competition Package agreed at Ecofin last December.

Land Settlement Associations

23. **Mr. Hayes:** To ask the Chancellor of the Exchequer what representations he has received about the tax treatment of compensation awarded to former tenants of the land settlement associations. [27224]

35. **Mr. Paice:** To ask the Chancellor of the Exchequer what representations he has received about the tax treatment of compensation for former tenants of the land settlement associations. [27236]

Mr. Darling: Representations have been made querying the raising of a tax charge in respect of out of court compensation paid by MAFF to a number of former tenants of the Land Settlement Association. It has been explained that under tax law, compensation received for a capital loss, or for personal hardship, is not liable to income tax, but where a payment is made to compensate a restriction of trading opportunities, or to fill a hole in profits, it is taxable as trading income. And that the nature of a compensation payment in an out of court settlement is decided by the evidence of the claims for compensation. Just how much of a compensation payment received is for

restricted trading opportunities, capital loss, or personal hardship is a matter for agreement between the recipient and the Inspector of Taxes.

Families (Fiscal Support)

24. **Mr. MacShane:** To ask the Chancellor of the Exchequer what assessment he has made of existing fiscal support for the family. [27225]

Mr. Gordon Brown: Support through the tax system is provided by the married couple's allowance and the additional personal allowance. Additional personal allowance is available to those who have a dependent child living with them but are not married and to married men whose wives are incapacitated and have dependent children.

Support through the benefit system is provided through:

Child Benefit which helps all families with the extra cost of having children;

child and family premia in Income Support which help those families who cannot work; and

Family Credit which provides targeted help to those with children who are in work and on low incomes.

My hon. Friend will also be aware that I have asked Martin Taylor to lead a task force looking at streamlining and modernising the tax and benefits system. And, as I said in my pre-Budget report, the Government are examining the possibility of introducing a Working Families Tax Credit, which would provide support to more working families on low incomes.

VAT (Fuel)

25. **Mr. Purchase:** To ask the Chancellor of the Exchequer what representations he has received from pensioners' organisations on his reduction in VAT on fuel. [27226]

Mr. Geoffrey Robinson: I am pleased to tell my hon. Friend that we have reduced VAT on fuel to 5 per cent., the lowest level permitted to us under EC regulations. It has been well received throughout the country, particularly by pensioner communities.

Offshore Tax Havens

26. **Mr. Ian Bruce:** To ask the Chancellor of the Exchequer what measures his Department is taking to obtain information from offshore tax havens on funds held for the benefit of United Kingdom residents. [27227]

Mr. Darling: Provisions in the UK's bilateral Double Taxation Agreements with other countries enable information to be exchanged between the UK and treaty partner tax authorities.

Trusts (Taxation)

27. **Mr. Swayne:** To ask the Chancellor of the Exchequer what is his policy in respect of the taxation of trusts. [27228]

Mr. Darling: We are committed to taking action to close any tax loopholes which may exist.

MIRAS

28. **Mr. Pike:** To ask the Chancellor of the Exchequer what recent representations have been received on the future of MIRAS. [27229]

Mr. Darling: Since May 1997 Treasury Ministers have received about 180 letters concerning the future of mortgage interest relief. Of these the vast majority have come from individuals.

Tax Evasion

31. **Ann Clwyd:** To ask the Chancellor of the Exchequer what estimate he has made of the extent of revenue lost through tax evasion in the last year for which figures are available. [27232]

Mr. Gordon Brown: No such estimate has been made. There is no generally accepted method of producing a reliable estimate. But during the fiscal year 1996–97, Inland Revenue investigation and compliance work brought approximately £1.5 billion additional tax into charge.

Tax Yield

32. **Mr. Edward Davey:** To ask the Chancellor of the Exchequer what estimate he has made of the cumulative total tax yield to be received by the Exchequer by the end of the financial year 2001–02 from the tax changes he has so far announced since 1 May 1997. [27233]

Mr. Darling: The forecast cumulative revenue yield for 1997–98, 1998–99 and 1999–2000 for the changes announced in the July 1997 Budget are shown in table 2.2 of the Financial Statement and Budget Report (HC85).

Inland Revenue Services

33. **Mr. Andrew George:** To ask the Chancellor of the Exchequer what representations he has had on future provision of Inland Revenue services in remote rural areas. [27234]

Mr. Darling: The Inland Revenue is considering the best way to provide services to all its customers as part of the Comprehensive Spending Review, and the 10 year programme to reorganise the Department's network of local offices. A small number of representations about the offices to be included in the final stage of the reorganisation programme have been received.

R and D Projects (Tax Breaks)

34. **Mr. Anthony D. Wright:** To ask the Chancellor of the Exchequer what plans he has to introduce tax breaks for companies investing in research and development projects involving partnership with United Kingdom educational establishments. [27235]

Mr. Geoffrey Robinson: The Chancellor and President of the Board of Trade are taking a wide-ranging look at ways of improving the UK's record on investment in research and development. As a first step I am sponsoring a working group on the financing of high technology companies. Given the nearness of the Budget I am unable to comment on particular matters of taxation.

Individual Savings Accounts

37. **Mr. Hawkins:** To ask the Chancellor of the Exchequer if he will review the £50,000 limit he proposes for individual savings accounts. [27238]

Mr. Geoffrey Robinson: Our proposals for the ISA were issued for consultation. The consultation period has now finished and we are considering the responses received. My right hon. Friend the Chancellor will make a further announcement about the ISA in his Budget on 17 March.

Mozambique (Debt Relief)

38. **Dr. Tonge:** To ask the Chancellor of the Exchequer what progress has been made within the Paris Club in agreeing the terms of debt relief for Mozambique. [27239]

Mr. Gordon Brown: Negotiations are still continuing in a number of international fora on the issue of providing debt relief for Mozambique under the HIPC initiative. The UK is working hard to secure a quick solution that will provide a full and sustainable exit for Mozambique from its debt problems.

National Insurance Contributions

39. **Mr. Barnes:** To ask the Chancellor of the Exchequer what representations he has received on increasing the upper earnings limit on national insurance contributions; and if he will make a statement. [27240]

Mr. Darling: I refer my hon. Friend to the answer I gave him on 15 January 1998, *Official Report*, column *307*.

Financial Planning

Mr. Cohen: To ask the Chancellor of the Exchequer if he will list *(a)* areas of expenditure and *(b)* the amounts involved, where (i) money has been saved and (ii) new income (1) has been raised and (2) is anticipated, which were not in the previous Government's financial plans for the two financial years ending on 1 April 2000. [24224]

Mr. Darling: As part of the Comprehensive Spending Review, Departments have been looking to deliver services and priorities more efficiently and to reallocate money towards the Government's top priorities. A statement on the conclusions of the review will be made in the summer.

Inheritance Tax

Mr. Fallon: To ask the Chancellor of the Exchequer at what rate inheritance tax on agricultural property relief is currently available to an in-hand farmer who has owned the property for seven years, in the case of *(a)* the farmhouse, assuming no non-agricultural value, *(b)* the cottage of an agricultural worker prospectively protected under the Rent (Agriculture) Act 1976 and *(c)* a cottage occupied under the Rent (Agriculture) Act 1976 by a former agricultural worker who retired after 31 August 1995. [26847]

Dawn Primarolo: Agricultural value of farming assets can qualify for up to 100 per cent. relief from inheritance tax if the appropriate statutory conditions are satisfied. The availability, or otherwise, of relief could therefore be determined only in the light of all the relevant facts. The information provided by the hon. Member is not sufficient for me to provide answers to the specific points raised.

Correspondence

Mr. Steinberg: To ask the Chancellor of the Exchequer if he will make it his policy that he and his Ministers personally read the letters sent to them by hon. Members on constituency matters. [27675]

Mr. Gordon Brown: This has always been our policy.

Income Tax

Mr. Vaz: To ask the Chancellor of the Exchequer if he will introduce a top rate of tax for those earning over £40 million per year. [28271]

Dawn Primarolo: Decisions on taxation are a matter for my right hon. Friend the Chancellor of the Exchequer's Budget statement.

VAT (Church Buildings)

Mr. Hoyle: To ask the Chancellor of the Exchequer, pursuant to his answer of 23 January 1998, *Official Report*, column *708*, who was involved in the decision not to reduce VAT on church buildings. [28010]

Dawn Primarolo: No decision was required. EC law does not allow a reduced rate for church buildings. There is no conflict between our policy objectives and EC law.

The Government believe it is more efficient to help to preserve the heritage by means of direct grants.

Civil Servants

Mr. Duncan: To ask the Chancellor of the Exchequer if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27461]

Dawn Primarolo *[holding answer 5 February 1998]:* The information requested is as follows:

a) none has taken early retirement;

b) official leave details are not held centrally;

c) none has been dismissed;

d) 2 (1 grade 3 equivalent and 1 grade 2 equivalent on promotion from grade 3) have changed jobs within the Department;

e) 1 grade 3 equivalent has moved to another Department;

f) i) none has been offered and rejected an alternative position within the Department; and

f) ii) information on those who have been offered and rejected an alternative position in another Department, from 1 May 1997, is not held centrally.

Market Research

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion

polling, (ii) focus groups and (iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26571]

Mrs. Liddell *[holding answer 5 February 1998]:*

£000

Department/ agency	*Type of research*	*Expenditure in 1996–97*	*Expenditure since 1 May 1997*
Inland Revenue	Various surveys	480	345
Customs & Excise	Various surveys	110	135
HM Treasury	Salary surveys	1	7
National Savings	Opinion polling	290	183
	Focus groups	82	61
	Other market research	7	127
Office for National Statistics	Social surveys	12,000	8,000
Royal Mint	Product survey	—	8

Survey	*Purpose*
Inland Revenue: 1996–97	
SA Public Information Campaign	Research to track levels of awareness, knowledge and understanding of Self Assessment, and to monitor understanding of the help and advice available from the Inland Revenue to help taxpayers cope with the new system.
SA Tax Return	Continuing the testing and development of the Self Assessment Tax Return with taxpayers and their advisers so that it is as easy to use as possible.
Packaging of SA Tax Return	Research into the impact of the packaging of the new Self Assessment Tax return.[2]
Survey of SA taxpayers	Research into the impressions of taxpayers on the new Self Assessment Tax return.
Electronic Version of the Return	Research into the impact and ease of use of the electronic version of the Self Assessment Tax Return.
SA Education Programme	Research into the satisfaction of professional tax advisers and employers with the Self Assessment Education programme.
Statement of Account	Research into taxpayer reaction to the help they received in understanding the Statement of Account.
Good Design	Consultancy Study on the role of good design within both private and public sector organisations.
Employers' Helpline	Tracking research for the Employers' Helpline, run on behalf of the Inland Revenue, Customs and Excise, and the Contributions Agency.[1]
Survey of Disabled taxpayers	Research into the needs of disabled taxpayers.
Views on Leaflet P3	Research into how easy it is to understand the explanatory leaflet for the Notice of Coding (leaflet P3).
Views on Form P2	Research into whether the revised Notice of Coding (form P2) had met taxpayer needs.
Views on Form P161	Research into whether the revised form (P161) which asks for additional information about income sources when a taxpayer retires is easier to complete.
Views on Form R37	Research into taxpayer views of the form (R37) which is used to claim a repayment of tax.
PAYE/NIC compliance costs	To measure the overall compliance burden on business.[2]
1997–98 Post 1 May	
Customer Service Performance Indicator	Re-run of survey of main customer groups.[3]
SA Public Information Campaign	Purpose as for 1996–97, plus developmental research into elements of the campaign (including the 1997–98 tax return insert and the SA 352 penalties leaflet).[4]
SA Customer Service Evaluation	Market Research to evaluate the effectiveness of customer service initiatives for Self Assessment.
Methods of Payment	Research into taxpayer views on different methods of payment.
Survey of PEP/TESSA Holders	Analysis of combined holdings over £20,000.
Various Omnibus surveys	Characteristics of PEP/TESSA holders, amounts saved and savers attitudes to tax-free savings accounts.
PAYE/NIC compliance costs	To measure the overall compliance burden on business (see also 1996–97).[2]

[1] Each department contributed towards the cost of this exercise. The figure included in the overall calculation represents the Inland Revenue's share only.

[2] Chancellor's Department. share of spending include for that particular year on a project originally contracted in 1995.

[3] Work on-going. Expenditure included that will be incurred at end of project.

[4] Estimate of expenditure at year end included.

Survey	*Purpose*
Customs and Excise: Commissioned in 1996–97	
Employer's Helpline Campaign (Tripartite activity also involving the Contributions Agency and Inland Revenue)	Conducted in three stages to track awareness of government helplines; measure the effectiveness of the Employer's Helpline advertising campaign; measure the decline in awareness of the Helpline over time.

Survey	Purpose
Omnibus survey and international passenger survey	Surveys are run by the office for National Statistics. C&E commissions questions within the surveys to obtain data for estimating tax revenue lost through cross border shopping.
Trade statistics	Customer satisfaction survey to assess quality of overseas trade statistics.
Passenger surveys (as part of the Traveller's Charter)	Survey into C&E service and performance at selected ports and airports.
Business Advice Centre surveys	Five surveys to gauge customer satisfaction and quality of service.
Customer service insolvency questionnaire	To gauge the quality of service given to insolvency practitioners.
Commissioned since 1 May 1997	
Alcohol and tobacco smuggling—quantitative	Designed as a cost effective and speedy way to measure public awareness and understanding of "smuggling"—through the Whitehall "Omnibus Survey" system.
Alcohol and tobacco smuggling—qualitative	Designed and conducted to establish attitudes to smuggling. Used to assess potential effectiveness of current anti-smuggling publicity strategy proposals and to ensure value for money in communications planning.
Omnibus survey and international passenger survey	As in 1996–97.
Business Advice Centre surveys	As in 1996–97.
Quality of service survey	Follow-up to a survey conducted in 1995 to obtain feedback on the level of service given by the London Central VAT Advice Centre.
Customer focus project	Qualitative diagnostic study carried out by MORI to inform the future direction of the VAT and Excise businesses and to identify areas for further research.
Business news readership survey	Post implementation review seeking views from the external readership about usefulness and suggestions on improvement.
VAT compliance survey	To identify the compliance behaviour of traders.

Note:

The list excludes statistical surveys which Customs & Excise are required by law to undertake; an opinion poll carried out in 1996 on Intrastat, paid for by the European Commission; general internal surveys canvassing staff opinion.

Survey	Purpose
National Savings:	
The purpose of all research is to help National Savings to operate efficiently and effectively in a competitive retail savings market. The detail of the research is commercially sensitive.	
Office for National Statistics:	
Labour Force Survey	Measures of employment and unemployment on international standard definitions.
Family Expenditure Survey	Expenditure patterns of households needed for, amongst other uses, calculation of retail price index weights.
International Passenger Survey	Numbers and expenditure of tourists needed for input to balance of payments and tourism policy.
General Household Survey	Demographic, social and health data needed for social policy purposes.
Royal Mint:	
Product survey	Survey of views on Royal Mint products.

Smuggling

Mr. Cotter: To ask the Chancellor of the Exchequer what estimate HM Customs and Excise has made of the effect on the level of cigarette smuggling of the recent price increase. [28510]

Dawn Primarolo: Customs and Excise estimates of cross-channel smuggling of cigarettes are based on data from their surveys of sea and Tunnel passengers, conducted in June each year. Therefore, no estimate of the effect on smuggling of the most recent price increase is available.

Mr. Cotter: To ask the Chancellor of the Exchequer, pursuant to his answer of 22 January 1998, *Official Report*, column *648*, if the conclusions of the report on alcohol and tobacco smuggling, cross border shopping and fraud currently being prepared by HM Customs and Excise, and the views of independent retailers of tobacco on the subject of illegal re-sale of tobacco, imported from Belgium, will be considered in preparing his Budget statement. [28580]

Dawn Primarolo: The findings of the review, which was undertaken in consultation with the trade, is currently being considered by Ministers in the run up to the spring Budget.

Excise Duty

Mrs. Lait: To ask the Chancellor of the Exchequer what discussions are planned in ECOFIN during the British Presidency to reduce the gap in excise duties on tobacco and alcohol between the United Kingdom and its continental partners. [27928]

Dawn Primarolo: It is my current intention to discuss the minimum rates of excise duty for tobacco products in ECOFIN following production of the European Commission's report on their review. The report on alcohol is overdue but at present it seems unlikely that the Commission will complete their work during our Presidency.

Mrs. Ewing: To ask the Chancellor of the Exchequer if he will list the amounts received by the Exchequer in each of the last five years from *(a)* vehicle excise duty and *(b)* excise duty on (i) leaded petrol, (ii) unleaded petrol and (iii) diesel, broken down by receipts from (A) Scotland, (B) England, (C) Wales and (D) Northern Ireland. [28067]

Dawn Primarolo: The information requested is shown in the tables.

(a) UK vehicle excise duty—net revenue received

£ million

Year	*England*	*Scotland*	*Wales*	*Northern Ireland*	*UK total*
1992–93	2,797	245	152	79	3,273
1993–94	3,113	277	170	89	3,649
1994–95	3,309	291	178	92	3,870
1995–96	3,464	305	185	96	4,050
1996–97	3,591	318	192	102	4,203

(b) Excise duty receipts (estimated allocation)

£ million

Year	*England/ Wales*	*Scotland*	*Northern Ireland*	*UK total*
Leaded petrol				
1992–93	4,124	339	120	4,583
1993–94	3,987	323	113	4,423
1994–95	3,852	303	103	4,258
1995–96	3,609	288	95	3,992
1996–97	3,326	250	82	3,658
Unleaded petrol				
1992–93	3,252	267	95	3,614
1993–94	3,974	322	113	4,409
1994–95	4,751	374	128	5,253
1995–96	5,563	445	147	6,155
1996–97	6,560	493	161	7,214
Diesel				
1992–93	2,666	270	95	3,031
1993–94	3,230	317	112	3,659
1994–95	3,959	360	130	4,449
1995–96	4,716	435	138	5,289
1996–97	5,138	162	156	6,056

Brazilian Mahogany

Mr. Alan Simpson: To ask the Chancellor of the Exchequer what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28382]

Mrs. Liddell: The Treasury has not acquired any Brazilian mahogany during the periods in question. Nor has it knowingly acquired any goods containing mahogany; or specified Brazilian mahogany in any procurement.

The Treasury's domestic environmental policy states

"The Department will avoid, wherever possible, the purchase of goods which are manufactured or obtained in such a manner that the resources used to produce those goods is put under threat, e.g. certain hardwoods".

Customs and Excise

Mrs. Lait: To ask the Chancellor of the Exchequer what is the complement of established civil servants in the National Investigation Service of Customs and Excise; and what are the current numbers. [28477]

Dawn Primarolo: The 1997–98 staff year allocation for the National Investigation Service is 1,756.5. The current deployment of staff is in line with that allocation.

Job Vacancies

Ms Julie Morgan: To ask the Chancellor of the Exchequer how many vacancies were advertised through jobcentres in each constituency in Wales on 31 December 1997 or the nearest date for which figures are available. [28892]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Ms Julie Morgan, dated 12 February 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question on vacancies advertised through jobcentres in each constituency in Wales.

Information on the number of vacancies advertised through jobcentres is not available by parliamentary constituency. However, this information is available by jobcentre area.

The number of vacancies advertised through jobcentres for jobcentre areas in Wales can be obtained from the Nomis database accessed by the House of Commons Library.

Tax Allowances

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will estimate the cost to the Exchequer of allowing married couples to transfer all or part of an unused personal tax allowance, at the basic rate, to the working spouse. [28180]

Dawn Primarolo: The full year cost in 1998–99 of allowing married couples to transfer their unused personal allowance to their spouse at the basic rate is estimated to be £2.9 billion.

Dr. Lynne Jones: To ask the Chancellor of the Exchequer if he will list the tax allowances in force, together with their cost to the Exchequer in revenue forgone and the number of beneficiaries of each allowance in the most recent year for which figures are available. [28666]

Dawn Primarolo: Tax allowances, expenditures and structural reliefs are listed with their estimated costs in tables 1.6, and annexes B1 and B2 of *Inland Revenue Statistics 1997* published in September 1997. Estimates of the costs of the main allowances, expenditures and reliefs were updated in the *Tax ready reckoner and tax reliefs* in December 1997. A copy of these publications can be found in the Library.

I regret that to provide estimates for the number of beneficiaries for each allowance could be provided only at disproportionate cost.

Car Warranties

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer if he will make a statement on his policy towards the issuing of non-insurance based warranties linked with the sale of motor vehicles; and what trends he has assessed in the ratio of sales of insurance-based and non-insurance-based car warranties. [28044]

Dawn Primarolo *[holding answer 9 February 1998]:* Insurance backed warranties sold with motor vehicles are now subject to the higher rate of Insurance Premium Tax. Customs and Excise have been monitoring the effect of the introduction of the higher rate and have observed that in the motor vehicle sector there has been a marked movement away from insurance backed warranties to similar products backed by the manufacturer or by a specialist provider. This supports the view that the sale of such insurance products was at times motivated by the opportunity it gave for tax avoidance.

Sterling

Mr. Redwood: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the present level of sterling on *(a)* jobs and *(b)* export volumes over the next year. [28549]

Dawn Primarolo *[holding answer 9 February 1998]:* The precise impact of sterling's appreciation on both employment and export volumes is hard to isolate. The Pre-Budget Report forecast showed growth in export volumes slowing to around 5 per cent. in 1998, with strong growth in UK export markets helping to mitigate the effects of the strong pound. Latest data show employment continuing to grow throughout the economy. A fully updated forecast will be published with forthcoming Budget.

Legal Profession (Cash Basis Accounting)

Miss McIntosh: To ask the Chancellor of the Exchequer what assessment he has made of the effect on barristers of his proposed cash basis tax reforms; and if he will postpone their implementation. [28684]

Dawn Primarolo *[holding answer 10 February 1998]:* The Inland Revenue Press Release issued on 22 December invited comments on the proposals to withdraw the cash basis practices available to professional businesses, not just to barristers. The Inland Revenue has received a large number of responses and I myself have received several. The Inland Revenue has also had a number of meetings with representative bodies, including the Law Society, the Bar Council, and the different accountancy bodies. The consultation period ends on 14 February. Thereafter we will be considering the various points made on the proposals, including those concerning the timing of their implementation.

Miss McIntosh: To ask the Chancellor of the Exchequer if he will review the proposed withdrawal of cash basis accounting practices available to professional businesses with particular reference to barristers, solicitors and accountants. [28685]

Dawn Primarolo *[holding answer 10 February 1998]:* The proposal to withdraw the cash basis practices available to professionals is the subject of a consultation process which was started by the issue of an Inland Revenue Press Release on 22 December 1997. Comments were invited by 14 February 1998. Thereafter we will be reviewing the proposal in the light of the comments received.

Public Opinion Research

Mr. Duncan: To ask the Chancellor of the Exchequer how many contracts for public opinion research his Department has awarded since 1 May; if he will indicate the *(a)* purpose, *(b)* cost, *(c)* value and *(d)* duration of each contract; and which companies (i) bid for and (ii) were awarded each contract. [28881]

Mrs. Liddell *[holding answer 10 February 1998]:* No public opinion research contracts have been awarded by the Treasury during this period.

Commemorative Coins

Mrs. Gorman: To ask the Chancellor of the Exchequer what was the cost of producing the commemorative coin celebrating the United Kingdom Presidency of the European Communities; and how many such coins have been minted *(a)* in total and *(b)* as a proportion of all 50 pence pieces minted since the commemorative coin was first minted. [28730]

Mrs. Liddell *[holding answer 10 February 1998]:* The cost of producing commemorative fifty pence coins is less than their face value or selling price. The detailed figures are commercially sensitive in view of the Royal Mint's export business. 5.2 million commemorative fifty pence coins have been minted, accounting for 22 per cent. of all fifty pence coins so far minted in 1998.

Mrs. Gorman: To ask the Chancellor of the Exchequer what representations he received on the advantages of minting a coin commemorating the United Kingdom Presidency of the European Communities. [28732]

Mrs. Liddell *[holding answer 10 February 1998]:* The Royal Mint recommended that a commemorative fifty pence coin should be issued to mark both the United Kingdom Presidency of the European Union and the 25th anniversary of our accession, taking account of precedents in 1973 when a fifty pence coin was issued to mark the United Kingdom's accession to the EEC and in 1992–93 when a further fifty pence was issued to celebrate the previous United Kingdom Presidency and the completion of the single market.

Mrs. Gorman: To ask the Chancellor of the Exchequer if he will list the Ministers consulted over the creation of a 50 pence piece commemorating the United Kingdom Presidency of the European Communities. [28731]

Mrs. Liddell *[holding answer 10 February 1998]:* Decisions on United Kingdom commemorative coins are matters for the Chancellor of the Exchequer, subject to the approval of Her Majesty The Queen. No consultations took place with Ministers of other Government Departments in this case.

Corporation Tax

Mr. Lilley: To ask the Chancellor of the Exchequer how many representations he has received from *(a)* private pensions companies and *(b)* local authorities on the impact on pension fund contributions of abolishing advance

corporation tax credits for pension funds; and if he will make a statement on the content of those representations. [29206]

Mr. Geoffrey Robinson: We have received a number of representations expressing concern about the possible effects on contributions to or benefits from pension schemes as a result of removing payable tax credits on UK dividends. However, the corporation tax changes introduced in the last Budget will be good for the economy as a whole. This will benefit pensioners, along with everyone else.

Mr. Lilley: To ask the Chancellor of the Exchequer in the latest year for which figures are available, how many companies had profits in the large, medium and small categories as defined for the new system of advance payments of corporation tax. [29193]

Mr. Geoffrey Robinson: Estimates in respect of accounting periods ending in 1995–96 of the numbers of companies in the large, medium and small categories of taxable profit, as governed by the rate at which their profits were taxed, are 40,000, 15,000 and 350,000 respectively.

SOCIAL SECURITY

Disability Benefits

Mr. Winnick: To ask the Secretary of State for Social Security what is the Government's policy towards disability benefits for those with acute disabilities. [29201]

Mr. Denham: We are committed to modernising the Social Security system so that it helps people to work as far as they are able, provides appropriate support to those who cannot work and makes the most effective use of the resources available. Benefits for people who are sick or disabled, and their carers, are part of our comprehensive spending review. The review is on-going and no decisions on future policy have yet been made.

Mr. Winnick: To ask the Secretary of State for Social Security if she will review the procedures under which those with acute disabilities have their benefit reduced. [29203]

Mr. Denham: Disability Living Allowance (DLA) and Attendance Allowance (AA) are available for severely disabled people to help meet the extra costs associated with disability. Entitlement is determined by the level of help needed with personal care and/or getting around.

The Benefit Integrity Project helps ensure the correctness of awards of DLA. Up-to-date information is being gathered from those getting benefit about their care and mobility needs, so that we can check that they are receiving the correct amount of DLA.

It is important that decisions about benefit entitlement are made fairly and are seen to be fair. From 9 February we have taken action to improve the quality of decisions made by the Project which involve a reduction or removal of benefit. No decision resulting in reduction or removal of entitlement to DLA will be made solely on the evidence provided by the claimant—there will always be additional evidence to support the decision. This new initiative underlines our determination to act properly to get the benefit right, to listen and to act upon any concerns.

National Insurance

Mr. Lilley: To ask the Secretary of State for Social Security if she will estimate the loss of revenue from raising the starting level of employers' national insurance contributions to the same level as income tax for a single person. [29191]

Mr. Denham: The estimated reduction in revenue from employer Class 1 National Insurance contributions, gross of contracted-out rebates, would be £110 million in a full year. The estimate assumes that there are no changes to the other earnings brackets for employer contributions.

Source:

Government Actuary's Department.

Housing Benefit

Mr. Hancock: To ask the Secretary of State for Social Security (1) what has been the total bill for housing benefit payments in each of the last five years in the Gosport Borough Council area; [27583]

(2) what has been the total bill for housing benefit payments in each of the last five years in the *(a)* Havant Borough, *(b)* Eastleigh, *(c)* New Forest District and *(d)* Test Valley District council areas; [28151]

(3) what has been the bill for housing benefit payments in each of the last five years in the Rushmoor Borough Council area. [28372]

Mr. Field: The information requested is set out in the table:

£000

Council Area	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97 provisional out-turn*
Gosport	8,620	10,800	12,140	12,970	14,110
Havant	9,150	11,150	11,920	12,710	13,640
Eastleigh	7,930	10,200	11,510	12,750	13,250
New Forest	15,570	17,270	18,610	20,210	21,470
Test Valley	8,470	10,200	10,640	11,020	10,780
Rushmoor	8,950	10,890	11,700	11,760	11,580

Source:

1. Department of Social Security Planning and Finance Division.
2. Department of the Environment, Transport and the Regions.

Family Credit

Mr. Lilley: To ask the Secretary of State for Social Security in how many households in receipt of family credit there are two adults; and in how many of those the benefit is paid to the man. [29189]

Mr. Keith Bradley: Of the 757,000 families currently in receipt of Family Credit, 406,000 are couples. The vast majority of couple families have a female recipient as there is a requirement for the female member of a couple to be the claimant. There are, however, occasional exceptions to this rule, for example, to cover mental incapacity.

Note:

All figures have been rounded to the nearest thousand.

Source:

Family Credit 5 per cent. sample of all awards.

Mr. Lilley: To ask the Secretary of State for Social Security in how many households currently in receipt of family credit the principal earner is *(a)* a man and *(b)* a woman; and in each case what is the average amount of family credit paid per week. [29188]

Mr. Keith Bradley: The information requested is set out in the table.

Family credit by gender of main earner, and average weekly awards—August 1997

Gender of main earner	*Number of claimants*	*Average weekly award (£)*
Male	326,000	57.17
Female	431,000	60.41

Notes:
1. All figures have been rounded to the nearest thousand.
2. Figures are based on the gender of the main earner.

Source:
Family Credit 5 per cent. sample of all awards.

TRADE AND INDUSTRY

Vertical Agreements

Mr. Redwood: To ask the President of the Board of Trade when she will announce her conclusions on provisions in the Competition Bill dealing with vertical agreements. [13042]

Mrs. Beckett: Shortly.

Non-career Civil Servants

Mr. Burns: To ask the President of the Board of Trade how many non-career civil servants have been appointed to her Department since 1 May 1997. [25840]

Mr. Nigel Griffiths: I have asked for replies on behalf of Executive Agencies to be provided separately.

For the headquarters area of the Department, the number of temporary appointments made since 1 May 1997 is 71, in the categories shown below.

Casual Appointments: 49

Fixed-term Appointments: 15

Period Appointments: 7.

There were 45 temporary DTI appointments in Government Offices during the same period, of which 33 were Casual and 12 were Fixed-term.

Letter from Peter Joyce to Mr. Simon Burns, dated 12 February 1998:

The President of the Board of Trade has asked me to reply to your question about the appointment by The Insolvency Service of non-career civil servants.

In the period from 1 May 1997 to 1 January 1998 The Service appointed 84 non-permanent staff. Some of these have subsequently left The Service or have been converted to permanent status.

The number does not include staff taken on from employment agencies and who are not civil servants.

Letter from Martin Wilson to Mr. Simon Burns, dated 12 February 1998:

I have been asked by the President of the Board of Trade to reply, in respect of the Employment Tribunals Service (ETS), to your question about numbers of non-career civil servants appointed to the Department of Trade and Industry since 1 May 1997.

Since 1 May 1997, fifty-three casual staff and three short notice clerks have been appointed to the Employment Tribunals Service.

I hope that this is helpful.

Letter from Dr. Seton Bennett to Mr. Simon Burns, dated 12 February 1998:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about the appointment of non-career civil servants since 1 May 1997. There have been three such appointments in this Agency during the period in question.

Letter from John Holden to Mr. Simon Burns, dated 12 February 1998:

I have been asked to reply to your question to the President of the Board of Trade regarding how many non-career civil servants have been appointed to her Department since 1 May 1997.

Within Companies House Executive Agency, there have been a total of 142, all of whom are either casuals or Fixed Term Appointments. You may wish to note that, of these, 51 have moved on from Companies House and 91 are still employed, typically for periods of up to a year.

Letter from Jim Norton to Mr. Simon Burns, dated 12 February 1998:

Since 1 May 1997, the Agency has employed 7 sandwich students and 3 casual clerical staff. In addition, during the Summer 11 vacation students were given placements for between 8 and 10 weeks each.

Letter from P. R. S. Hartnack to Mr. Simon Burns, dated 12 February 1998:

I am replying for the Patent Office to your Parliamentary Question to the President of the Board of Trade about non-career Civil Servants.

Since 1 May 1997 we have offered employment to 42 staff from employment agencies, 17 IT contractors and 1 general contractor.

Sri Lanka

Mr. Vaz: To ask the President of the Board of Trade if she will make a statement on the level of trade between Britain and Sri Lanka. [28594]

Mrs. Roche: In 1997, trade in goods between the United Kingdom and Sri Lanka was worth £485 million, 28 per cent. higher than the previous year. The value of UK exports of goods increased by 42 per cent. to £211 million, while UK imports increased by 18 per cent. to £275 million. Information on trade services with Sri Lanka is not available.

Information on UK trade in goods with Sri Lanka over the last five years is given in the following table:

£ million

	UK exports	*UK imports*	*Crude balance*
1993	126	142	−16
1994	154	186	−32
1995	156	206	−50
1996	148	232	−84
1997	211	275	−64

Multilateral Agreement on Investment

Ms Drown: To ask the President of the Board of Trade what representations she has received from British companies in support of the Multilateral Agreement on Investment. [28818]

Mrs. Roche: My officials are in contact with representatives of the CBI and ICC-UK (International Chambers of Commerce) as well as other business representatives. They have been generally supportive of the Government's approach.

Mr. Matthew Taylor: To ask the President of the Board of Trade if she will convene a meeting of Ministers of her Department, the Department of the Environment, Transport and the Regions, the Treasury and the Department for International Development to discuss the Multilateral Agreement on Investment in advance of the meeting of OECD Ministers on 16 and 17 February. [29024]

Mrs. Roche: The UK objectives for the MAI negotiations have been discussed extensively among the Departments mentioned and others. Officials have consulted closely over preparations for the 16–17 February meeting. Further consultations will be necessary as we approach the final phase of the negotiations in the spring.

Mr. Matthew Taylor: To ask the President of the Board of Trade how many meetings of officials from her Department have attended meetings on the subject of the Multilateral Agreement on Investment at which there were *(a)* only officials from the Department of the Environment, Transport and the Regions, *(b)* only officials from the Department for International Development, *(c)* only officials from the Treasury and *(d)* officials from the Department for the Environment, Transport and the Regions, the Department for International Development and the Treasury. [29025]

Mrs. Roche: My officials in the International Investment Policy Unit have been in constant contact with officials from all Government Departments with an interest in the Multilateral Agreement on Investment, and have held meetings on numerous occasions at which officials from a number of other Government Departments have been present.

Carrier Pre-selection

Mr. Timms: To ask the President of the Board of Trade if the deadline of 1 January 2000 set by the European Union for the implementation of carrier pre-selection will be achieved in the United Kingdom. [29001]

Mrs. Roche: The requirement to introduce carrier pre-selection arises from an amendment to the EC Interconnection Directive (97/33/EC), which has not yet been adopted. However, OFTEL and DTI are consulting industry and consumer bodies about the arrangements for UK implementation of carrier pre-selection within the time limits set out in the draft Directive. The Common Position currently requires the introduction of carrier pre-selection by 1 January 2000, but allows Member States to request a deferment of this obligation if they can prove that it would impose an excessive burden on certain organisations or classes of organisation.

Utilities (Standing Charges)

Mr. Levitt: To ask the President of the Board of Trade if she will take steps to abolish standing charges on domestic energy supplies and telephones. [29168]

Mr. Nigel Griffiths: Some electricity and gas supply tariffs have no standing charges. These tariffs may be particularly attractive to small users, many of whom will be pensioners or those on low incomes. However, the structure of tariffs on energy supplies and telephones is a commercial matter for the companies concerned. Where competition has developed in these industries, consumers have been offered a wider choice of tariffs.

Carbon Monoxide Poisoning

Mr. Coaker: To ask the President of the Board of Trade how many people suffered accidental carbon monoxide poisoning in the home in each of the last five years; how many of these died as a result; what steps are currently being taken and what measures are planned to reduce the number of such cases. [28978]

Mr. Nigel Griffiths *[holding answer 11 February 1998]:* The following figures refer to accidents involving faulty heating appliances.

In the period 1992–96 (available figures to date) the estimated figures for non-fatal accidental injuries (resulting in attendance at Accident and Emergency) due to carbon monoxide poisoning in Great Britain from faulty home heating appliances are estimated as follows:

1992: 244

1993: 105

1994: 211

1995: 125

1996: 247.

The estimated fatalities from carbon monoxide poisoning owing to faulty domestic heating appliances are:

1992: 50

1993: 31[1]

1994: 30[1]

1995: 28[1]

1996–97: 21[1] (provisional figure).

[1] Flammable gas source only.

Figures are drawn from the Office for National Statistics, the DTI Home Accident Surveillance System, the DTI report on Carbon Monoxide poisoning from Domestic Heating Appliances, and the Health and Safety Executive.

More comprehensive information could be produced only at disproportionate costs.

In September 1997 I initiated a five point campaign to tackle the issue of carbon monoxide poisoning. This has resulted in:

A safety advice leaflet, containing vital information on safeguarding against CO poisoning, being circulated to doctors' surgeries up and down the country.

The continuing re-broadcasting of our three TV safety adverts, together with a new fourth advert.

19 million households receiving our safety advice leaflet enclosed in their gas bills.

A further distribution of 100,000 separate booklets concentrating on the dangers from faulty gas and solid fuel appliances.

The publicising of Freephone advice numbers for gas and solid fuel users.

Concessionary Coal

Mr. Boswell: To ask the President of the Board of Trade if she will make a statement on the current situation in connection with concessionary coal allowances to miners and their families. [29071]

Mr. Battle: As I announced yesterday, it would be premature at this stage to introduce new arrangements for concessionary coal entitlements provided to former employees (and their dependants) of British Coal. I am therefore extending the consultation period for a while longer to consider all relevant issues before we make necessary changes.

My aim is to find a solution to future entitlements which is fair to all concerned, and which complies with EU legal requirements and the Fuel Agreements. I have listened to representations and the views of beneficiaries expressing concern about the entitlements, and have decided to make no change to existing entitlements while full and wide ranging consultations are in progress. Beneficiaries can be assured that they will continue to receive their present fuel type at existing tonnages while the consultations are under way.

Written Answers to Questions

Friday 13 February 1998

DUCHY OF LANCASTER

Civil Servants

Mr. Forth: To ask the Chancellor of the Duchy of Lancaster how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26931]

Dr. David Clark: For this purpose, the Cabinet Office includes the Prime Minister's Office and the Office of Public Service and its executive agencies. Grades 1–5 were replaced by the Senior Civil Service on 1 April 1996. One civil servant of grade 3 and above has resigned; none have retired before pensionable age; and five have moved to different responsibilities within my Department since 1 May 1997. The civil servant who resigned was responsible to me and, of those moving, three were responsible to me and two to the Prime Minister.

Mr. Duncan: To ask the Chancellor of the Duchy of Lancaster if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May 1997. [27466]

Dr. David Clark *[holding answer 5 February 1998]:* For this purpose the Cabinet Office includes the Prime Minister's Office and the Office of Public Service and its executive agencies. Grades 1–5 were replaced by the Senior Civil Service on 1 April 1996. The numbers relating to staff at equivalent levels to the old grades, for my Department, are as follows:

	Grade 1	*Grade 2*	*Grade 3*
(a)	nil	nil	nil
(b)	information not held centrally		
(c)	nil	nil	nil
(d)	nil	1	4
(e)	nil	4	7
(f) (i)	nil	nil	nil
(f) (ii)	nil	nil	nil

Millennium Compliance

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster what steps he is taking to increase confidence in the Government's handling of the millennium computer compliance problem. [29509]

Dr. David Clark: The Government intend to increase public confidence in their handling of the millennium bug problem by continuing with our policy of open public scrutiny. As I outlined in my reply to my hon. Friend the Member for Dumfries (Mr. Brown) on 30 January 1998, *Official Report*, columns *403–04*, I shall provide regular reports to the House.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Llew Smith: To ask the Minister without Portfolio what assessment his Department has made of the advantages of installing photovoltaic solar cells in the Millennium Dome; and what proposals there are to use photovoltaic technology *(a)* in the Millennium Dome and *(b)* in the Millennium Experience exhibition. [28202]

Mr. Mandelson: The cladding of the Millennium Dome, which will house the Millennium Experience, is translucent, allowing through natural daylight. The New Millennium Experience Company considered installing photovoltaic cells but concluded that this would reduce translucency and hence increase the power needed for artificial lighting. The NMEC is, however, currently investigating the potential for using a number of sustainable power sources within the Dome for demonstration and educational purposes.

LORD CHANCELLOR'S DEPARTMENT

Queen's Counsel

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the greatest number of unsuccessful applications made for silk by a barrister in the last 10 years. [28500]

Mr. Hoon: According to departmental records, the greatest total number of unsuccessful applications made by a barrister who has applied in the last ten years is twenty five.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the shortest time a barrister has practised at the bar before taking silk in the last 10 years. [28502]

Mr. Hoon: According to departmental records the shortest time that a barrister has practised at the bar in the last ten years before taking silk is thirteen years.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department how many High Court judges had their applications for silk rejected at their *(a)* first, *(b)* second and *(c)* third attempt. [28506]

Mr. Hoon: Of the ninety seven High Court Judges currently in post, nineteen had their first application for silk rejected, six had their second application rejected and two had their third application rejected. Nine High Court Judges did not take Silk.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the greatest number of applications for silk made by an individual who has taken silk in the last 10 years. [28501]

Mr. Hoon: According to our departmental records, the greatest number of applications made by an individual who has taken silk in the last ten years is fifteen.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the number of QCs who are non-practising. [28503]

Mr. Hoon: The Lord Chancellor's Department does not keep records of whether QCs are practising or non-practising, because the Lord Chancellor has no Ministerial responsibility for the practice of individual barristers.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Parliamentary Secretary, Lord Chancellor's Department what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28391]

Mr. Hoon: No Brazilian mahogany has been acquired or specified by my Department in either 1996 or 1997.

Immigration Determinations

Ms Oona King: To ask the Parliamentary Secretary, Lord Chancellor's Department where members of the public can obtain access to comprehensively indexed collection of determinations by immigration adjudicators. [28303]

Mr. Hoon: There is no collection of indexed adjudicator determinations in existence. Copies of adjudicator determinations are retained on tribunal files, and are available to members of the public with permission from an adjudicator.

Immigration Appeal Tribunal Decisions can be obtained from the Supreme Court Library on demand. They will also soon be available to subscribers on the Electronic Immigration Network Database via the Internet. This service should be available from April.

WALES

Private Residential Homes (Abuse)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many cases of abuse were reported against the elderly in private residential homes in Wales over the last five years. [26987]

Mr. Win Griffiths: While local authorities in Wales investigate all complaints made to them by or on behalf of elderly people in private residential homes, there is no clear or agreed basis for defining abuse in these circumstances. The information that is collected is therefore not available on a consistent basis but my officials will work with local authorities to examine how an effective reporting framework can be developed as an essential tool in helping to measure the quality of care provided for elderly people in residential homes.

Wind Farms

Mr. Barry Jones: To ask the Secretary of State for Wales if he proposes to continue granting permissions for the establishment of wind farms; and if he will make a statement. [28615]

Mr. Win Griffiths: Responsibility for determining planning applications for wind farms rests initially with local planning authorities. The Secretary of State is responsible for determining appeals and applications which have been called in. Decisions on all such applications should be made in accordance with Government Policy set out in Planning Guidance (Wales): Planning Policy, Technical Advice Note (Wales) 8: Renewable Energy, and policies in development plans, unless material considerations indicate otherwise.

HOME DEPARTMENT

Passport Fees

Mr. Quinn: To ask the Secretary of State for the Home Department if he will make a statement on passport fees. [29769]

Mr. Mike O'Brien: The Privy Council has approved an Order in Council, the Consular Fees Order 1998, which gives authority for an increase in passport fees on 26 March. The fee for a standard 32 page passport will increase from £18 to £21 and for a 48 page passport from £27 to £31. The fee for amending an existing passport will increase from £5 to £11, to reflect the economic cost. The cost of a separate passport for children will be £11 for a passport valid for five years. An additional charge of £10 will be introduced for those making applications in person in the United Kingdom and for applications made abroad to reflect the greater cost of providing these services. The fee for a collective passport, for organised trips for schools and youth groups, will remain unchanged at £40.

This is the first general increase in passport fees since November 1992 and, for the over 80 per cent. of applicants who apply by post, is in line with the level of inflation for the period. In relation to the cost of travel abroad, a fee of £21 for a standard ten year passport still represents very good value for money.

Prison Service

Dr. Palmer: To ask the Secretary of State for the Home Department if he will make a statement on the resources available to the Prison Service. [29957]

Mr. Straw: Following the Audit of Prison Service Resources last summer, I made available to the Prison Service additional funding of £43m over two years to increase capacity and regime activity. In the event, the Service has done well in containing costs and has not had to call on the extra provision for 1997–98.

I am now making available £112m in 1998–99 on top of the existing budget of £1,704m.

This will be used to fund continued use of Her Majesty's Prison Weare, to build six more houseblocks, to fund conversion of accommodation to cell usage to hold extra prisoners in new prisons and to carry out

repairs on the prison estate. It provides additional staffing and funding for regime activities, to keep prisoners constructively occupied.

With this money, this Government have provided for 1,540 new places in prisons and have supported the placing of an additional 2,280 prisoners in existing accommodation.

Asylum Seekers

Mr. Burstow: To ask the Secretary of State for the Home Department how many asylum seekers are currently held in category A prisons. [29182]

Mr. Mike O'Brien *[holding answer 12 February 1998]:* The available information on persons detained solely under Immigration Act powers in those prisons in England and Wales that contain category A accommodation is given in the table.

I regret that reliable information on the detention location of asylum seekers can be obtained only by examining individual case records and is, therefore, only available at disproportionate cost.

Persons recorded as being detained solely under Immigration Act powers in prisons in England and Wales which contain category A accommodation[1] [2] as at 31 December 1997[3]

Prison establishment	*Total detainees*
Belmarsh	9
Bristol	7
Doncaster	3
High Down	19
Manchester	2
Other	2
Total	42

[1] These prisons may also contain accommodation of categories other than category A.
[2] Detainees may be held in accommodation of a category other than category A.
[3] Data are provisional.

Cannabis

Mr. Flynn: To ask the Secretary of State for the Home Department what was the total cost in police time of detaining, arresting and prosecuting all those cautioned, prosecuted or convicted of offences involving cannabis in each of the past five years. [29138]

Mr. George Howarth *[holding answer 12 February 1998]:* The information requested is not collected for any such offences either centrally or locally. The cost of doing so would be prohibitive in terms of money and police resources.

EU Asylum and Immigration Policies

Mr. Beith: To ask the Secretary of State for the Home Department what discussions he has had with European Union nations concerning asylum and immigration policy since 1 May; what decisions have been made on policy matters; and if he will make a statement. [28845]

Mr. Straw: Since 1 May 1997, I have attended two formal Justice and Home Affairs (JHA) Councils, on 26–27 May and 4–5 December 1997, and two informal JHA Councils, on 9–10 October 1997 and 29–30 January 1998. At each of these, asylum and immigration policy has been discussed, as it has usually been at regular bi-lateral meetings with my counterparts from other member states of the European Union.

The decisions on immigration and asylum policy matters adopted by the Council since 1 May 1997 are:

A resolution on combating marriages of convenience:

A Decision on the exchange of information concerning assistance for the voluntary repatriation of third-country nationals:

A Decision on monitoring the implementation of instruments concerning asylum:

A Resolution on unaccompanied third-country national minors:

A Joint Action concerning the financing of specific projects in favour of asylum seekers and refugees;

A Joint Action concerning the financing of specific projects in favour of displaced persons who have found temporary protection in the member states and asylum seekers;

An Action Plan concerning the influx of migrants from Iraq and the neighbouring region.

Ministers of the member states of the European Union, meeting as the Article 18 Committee—established by the Convention determining the State responsible for examining applications for asylum lodged in one of the member states of the European Communities (Dublin Convention)—have also adopted, since 1 May 1997:

Rules of procedures of the Committee set up by Article 18 of the Dublin Convention:

Conclusions on the practical application of the Dublin Convention.

SCOTLAND

Local Authority Expenditure

Mr. Ernie Ross: To ask the Secretary of State for Scotland if he will make a statement on Scottish local authority expenditure constraints in 1998–99. [29916]

Mr. Dewar: The 1998–99 local government finance settlement is extremely tight and councils will have to make difficult choices when they set their budgets for next year. There is no scope to increase overall support for councils but, following discussions with the Convention of Scottish Local Authorities, I am pleased to announce a scheme which will allow many councils throughout Scotland to increase spending on front-line services by a further 0.25 per cent. of base budgets on top of the limits determined by my provisional capping principles. I hope that councils will direct this additional spending at our shared priorities, such as education. To offset this increase they will have to reduce their capital expenditure by the same amount.

I am also determined to keep council tax levels down, so local authorities will be allowed to take up this flexibility only if they keep their Band D council tax increase next year below £60. Councils will continue to face difficult decisions but this scheme will allow them the flexibility to make their own choices suitable to their local circumstances.

I have placed a copy of Scottish Office Finance Circular 3/98, which describes the details of the scheme, in the Library.

Foxes

Charlotte Atkins: To ask the Secretary of State for Scotland which Scottish fox destruction societies have had their government grants cancelled. [28629]

Mr. Macdonald: None. Under a modified grant scheme to be introduced on 1 April 1998 the cost of the upkeep of hounds will no longer be supported, following a review which found these costs to be disproportionate to the benefits achieved.

PRIME MINISTER

National Pensioners Convention

Mr. Gordon Prentice: To ask the Prime Minister when he last met representatives from the National Pensioners Convention. [29572]

The Prime Minister: While I have not had any formal meetings with the National Pensioners Convention (NPC), their representatives have met my right hon. Friend the Secretary of State for Social Security and the Parliamentary Under-Secretary of State for Social Security, my hon. Friend the Member for Southampton, Itchen (Mr. Denham), who is responsible for pensions. The most recent meeting was on 28 January.

FOREIGN AND COMMONWEALTH AFFAIRS

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27798]

Mr. Doug Henderson *[holding answer 5 February 1998]:* The following list has been compiled.

Item	*Date*	*Value (£)*
Telephone answer machine	June 1997	50
Computer printer and screen	June 1997	450
Computer processor	June 1997	1,000
Laptop computer	October 1997	3,000

Arms Exports

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions on arms exports from Britain he held during his visit to South East Asia in 1997; and if he will make a statement. [29119]

Mr. Fatchett: Defence sales issues, including our new criteria for considering export licence applications, were discussed in Indonesia, Malaysia and the Philippines during my right hon. Friend the Foreign Secretary's visit to the region in August 1997.

Correspondence

Mr. Yeo: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to reply to the letter of 2 December 1997, from the hon. Member for South Suffolk regarding his constituent, Mr. Reginald Clarke. [29384]

Mr. Fatchett: We await further details from the High Commission in Nairobi about this case. The Migration and Visa Department will write to the hon. Member within the next few days.

Ponsonby Rule

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 16 December 1997, *Official Report*, column *101*, if he will list all such treaties subject to the Ponsonby Rule laid before Parliament since 1 January 1997 indicating the last date of the 21 day period; and what form notification of Parliament took in respect of each treaty. [26236]

Mr. Tony Lloyd: A total of 15 treaties subject to the Ponsonby rule have been laid before Parliament since 1 January 1997. They are listed below. The last day of the 21 day period is indicated on the list. These treaties have all been laid with an Explanatory Memorandum (EM) bringing to the attention of Parliament the main features of the treaty with which it is laid.

Convention on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Canada.

Publication reference: Canada No. 1 (1997) Cm 3582

EM No. 1

Presented to Parliament: 24 March 1997

Last date of 21 day period: 12 June 1997.

World Intellectual Property Organization (WIPO) Performances and Phonograms Treaty.

Publication reference: Miscellaneous No. 8 (1997) Cm 3728

EM No. 2

Presented to Parliament: 30 July 1997

Last date of 21 day period: 20 November 1997.

Protocol to the Partnership and Co-operation Agreement, establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part.

Publication reference: European Communities No. 8 (1997) Cm 3733

EM No. 3

Presented to Parliament: 13 August 1997

Last date of 21 day period: 24 November 1997.

Protocol to the Partnership and Co-operation Agreement between the European Communities and their Member States, of the one part, and Ukraine, of the other part.

Publication reference: European Communities No. 9 (1997) Cm 3734

EM No. 4

Presented to Parliament: 13 August 1997

Last date of 21 day period: 24 November 1997.

Protocol to the Partnership and Co-operation Agreement, establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Moldova, of the other part.

Publication reference: European Communities No. 10 (1997) Cm 3735

EM No. 5

Presented to Parliament: 13 August 1997

Last date of 21 day period: 24 November 1997.

World Intellectual Property Organization (WIPO) Copyright Treaty

Publication reference: Miscellaneous No. 9 (1997) Cm 3736

EM No. 6

Presented to Parliament: 13 August 1997

Last date of 21 day period: 24 November 1997.

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Antigua and Barbuda concerning the investigation, restraint and confiscation of the proceeds and instruments of crime.

Publication reference: Antigua and Barbuda No. 1 (1997) Cm 3741

EM No. 7

Presented to Parliament: 20 August 1997

Last date of 21 day period: 24 November 1997.

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Australia concerning the investigation, restraint and confiscation of the proceeds and instruments of crime.

Publication reference: Australia No. 1 (1997) Cm 3742

EM No. 8

Presented to Parliament: 20 August 1997

Last date of 21 day period: 24 November 1997.

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Colombia concerning mutual assistance in relation to criminal matters.

Publication reference: Colombia No. 1 (1997) Cm 3743

EM No. 9

Presented to Parliament: 20 August 1997

Last date of 21 day period: 24 November 1997.

Protocol drawn up, on the basis of Article K.3 of the Treaty of European Union and Article 41(3) of the Europol Convention, on the privileges and immunities of Europol, the members of its organs, the deputy directors and employees of Europol.

Publication reference: European Communities No. 12 (1997) Cm 3767

EM No. 14

Presented to Parliament: 8 October 1997

Last date of 21 day period: 24 November 1997.

Treaty of Amsterdam amending the Treaty on European Union, the treaties establishing the European Communities and certain related acts including the protocols with final act, declarations and consolidated versions of the Treaty on European Union and the treaty establishing the European Community.

Publication reference: European Communities 14 (1997) Cm 3780

EM No. 16

Presented to Parliament: 29 October 1997

Last date of 21 day period: 26 November 1997.

Draft Agreement relating to the commission established by the convention for the protection of the marine environment in the North-East Atlantic 1992.

Publication reference: Miscellaneous No. 11 (1997) Cm 3796

EM No. 17

Presented to Parliament: 12 November 1997

Last date of 21 day period: 10 December 1997.

Convention between the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the French Republic, and the Government of the Federal Republic of Germany concerning scientific personnel at the Max Von Laue-Paul Langevin Institute.

Publication reference: Miscellaneous No. 12 (1997) Cm 3821

EM No. 18

Presented to Parliament: 10 December 1997

Last date of 21 day period: 27 January 1998.

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Hong Kong Special Administrative Region of the People's Republic of China for the surrender of fugitive offenders.

Publication reference: Hong Kong No. 1 (1998) Cm 3843

EM No. 19

Presented to Parliament: 16 January 1998

Last date of 21 day period: 13 February 1998.

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Hong Kong Special Administrative Region of the People's Republic of China for the transfer of sentenced persons.

Publication reference: Hong Kong No. 2 (1998) Cm 3844

EM No. 20

Presented to Parliament: 16 January 1998

Last date of 21 day period: 13 February 1998.

TREASURY

Asbestosis

Mr. Clapham: To ask the Chancellor of the Exchequer how many people were diagnosed as suffering from asbestosis in 1996 in each *(a)* parliamentary constituency and *(b)* local authority area. [29234]

Mrs. Liddell *[holding answer 12 February 1998]:* The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from John Fox to Mr. Michael Clapham, dated 13 February 1998:

The Chancellor of the Exchequer has asked the Director of the Office for National Statistics (ONS) to answer your recent question on the number of people diagnosed as suffering from asbestosis in 1996 in each *(a)* parliamentary constituency and *(b)* local authority area. I am replying in the Director's absence.

The only information centrally available covers deaths from asbestosis in 1996. There are no registers kept on cases of asbestosis diagnoses whilst people are still alive. Data from Hospital Episode Statistics (Department of Health) are not suitable because they relate to the number of treatments rather than the number of individuals.

The deaths figures are given in the following table:

Deaths from asbestosis in England and Wales by local authority of residence, 1996

County	*Local authority*	
Greater London		15
	Barking and Dagenham LB	5
	Havering LB	1
	Hillingdon LB	1
	Lambeth LB	1
	Newham LB	4
	Redbridge LB	1
	Southwark LB	1
	Tower Hamlets LB	1
Greater Manchester		2
	Rochdale MD	1
	Salford MD	1
Merseyside		7
	Knowsley MD	1
	Wirral MD	6

Deaths from asbestosis in England and Wales by local authority of residence, 1996

County	*Local authority*	
Tyne and Wear		8
	Newcastle upon Tyne MD	1
	North Tyneside MD	3
	Sunderland MD	4
West Midlands		1
	Walsall MD	1
West Yorkshire		1
	Wakefield MD	1
Bedfordshire		1
	South Bedfordshire CD	1
Cheshire		2
	Crewe and Nantwich CD	1
	Macclesfield CD	1
Cumbria		1
	Barrow-in-Furness CD	1
Derbyshire		1
	Erewash CD	1
Devon		4
	Plymouth CD	3
	Torbay CD	1
East Sussex		1
	Hove CD	1
Hampshire		5
	Gosport CD	1
	Havant CD	1
	New Forest CD	1
	Southampton CD	2
Kent		2
	Canterbury CD	1
	Gillingham CD	1
Lancashire		1
	Blackburn CD	1
Staffordshire		2
	Stafford CD	2
Surrey		1
	Woking CD	1
Wiltshire		1
	Kennet CD	1
Unitary authorities		
	Bath and North East Somerset UA	1
	Bristol UA	1
	Cardiff UA	1
	Denbighshire UA	1
	Hartlepool UA	1
	Isle of Wight UA	3
	Kingston upon Hull UA	1
	Newport UA	1
	Stockton-on-Tees UA	2
Total		68

Notes:
1. The table shows only those local authorities in which a death occurred. Similar data at parliamentary constituency level could be presented only at disproportionate cost.
2. Deaths from asbestosis were identified as those certified with an underlying cause coded to ICD9 code 501 (International Classification of Diseases Ninth Revision).

Absenteeism

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26573]

Mrs. Liddell *[holding answer 5 February 1998]:* I refer the hon. Member to the answer given by my right hon. Friend the Chancellor of the Duchy of Lancaster to my hon. Friend the Member for City of Durham (Mr. Steinberg) on 10 February 1998, *Official Report*, column *116*. The figures in the table are estimates of average days of sickness absence per member of staff for the financial years requested, and may not therefore be consistent with the published figures, which are on a calendar year basis.

Absenteeism rates
Chancellor's departments and agencies

	Financial year		
	1995–96	*1996–97*	*1997–98 (to date)*
(a) Departments			
Customs and Excise	11.8	12.6	10.3
Government Actuary's Department	11.5	12.6	6.4
Inland Revenue	9.5	10.1	9.6
HM Treasury	6	6.8	5.3
(b) Agencies			
Royal Mint	4.4	4.3	4.9
National Savings Agency	13.6	11.4	9.6
Office for National Statistics	14	12.5	10.3
Valuation Office Agency	9.3	8.9	7.1

(c) The non-departmental public bodies for which the Chancellor of the Exchequer is responsible do not employ any staff.

Smuggling

Mr. Cotter: To ask the Chancellor of the Exchequer, pursuant to his answer of 22 January 1998, *Official Report*, column *648*, if he will list the (i) trade associations, (ii) public agencies, (iii) organisations and (iv) individuals who have contributed to the production of the report on alcohol and tobacco smuggling, cross border shopping and fraud currently being prepared by HM Customs and Excise; and if he will make a statement. [28527]

Dawn Primarolo: Seventy-one trade associations, public agencies and organisations contributed to the production of the review report. In addition 14 individuals contributed mainly from the fields of health and the off licence trade.

Action on Smoking and Health
Alcohol Concern
Association of Alcohol Misuse Co-ordinating Committee
Association of Convenience Stores
Association des Brasseurs De France
John Barker Vending
BASS Brewers PLC
The Benefits Agency
Bonded Warehouse Keepers Association
Bracken Bank Stores

Brewers & Licensed Retailers Association
British Institute of Innkeeping
British International Freight Association
British Medical Association
British Retail Consortium
British Tourist Authority
British Vehicle Rental & Leasing Association
Campaign For Real Ale
Cancer Research Campaign
Castle Supermarket
Caxton Tower Wines Limited
Danish Brewers' Association
De La Rue
Department for Education and Employment
Department of Trade and Industry
Department of Health
Department of the Environment Transport and the Regions
DGXXI
Dover District Council
Dover Harbour Board
Driver & Vehicle Licensing Agency
Duty Free Confederation
E. T. Logistics Limited
Faculty of Public Health Medicine, Royal College of Physicians
Federation of the Retail Licensed Trade Northern Ireland
Federation of Wholesale Distributors
Freight Transport Association
Gin & Vodka Association of Great Britain
Glenwood Stores
Hanslope Wines
Health Promotion Wales
The Home Office
Imported Tobacco Products Advisory Council
Independent Family Brewers of Britain
Institute of Alcohol Studies
Institute of Trading Standards Administration
Irish Revenue Commissioners
Kent County Constabulary
Local Authorities Co-ordinating Body on Food and Trading Standards
Maclay Group
Merseyside & Cheshire Alcohol Services Limited
Ministry of Agriculture Fisheries & Food
Morison Stoncham Chartered Accountants
Mulcaster Public Relations and Marketing
National Association of Alcohol Misuse Co-ordinating Committees
National Association of Cider Makers
National Association of Cigarette Machine Operators
National Criminal Intelligence Service
National Federation of Retail Newsagents
Oddbins
The Offey
The Portman Group
Dr. Martin Raw
Road Haulage Association
John Sainsbury's Supermarkets PLC
Scotch Whisky Association
The Scottish Council on Alcohol
Scottish Licensed Trade Association
Scottish & Newcastle
The Scottish Office (Industrial Policy Division)
Shepherd Neame Master Brewers
Small Independent Brewers Association
Swedish Tax Administrations & Customs
The Tobacco Alliance
Tobacco Manufacturers Association
Unite de la Lutte Anti-Fraude (UCLAF)
United Kingdom Warehouse Keepers Association
University of Nottingham—Division of Respiratory Medicine
VIDS Off Licence
The Wholesale Confectionery & Tobacco Alliance Ltd.
William Grant & Sons Limited
The Wine & Beer Company
Wine & Spirits Association of Great Britain & Northern Ireland
Yale Wines Ltd.
Zenith Off Licence.

Mrs. Lait: To ask the Chancellor of the Exchequer what methods are used to dispose of seized smuggled or bootlegged alcohol and tobacco and its products. [27926]

Dawn Primarolo: Customs aims to dispose of seized alcohol and tobacco by the most environmentally friendly means. Beer is recycled into agricultural products, and spirits into methylated spirits, although more recently Customs have set up arrangements which allow the resale of bulk consignments back to the originating UK manufacturer. Wine and tobacco products, because of their limited shelf life and the need to store them in the right conditions, are destroyed.

Mrs. Lait: To ask the Chancellor of the Exchequer how many WTE customs officers have been working on countering the smuggling or bootlegging of tobacco and alcohol in each year since 1991. [27931]

Dawn Primarolo: The following number of Excise Verification Officers have been deployed by Customs to counter excise smuggling at the beginning of each financial year since the advent of the Single Market on 1 January 1993:

Year commencing: 1 April 1993: 230
Year commencing: 1 April 1994: 230
Year commencing: 1 April 1995: 240
Year commencing: 1 April 1996: 260
Year commencing: 1 April 1997: 330.

These frontline officers are backed up by specialist investigation and intelligence teams whose resources have been increased since 1993.

Prior to the introduction of the Single Market on 1 January 1993, Customs staff at ports of entry dealt with the full range of social and fiscal prohibitions and restrictions; there was no separate group dedicated solely to countering excise smuggling.

Customs and Excise

Mrs. Lait: To ask the Chancellor of the Exchequer what is the total budget of the National Investigation

Service of Customs and Excise for the current financial year; and what is the anticipated end of year outturn figure. [28475]

Dawn Primarolo: The Budget for the National Investigation Service for the current financial year is £95,162,053. The end of year outturn is anticipated to be in line with this.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Council Tax

Mr. Woolas: To ask the Secretary of State for the Environment, Transport and the Regions what would be the average council tax for each local authority in England if each authority's net revenue expenditure 1998–99 was set at the provisional capping level and, excepting the receipts from each local authority's share of NNDR, had to be met entirely from council tax receipts. [28285]

Mr. Raynsford: I have today placed in the Library of the House a table showing the information requested.

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27803]

Angela Eagle *[holding answer 5 February 1998]:* The total value of those items valued at more than £25 each that have been stolen or lost from my Department and its Agencies since 1 May 1997 is £15,427. The cases comprise 16 items of IT equipment, one electronic stapler, one dictating machine, one portable telephone, 16 pagers, nine radios, two sets of clothing and one pair of binoculars.

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date. [27802]

Angela Eagle *[holding answer 5 February 1998]:* I am able to provide the following information about the cost of theft and fraud to *(a)* the Department of Environment, Transport and the Regions, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date.

	1995–96 cost (£)	*1996–97 cost (£)*	*1997–98 to date cost (£)*
DETR (central)	112,510	148,219	52,256
Agencies	108,646	52,991	27,117
NDPBs	157,283	74,725	96,062

The information on agencies and NDPBs is that available centrally in DETR and the costs are the most recent estimate net of recoveries.

The costs include those borne on the Administration and Programme Votes.

Local Plans

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if HM Government have *(a)* made and *(b)* proposes objection to the contents of the draft Verwood, Three Legged Cross and St. Leonards and St. Ives Local Plan. [28523]

Mr. Raynsford: The Secretary of State made eight objections in January 1993. These objections have been maintained.

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if the Government will direct East Dorset District Council to withdraw the Verwood draft local plan. [28482]

Mr. Raynsford: The Secretary of State has no power to direct withdrawal of a draft plan.

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce a maximum period within which a local authority has to adopt a draft plan after completion of all stages prior to adoption; and if he will make a statement. [28481]

Mr. Raynsford: No, but we will be issuing a consultation paper on changes to development plan procedures shortly.

Committee on Standards in Public Life

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on the public consultation on the Third Report on the Committee on Standards in Public Life (Cm 3702) announced by the Prime Minister on 8 July 1997. [28313]

Mr. Raynsford: Following the end of the consultation period on 31 October 1997, we have been considering carefully with the Local Government Association and other interested bodies how best to develop a new ethical framework designed to ensure the highest standards of conduct by all those involved in local government. We intend to publish our proposals in the next month or so.

Housing (Hampshire)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been allocated by *(a)* his Department and *(b)* the Housing Corporation to support new social housing in the Portsmouth City Council area in each of the last five years. [27549]

Mr. Raynsford *[holding answer 6 February 1998]:* The Department provides funding for new social housing through grant-in-aid to the Housing Corporation. The grant is allocated to Registered Social Landlords through the Housing Corporation's Approval Development Programme. Local authorities may also choose to invest in new social housing. Local authority spending on the provision of new social housing by Registered Social Landlords which meets the Housing Corporation's criteria is reimbursed by Local Authority Social Housing Grant from the Corporation.

Allocations for the provision of new social housing by Registered Social Landlords in Portsmouth are shown below. Additional social lettings are also provided through grants to tenants to help them buy a new home and vacate their existing dwelling for reletting, and the Housing Corporation's Do-It-Yourself Shared Ownership scheme for tenants (DIYSO). Expenditure on these home ownership schemes is excluded from the figures below.

£m

Year	Approved Development Programme	Local Authority Social Housing Grant
1993–94	4.02	4.68
1994–95	4.44	1.20
1995–96	1.61	0.86
1996–97	6.22	1.59
1997–98	2.00	0.54

Notes:

1. 1997–98 figures are start of year allocations.
2. The figures include allocations for new build social housing and the purchase and rehabilitation of existing private sector properties for social housing. The figures exclude allocations for works to existing stock owned by Registered Social Landlords; temporary social and market rent housing; grants to help tenants buy a new home and vacate their existing property for reletting; and the Housing Corporation's Do-It-Yourself Shared Ownership scheme.

Waste Management

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions (1) what steps he is taking to encourage local authorities to choose a recycling route for waste management in place of incineration; [28509]

(2) what independent scientific advice he has sought in respect of the optimum size of a waste to energy facility which will not undermine the potential for mechanical recovery of recyclables; [28459]

(3) what steps he is taking to ensure that each local authority regularly receives the option of establishing a properly balanced waste management strategy. [28460]

Angela Eagle: The option to establish a properly balanced waste management strategy is open to all local authorities at any time. It is for each local authority to decide on its use of the various waste management options within its available resources.

In October 1997 I announced that the Government accepted in full the recommendations of the Review Group on the Local Authority Role in Recycling, which reported in February 1997. One of its key recommendations was that Waste Disposal Authorities should work closely with their constituent Waste Collection Authorities to establish a fully integrated municipal waste management strategy.

The Department is also shortly to issue revised guidance to local authorities on the preparation and revision of recycling plans. I hope that all local authorities will look at all the available options for managing waste in developing an integrated municipal waste management strategy with other authorities, the public, the private and voluntary sectors. Recycling is to be preferred to incineration with recovery if and when it represents the best practicable environmental option. Equally, incineration with energy recovery is generally likely to be preferable to disposal.

That guidance also advises authorities developing integrated strategies that the high capital costs of energy from waste plants generally require long-term waste contracts to be agreed. Local authorities considering energy from waste will therefore wish to guard against over-reliance on this option, and will wish to take a view on likely future developments in waste management practices and technology. In particular, they will wish to ensure that the use of energy from waste plants does not divert waste from recycling and composting, and, indeed, allows scope for increases in recycling and composting activity.

The Department has not sought independent scientific advice on the optimum size for waste to energy incinerators.

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on accelerating public inquiry procedures for waste incineration at waste to energy plants. [28507]

Mr. Raynsford: I am not aware of any specific representations on accelerating public inquiry procedures for waste incineration at waste to energy plants, although my officials maintain a regular dialogue with the Energy from Waste trade association.

Public Servants (Political Impartiality)

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions when proposals to reform the Housing and Local Government Act 1989 relating to politically restricted posts will be brought forward; and if he will make a statement. [28314]

Mr. Raynsford: The Government remain firmly committed to the principle of political impartiality among senior and other front line public servants, but we are reviewing the restrictions on political activity by local government officers to ensure that their detail and coverage are appropriate. We intend to publish proposals for consultation by the early spring.

Waste Water Treatment

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the extent and cause of eutrophication in Langstone Harbour; and what counter-measures his Department has taken. [28705]

Angela Eagle: Advice from the Environment Agency indicates that Langstone Harbour is subject to effects of eutrophication such as regular and extensive dense weed growth. The Agency has identified water from the Eastern Solent as the major source of nutrients in the Harbour.

The Environment Agency has not taken any counter-measures in the Harbour. However, the Agency has considered the case for designation of the Harbour as a eutrophic sensitive area as part of the first review of designations required by the Urban Waste Water Treatment Directive. We shall be considering the Agency's recommendations from this review shortly.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the official water category status under the Urban Waste Water Treatment Directive of the Solent area; and what plans he has to alter this status. [28798]

Angela Eagle: The Solent is an estuarine water body under the Urban Waste Water Treatment Directive. Sewage treatment works which serve a larger than 2000 population equivalent and which discharge into estuaries are required to meet the Directive's secondary treatment standards. The Environment Agency considered the potential for identification of the Solent as a eutrophic sensitive area, in order to make recommendations to Government on the first review of designations required by the Directive. We shall be considering the Agency's recommendations from this review shortly.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions (1) what preliminary research his Department undertook prior to the determination of the standards required in the discharge consents granted to Southern Water's waste water treatment plants in the Solent; and by what means his Department evaluates the current discharge consents; [28799]

(2) what standards were applied to the procedures used to determine the standards required for the discharge consents for the proposed new Southern Water sites at Portsmouth and Havant; and what assessment he has made of the extent to which these standards were complied with; [28801]

(3) what assessment he has made of the ability of the proposed new Southern Water sites at Portsmouth and Havant to meet the required water quality standards; [28702]

(4) what assessment the Environment Agency has made of the compliance of the current storm overflow at Budds Farm with EU water standards; [28650]

(5) what account the Environment Agency took of representations from local people in determining the standards required in the discharge consent for Langstone Harbour and the Solent. [28800]

Angela Eagle: The existing standards for the discharges to the Solent were set by the Environment Agency to secure compliance with all relevant environment quality standards contained in EC Directives in force at the time. The Environment Agency is required to review discharge consents at least every four years.

So far as the current proposals are concerned, the Environment Agency undertook a substantial review of existing data in 1993–94 to confirm that the Solent should be designated as an estuary under the terms of the Urban Waste Waster Treatment Directive. This means that all qualifying discharges into the Solent, including the Portsmouth and Havant schemes, are required to receive secondary biological treatment by 2000.

The Environment Agency will derive the appropriate quality standards for the Portsmouth and Havant discharges by applying national policy and technical guidance relating to water services companies' discharges. This is currently set out comprehensively in the AMP2 Guidelines Version 2 in the Environment Agency's Discharge Consents Manual.

An important element of the proposals is to provide secondary biologically treated effluent for flows arising from the Portsmouth, Havant and Hayling Island catchments discharging through the Eastney long sea outfall into the Solent. The Environment Agency is currently determining the consent applications and has employed external consultants to audit the proposals rigorously to ensure they fully comply with the requirements of all relevant Directives. So far as the Bathing Water Directive is concerned, the Environment Agency will ensure continued compliance with the Imperative standards and is assessing the achievement of the more stringent Guideline standards.

All relevant EC Directives have been taken into account in assessing the compliance of the current storm overflows at Budds Farm. In particular, the Dangerous Substances Directive and the Urban Waste Water Treatment Directive apply directly to Langstone Harbour. The Environment Agency exerts control for the purposes of the Dangerous Substances Directive by imposing upon water services companies, requirements for limiting trade effluent discharges to sewers. Studies have shown the impact of the storm overflows in relation to the Urban Waste Water Treatment Directive sensitive waters requirements are not significant. The treatment scheme will also address aesthetic improvements to storm overflows and will significantly reduce spill frequencies in recognition of the important commercial, amenity and conservation interests within Langstone Harbour.

The Environment Agency has issued, for comment, copies of discharge consent applications and supporting documentation to all statutory consultees, including local authorities, the County Council, MAFF (Centre for Environment, Fisheries and Aquaculture Science), Southern Sea Fisheries and English Nature. The Environment Agency will take account of their comments when determining the discharge consents. The applications have also been advertised in accordance with the Control of Pollution (Applications, Appeals and Registers) Regulations 1996. The Environment Agency has responded to all correspondence received, which will also be taken into account when determining the discharge consents.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what guidance his Department issues on the appropriate treatment of waste water in *(a)* estuaries and *(b)* sensitive water areas. [28707]

Angela Eagle: The EC Urban Waste Water Treatment Directive lays down requirements for treatment of waste water discharged to estuaries and designated sensitive areas. All discharges to estuaries serving population equivalents greater than 2000 must receive secondary treatment. Discharges to sensitive areas must receive more stringent treatment involving the removal of nitrogen or phosphorus. The Environment Agency is responsible for determining, through the discharge consent system, how these requirements should be applied in particular cases. However, in July 1997, my Department issued a Guidance Note for dischargers and regulators on the implementation and interpretation of the Directive's requirements, which had been developed in consultation with other Government Departments, the water industry and its regulators.

Housing (Tenancies)

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions if he will enable housing corporations to use introductory tenancies and selective lettings in the way that local authorities were enabled to do under the Housing Act 1996. [28864]

Mr. Raynsford: Housing companies which are registered with the Housing Corporation as Registered Social Landlords (RSLs) are subject to the Corporation's Performance Standards and Regulatory Guidance. These will allow RSLs to use assured shorthold tenancies effectively as introductory tenancies, in defined circumstances.

The Housing Corporation requires RSLs to seek the agreement of the relevant local authority when contemplating the use of such introductory tenancies.

Drinking Water Quality

Mr. Todd: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure that standards of lead in water at the domestic tap meet future health standards. [28720]

Angela Eagle: Water suppliers must ensure that the water they supply complies with the standards that have been set for drinking water quality. New standards for lead will be introduced by the new EC Drinking Water Directive when it is adopted.

Out-of-Town Retail Developments

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the Government do not hold central records of planning permissions granted for major out-of-town retail developments. [28635]

Mr. Raynsford: Most decisions on planning applications for major out-of-town retail developments are taken by local planning authorities. They provide statistical returns of all major "retail, distribution and servicing" applications which they handle, in order to provide an overall picture of planning activity. These data do not classify applications by location. The Government are anxious to keep their requirements for data from local authorities to a necessary minimum. We do, however, propose to set up a system with the Planning Inspectorate, which should enable us to provide information on such permissions granted on appeal or following call in by the Secretary of State for recent and future development.

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions how many planning permissions were granted on appeal or following call-in by the Secretary of State for major out-of-town retail developments *(a)* between January 1988 and April 1997 and *(b)* since 1 May 1997. [29210]

Mr. Raynsford *[holding answer 12 February 1998]:* The information requested is not held on this basis. The results of appeals are not classified by size or by location. It is, therefore, not feasible at the moment to assemble such information, except at disproportionate cost. We propose to set up a system with the Planning Inspectorate, which should enable us to provide this information for recent and all future developments.

Ordnance Survey (Scotland)

Ms Roseanna Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions how many people are employed by Ordnance Survey in Scotland, broken down by job category; what facilities for map making the Ordnance Survey maintains in Scotland; and if he will provide a breakdown of Ordnance Survey spending in Scotland as a ratio of overall spending in each year since 1990. [28551]

Mr. Raynsford *[holding answer 11 February 1998]:* Ordnance Survey in Great Britain currently employs 66 people in Scotland, 63 of whom are based in the seven Scottish field offices which are located in Inverness, Aberdeen, Glenrothes, Edinburgh, Glasgow, Hamilton and Ayr. These people are directly involved in the surveying and capturing of mapping data to update the National Topographic Database (NTD) and other related products (eg ADDRESS-POINT™). In addition, Ordnance Survey Scottish Region is responsible for the re-mapping of parts of Cumbria. The data collected are sent to Ordnance Survey's headquarters in Southampton where they are incorporated into the NTD and related databases; no actual map making is carried out in the field offices.

The table provides a breakdown of the types of jobs Ordnance Survey staff based in Scotland are engaged in:

Job title	*Number of staff*
Region Manager	1
Chief Surveyor	5
Surveyors	49
Administrators	5
Survey Assistants	3
Field Sales Executive for Scotland	1
Regional Account Manager for Scotland	1
Assistant Regional Account Manager for Scotland	1
Total	66

In addition to the people included in the table, many of 1,300 Ordnance Survey staff based at its headquarters are also engaged in activities related to the capture of mapping data (eg from aerial photographs, the taking of which is co-ordinated from Southampton and undertaken from an aeroplane which flies from Blackpool), and the production of maps and related products, of both Scotland and the rest of Great Britain.

Ordnance Survey updates its maps primarily in relation to the local rate of change in the landscape. Thus more work is done locally where new roads, housing estates, etc are created than in mountain and moorland areas. No specific breakdown of effort has been made in the past between England, Scotland and Wales but systems will be put in place to provide such statistics to the Scottish Parliament (the hon. Lady may already be aware that the subject matter of the Ordnance Survey Act 1841 is reserved in the Scotland Bill published last December). The best estimates currently possible are that Ordnance Survey expends approximately 7.5 per cent. of its total out-goings on re-mapping Scotland and that this fairly reflects a combination of continuous revision caused by new developments in Scotland and periodic revisions to cover the whole country.

Standard Spending Assessments (Buckinghamshire)

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions what the Social Services SSA for Buckinghamshire County Council for 1998–99 would be calculated on the basis of the composition and weighting of the SSA formula in 1997–98 *(a)* in cash terms and *(b)* per head of population in Buckinghamshire. [28738]

Mr. Raynsford *[holding answer 11 February 1998]:* If calculated using the SSA formulae applicable for 1997–98, and the data and national totals applicable for 1998–99, the Personal Social Services SSA for Buckinghamshire Country Council would be: *(a)* £54.205 million; and *(b)* £114.22 per Buckinghamshire resident.

Executive Mayors

Sir Norman Fowler: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce executive mayors; on what timescale; and if he will make a statement. [29228]

Ms Armstrong *[holding answer 12 February 1998]:* In our consultation paper "Local Democracy and Community Leadership", which we published on Monday 9 February, we recognised that there is a strong argument for councils' adopting political and management structures which involve a separation of executive and representational roles. It will be open to local authorities to pilot such structures, including those of executive mayors, if the Local Government (Experimental Arrangements) Bill is enacted. This Bill, to which the Government are giving all the support that they can, is currently being considered in another place. I will consider the responses we receive to the consultation paper, and we will publish our proposals in a White Paper later this year.

Industrial Land (Reclamation)

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions what projects his Department is funding to restore land previously used for industry to its natural state. [29374]

Mr. Raynsford: Through its programmes and agencies the Department of the Environment, Transport and Regions sponsors a range of projects in which the reclamation of land forms a part. Land is reclaimed for both hard end uses such as housing, commercial and industrial development, and soft end uses, for example parks and forestry. Further information is available in the Department's Annual Report 1997 (Cm. 3607), but it is not possible to list projects individually, nor to identify the previous land use.

Local Government Finance

Mr. McLoughlin: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his oral statement of 5 February 1998, *Official Report*, column 1258, on local government settlements for Derbyshire, on what evidence he based his statement that there were difficulties in financing Derbyshire for some years under the previous administration. [29140]

Mr. Raynsford *[holding answer 12 February 1998]:* In their representation on the proposed settlement, Derbyshire pointed out that they had the lowest cumulative increase in cap limit of any shire county between 1989–90 and 1997–98; and among the lowest cumulative increase in Government assessment of need to spend over that period.

Mr. McLoughlin: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his oral statement of 5 February 1998, *Official Report*, column 1258, on Derbyshire's local government settlements, what plans he has to redress the effects of the discrimination in recent settlements which he has identified. [29142]

Mr. Raynsford *[holding answer 12 February 1998]:* My right hon. Friend the Secretary of State for the Environment, Transport and the Regions has made several changes to the distribution of Government grant to local authorities to improve the overall fairness of the local government finance settlement. He has also made clear his intention to passport a wider range of increases in SSAs through the capping guidelines. We shall hold discussions with local government during 1998 to identify further possible improvements to the way in which grant is distributed among authorities.

Mr. McLoughlin: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his oral statement of 5 February 1998, *Official Report*, column 1258, on local government settlements for Derbyshire, what assessment he has made of the level of discrimination in local government settlements for those counties whose standard spending assessments are lower than Derbyshire. [29141]

Mr. Raynsford: Standard spending assessments (SSAs) vary between authorities for a number of reasons. These include variations in local circumstances, such as total population and numbers of children of school age; and the way in which those variations are treated in the calculation of SSAs.

Jubilee Line

Sir Norman Fowler: To ask the Secretary of State for the Environment, Transport and the Regions (1) what estimate he has made of the final cost of the Jubilee Line extension; and if he will make a statement; [29484]

(2) if he will make a statement on the problems causing delay in the construction of the Jubilee Line extension; [29486]

(3) when he expects that the Jubilee Line extension will be in operation; and if he will make a statement. [29485]

Ms Glenda Jackson: London Underground announced on Monday 9 February that it now plans to open a full through Jubilee Line service from Stanmore to Stratford in the spring of 1999.

The Jubilee Line Extension is one of the largest construction projects in Europe. With a project of this size and complexity, problems are bound to arise. Serious delays arose when tunnelling on two contracts had to be stopped for some months as a precautionary measure following the 'New Austrian Tunnelling Method' collapse on the Heathrow Express project. Additional delays arose from construction problems at some stations, in particular

the complex Westminster station where construction has taken place around the existing District and Circle Lines and very close to the foundations of Big Ben. Tunnelling and other civil engineering works are now complete, fitting-out is under way and the new trains are being introduced to passenger service on the existing Jubilee Line. Development of the high technology signalling system for the line is however taking longer than anticipated, leading to the need to prepare and install more conventional signalling for use until the new system is ready.

London Transport currently estimate the total cost of completing the Extension to be £2.76 billion.

Sustainable Development

Mr. Gray: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the function of the Sustainable Development Unit. [29437]

Angela Eagle: The Sustainable Development Unit is located in the Department of the Environment, Transport and the Regions. Working with the Scottish Office, Welsh Office and Northern Ireland Office, it has a Government-wide remit to promote sustainable development and concern for the environment across Government. The Unit's work programme includes the review of the UK Sustainable Development Strategy; the Greening Government initiative; Freedom of Access to Information on the Environment; Government promotion of Local Agenda 21; and sponsorship of and responding to the Government Panel on Sustainable Development, the UK Round Table on Sustainable Development and the Royal Commission on Environmental Pollution.

French Lorry Drivers' Dispute

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions how much compensation has been paid to British hauliers following the French lorry drivers' dispute in 1997. [29388]

Angela Eagle: This information is not available. Because British hauliers had advance notice of last year's dispute, most managed to avoid the disruption, and so it is expected that few claims will have been submitted.

DEFENCE

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for Defence if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27837]

Mr. Spellar: The Ministry of Defence defines major computer systems as those whose estimated costs exceed £50m. Many of these systems are acquired in a phased manner, with delivery and payment occurring over a number of years. Projects which have completed their delivery over the past five years are shown in Table 1.

Table 1
Projects completed

System		*In service date (ISD)*	*Total cost (£ million)*
AD CIS	Air Defence Command and Control Information Systems (Army)	1995–96	71
BATES	Battlefield Artillery Target Engagement Systems (Army)	1996	360
DAWN	Delivery of the Abbey Wood Network (Procurement Executive)	1996	70

Table 2 contains projects which have delivered some elements during the past five years, with further phases to be delivered over the next financial year and beyond.

Table 2. Projects to be completed

UNICOM: Unit Computing Project (Army)

CASH: Computer Assistance Support to Headquarters (Army)

CHOTS: Corporate Headquarters Office Technology System (MOD Centre)

FAAITS: Fleet Air Arm Information Technology System (Navy).

Information concerning the costs and In Service Dates of UNICOM, CASH and CHOTS are published in Table 8 of Chapter 4 and Annexe E of the Statement on the Defence Estimates 1996 (Cmd 3223). For FAAITS, the original estimate of programme cost was £50m; the majority of the phases of the project have been delivered, with final elements to be delivered by August 1999.

Major computer systems under development are set out in Table 3. These systems will deliver over the next financial year and beyond.

Table 3. Projects under development

LITS: Logistics IT Systems (RAF)

CAPITAL: Resource Accounting and Budgetary System (MOD Centre)

UPKEEP: Naval Logistics System (RN)

ASPECT: Computer Support Tools for Procurement Executive

RAF CCIS: Command and Control Information System (RAF)

CATT: Battlegroup Trainer (Army)

CSS: Command Support System (Navy)

JBD: Battlespace Digitisation (Joint)

TAFMIS: Training Administration Financial Management Information System (Army Training and Recruitment Agencies)

AFPAA: Armed Forces Personnel Administration Agency Information System

PPA: Pay and Personnel Agency Partnership Programme.

The allocations of funds to the projects in Table 3 are included in the Department's Long Term Costings. The Department's internal plans represent projections and assumptions which inform advice to Ministers on the

affordability of particular elements of the Defence Programme. Accordingly, I am withholding the costing information requested, which constitutes internal decisions and advice, under Exemption 2 of the Code of Practice on Access to Government Information.

Information on the original estimates of cost and planned In Service Dates, where these are relevant, is not held centrally and could be provided only at disproportionate cost.

In addition to the above there are certain security-related projects, information about which I am also withholding under Exemption 1 of The Code of Practice on Access to Government Information.

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for Defence what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27762]

Mr. Spellar *[holding answer 5 February 1998]:* The estimated cost of fraud and theft to the MOD, its agencies and non-departmental public bodies for the years 1995–96, 1996–97 and 1997–98 to date is as follows:

	Value £000
1995–96	506.5
1996–97	466.2
1997–98 (to date)	75.0

These figures relate to in-house cases of fraud and theft and are based on reported suspicions and proven cases. They are subject to change as investigative and disciplinary action progresses.

The cost of fraud by contractors is difficult to quantify because it may not affect the Department's funds directly and may involve conjecture about what would have happened otherwise. Costs recorded in a given year may also relate to cases first identified several years before. Subject to these qualifications, the costs for the years in question (on conviction) were:

	Value £000
1995–96	2.7
1996–97	0.0
1997–98 (to date)	0.0

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for Defence if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27763]

Mr. Spellar *[holding answer 5 February 1998]:* Reported cases of loss arising from proven or suspected theft are held centrally on a summary basis. Items or groups of items valued at more than £25.00 lost through suspected or proven theft since 1 May 1997 are as follows:

	£
Batteries	110
Clothes	2,287
Arctic clothes	6,955
Bedding and furniture	150
IT modem	199
Tableware	1,400
Binoculars	519
Aluminium strips	2,187
Balances	997
Laser printer	800
Television	340
Lap top computers and computer parts	15,000
Tool kit	307
Vehicle straps	536
Petrol	120
	31,907

The MOD keeps no central record of items lost other than through theft or fraud. Potential losses are investigated by Commands and budget areas with a view to recovering the item in question and preventing a recurrence. Write-off action must be pursued where a loss is established. Individual losses are separately identified in Appropriation Accounts only where the value exceeds £100,000. Below that figure they are recorded in bulk, and the identification of individual cases valued at more than £25.00 could be undertaken only at disproportionate cost.

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for Defence if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26634]

Mr. Spellar *[holding answer 5 February 1998]:* I refer the hon. Member to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 10 February 1998, *Official Report,* column 116. Information for 1997 will not be available until later this year. The Ministry of Defence has recently taken steps to raise awareness of the issue of absenteeism by producing a booklet for line managers and staff to encourage best practice in monitoring and improving attendance.

Empty Properties

Mr. Malcolm Bruce: To ask the Secretary of State for Defence what is his estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) his Department, (ii) his agencies and (iii) other public bodies for which he has responsibility, in (A) 1995–96, (B) 1996–97, (C) 1997–98 to date and (D) 1997–98 full year. [26635]

Mr. Spellar *[holding answer 5 February 1998]:* There are no central records held and the information could be provided only at disproportionate cost.

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Secretary of State for Defence what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26637]

Mr. Spellar *[holding answer 5 February 1998]:* The information is not collected centrally.

Ammunition (Test Centre)

Mr. Ainger: To ask the Secretary of State for Defence if it is his policy to continue to implement the NATO standardisation agreements for small calibre ammunition by conducting in-service surveillance of ammunition at a NATO-certified test centre in the United Kingdom. [28042]

Mr. Spellar *[holding answer 9 February 1998]:* The Ministry of Defence's current policy on the implementation of NATO standardisation agreements for small calibre ammunition is that in-service surveillance is carried out at a NATO certified United Kingdom test centre. It should be noted that the policy also covers qualification approval and production tests at the test centre.

Porton Down

Mr. David Atkinson: To ask the Secretary of State for Defence if he will make a statement about his recent initiatives concerning former Porton Down volunteers. [28897]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. David Atkinson, dated 13 February 1998:

I have been asked to reply to your request for a statement on the recent initiatives concerning Porton Down volunteers.

Throughout their history, the Ministry of Defence laboratories at Porton Down in Wiltshire, now the Chemical and Biological Defence Sector of the Defence Evaluation and Research Agency (DERA), have been involved in the research and development that has underpinned the UK's biological and chemical defence capability. Volunteers from the Armed Forces have been a vital part of the research programme as subjects in a whole range of trials. In all, over 20000 volunteers have visted Porton Down; in the last thirty years, more than 5000 have participated in projects looking at defence against or medical treatment for chemical and biological agents.

The vast majority of the volunteers who have visited Porton Down have come and gone, quite unconcerned about their attendance. Indeed, studies have always been, and continue to be, carried out with the utmost regard for the safety, health and well-being of volunteers. Nevertheless, in the las few years about 150 have enquired about the trials in which they took part, sometimes out of curiosity, but sometimes because they have concerns about their health and wonder whether there is a link.

In the past, many of the actual records and reports of the experiments were, quite justifiably, kept secret in the interests of national security. Understandably, this has fuelled the concerns and uncertainties. Further, some people have not known where to go for information, or they believe that it is being withheld. The recent initiatives, prompted by the Minister for the Armed Forces, are aimed at making it easier for former volunteers to get information about their attendance at Porton Down.

DERA has set up a dedicated helpline to take enquiries from former volunteers (0845 603 9140) and has produced a leaflet to explain the type of information and help that may be available, with useful addresses. Staff at Porton Down will look at individual records and formal technical reports to provide volunteers with as much information as possible about the trials in which they participate. It will also be possible for former volunteers to visit Porton Down to see the records for themselves or to talk to the medical and scientific staff about their experiences.

I hope that this information is helpful.

Trident

Mr. Alan Simpson: To ask the Secretary of State for Defence, pursuant to his answer of 12 January 1998, *Official Report*, column *135*, where each of the 23 UK personnel working in the US and the four US employees working in the UK are located; and if he will make a statement on their current duties. [28819]

Mr. Spellar: As of 11 February 1998, the number of UK personnel stationed in the US reduced to 22, following the disestablishment of the Personal Secretary post in Washington. Of these, four are located in Washington and a further three in California with duties associated with the 1958 UK/US Mutual Defence Agreement: the remaining 15 are located at Crystal City, Arlington, Virginia (12), Kings Bay, Georgia (1), New London, Connecticut (1), and Laurel, Maryland (1), with duties associated with the Polaris Sales Agreement, as amended for Trident.

Of the four US personnel serving in the UK, three are located at Bristol and one at Barrow. Their duties are related to the Polaris Sales Agreement, as amended for Trident.

In this context it has been brought to my attention that in my reply to my hon. Friend's related question on 12 January 1998, *Official Report*, column *136*, I referred inadvertently to the "Atomic Control Office Washington". This should have read "Atomic Co-ordinating Office, Washington".

Hunting

Charlotte Atkins: To ask the Secretary of State for Defence what restrictions in respect of hunting are placed on armed forces personnel in the United Kingdom. [28631]

Mr. Spellar: Participation in hunting may not take priority over military commitments. Personnel must be of an appropriate skill level and must wear the appropriate protective headgear. Transport of horse and rider, and any hunt subscription, must be met entirely at private expense.

Vermin Control

Mr. Gray: To ask the Secretary of State for Defence what is his policy on setting snares for fox control in areas of his Department's estate where there is regular public access. [29311]

Mr. Spellar: Snares set for the purposes of fox control are not placed in areas of regular public access on the Defence estate.

Mr. Gray: To ask the Secretary of State for Defence what is his policy on the use of rifles as a means of vermin control at night in areas of his Department's estate which are being used for military training at that time. [29312]

Mr. Spellar: For obvious safety reasons, access to areas of the Defence estate where military training is taking place at night is restricted.

SOCIAL SECURITY

Benefit Integrity Project

Mr. Burstow: To ask the Secretary of State for Social Security (1) how many of the disability living allowance awards re-examined as part of the Benefit Integrity Project up to 31 December have been referred to a fraud officer; and of those how many have been *(a)* recommended for prosecution, *(b)* prosecuted for fraud and *(c)* cleared of fraud; [29180]

(2) how many *(a)* terminally-ill people receiving payments under Special Rules, *(b)* paraplegics, *(c)* quadriplegics, *(d)* people who are both deaf and blind, *(e)* double amputees and *(f)* people who fall within the Benefits Agency's definition of severe mental impairment have been mistakenly included in the Benefit Integrity Project to date. [29181]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. Paul Burstow, dated 12 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions regarding the Benefit Integrity Project (BIP).

The BIP was conceived as a response to the Benefit Review which identified a potential for up to £499m DLA fraud annually; it is essentially a measure designed to secure benefit integrity—that is to get the right amount of benefit to the right people—rather than an explicitly anti-Fraud measure. The methodology adopted, which takes account of the sensitivities involved in approaching large numbers of the most seriously disabled people in society, makes it unlikely that overt fraud will be uncovered but maximises the likelihood of revealing incorrect provision.

As at 31 December 1997, the BIP has identified 89 cases in which fraud was suspected, of which 36 have been referred to the Benefit Fraud Investigation Service for further investigation, which have not yet been completed. In the remaining 53 cases, fraud staff in the Disability Benefits Directorate decided that there was no realistic prospect of determining whether fraud had occurred and the files were closed without further action.

Special action is taken to try and minimise unnecessary disruption to customers suffering from certain categories of illness so they will not be contacted as part of BIP. These include customers suffering from; a terminal illness (where life expectancy is likely to be under six months); quadriplegics; paraplegics; people who are both deaf and blind; double amputees and those within the BA definition of severe mental impairment. These categories were introduced following a meeting with Disability organisations in June 1997.

From June 1997 customers included in these categories have been identified from computer records. A small number of customers have more than one disabling condition and our computer records make provision for only one to be recorded, as a result some customers in the relevant categories have not always been screened out. Since November 1997 a clerical check of these records has been introduced to identify as many as possible of these cases. Regrettably there is a small number of customers whose clerical records do not provide sufficiently detailed information for us to identify them as persons who should not be contacted. I apologise for these errors.

The number of customers mistakenly contacted is set out in the attached table.

Whilst all efforts are taken to avoid these customers being contacted, should it occur, and evidence is gathered, the Adjudication Officer would have to take the information into account when deciding entitlement. Entitlement to DLA is based on the effects of a person's disabling condition on their day-to-day life, rather than on the basis of the disabling condition itself.

I hope you find the reply helpful.

	pre-August	*August*	*September*	*October*	*November*	*Total*
Double Amputees	5	1	1	0	2	9
Deaf and Blind	4	0	1	2	0	7
Severe Mental Impairment	3	3	8	1	0	15
Quadriplegics	126	76	15	11	6	234
Special Rules	3	13	2	10	2	30
Paraplegics (includes Tetraplegics)	67	13	11	13	4	108
Total	208	106	38	37	14	403

Note:
Figures are provisional and subject to change.

Disability Benefits

Mr. Winnick: To ask the Secretary of State for Social Security if she will review the disability benefits assessment made in respect of Mrs. Carol Preston of Stockport. [29205]

Mr. Denham: The administration of the Benefits system is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend with further details.

Letter from Peter Mathison to Mr. David Winnick, dated 12 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question regarding whether she would review the disability benefits assessment made in respect of Mrs. Carol Preston of Stockport.

A request for a review of this decision was received on 18 December 1997. It was supported by the local Citizens Advice Bureau who provided more detailed information about Mrs. Preston's need for care at night. A different Adjudication Officer looked at the papers again and referred the case to a Benefits Agency Medical Officer for advice. The AO's decision was notified to Mrs. Preston on 9 February 1998.

I hope you find the reply helpful.

Mr. Winnick: To ask the Secretary of State for Social Security in how many cases in the last five years officials involved in assessing claims for disability benefit have been disciplined for reducing or refusing such claims. [29204]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison the Chief Executive of the Benefits Agency. He will write to my hon. Friend with further details.

Letter from Peter Mathison to Mr. David Winnick, dated 12 February 1998:

The Secretary of State for Social Security has asked me to respond to your recent Parliamentary Question regarding how many cases in the last five years officials involved in assessing claims for disability benefit have been disciplined for reducing or refusing such claims.

There have been no recorded cases within the last five years.

I hope you find the reply helpful.

Mr. Winnick: To ask the Secretary of State for Social Security how many people have had their disability benefit reduced in the last 12 months. [29202]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison the Chief Executive of the Benefits Agency. He will write to my hon. Friend with further details.

Letter from Peter Mathison to Mr. David Winnick, dated 12 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question regarding how many people have had their disability benefit reduced in the last 12 months.

The number of Disability Living Allowance and Attendance Allowance customers in Great Britain who have had their benefit reduced in the 12 months ending November 1997, is 28,900. This figure includes renewal cases and reductions as a result of changes other than to the disability, for example, hospitalisation. It is a rounded figure based on the 5% extract.

I hope you find the reply helpful.

Miss McIntosh: To ask the Secretary of State for Social Security what plans the Government have to reduce the disability living allowance and which groups representative of disabled persons she has consulted. [29510]

Mr. Denham: Disability benefits, including Disability Living Allowance, are included in the Department's Comprehensive Spending Review, which was announced on 11 June last year. The review is an important step in our plan to modernise and improve the Social Security system, so that it helps people to work as far as they are able; provides appropriate support to those who cannot work; and makes the most effective use of the resources available.

No decisions have yet been made. When we have identified specific proposals we will consult disabled people, their organisations and others with an interest. We will not implement any changes without first consulting them.

Jobseeker's Allowance

Mr. Kirkwood: To ask the Secretary of State for Social Security if she will revoke the Jobseeker's Allowance (Amendment) Regulations 1998 (S.I., 1998, No. 71) which were laid before the House on 23 January 1998. [29436]

Mr. Keith Bradley: We will be revoking the Jobseeker's Allowance (Amendment) Regulations 1998 (S.I. 1998 No. 71) in due course.

Elderly People

Mr. Hunter: To ask the Secretary of State for Social Security if it is her policy that social services should backdate financial assistance for elderly people living in residential or nursing homes who did not claim assistance when their savings fell below £16,000 because they were unaware that assistance was available. [28865]

Mr. Boateng: I have been asked to reply.

There is no provision for social services departments to backdate financial assistance for elderly people living in residential or nursing homes who did not claim assistance once their savings fell below £16,000.

AGRICULTURE, FISHERIES AND FOOD

Beef Imports

Mr. Walter: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral answer of 22 January 1998, *Official Report* column 1136, for what reason he was unable to provide a written reply to the hon. Member for North Dorset on the subject of beef imports from the European Union. [25941]

Mr. Rooker *[holding answer 27 January 1998]:* I have now written to the hon. Member, and placed the letter on the board. I apologised to the hon. Member via a telephone message late on 22 January since I was not able to reply on that date as promised. I was unable to consult the relevant officials in time as they were undertaking surveillance operations away from London.

Civil Servants

Mr. Duncan: To ask the Minister of Agriculture, Fisheries and Food if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May 1997. [27457]

Mr. Morley *[holding answer 5 February 1998]:* Since 1 May 1997, one member of the Senior Civil Service in grades equivalent to former Grade 3 and above has taken early retirement. All members of staff in these grades are officially entitled to take annual leave of up to 30 days a year. No members of staff in these grades fall into the other categories.

British Produce

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food (1) what plans he has to encourage the public to support British farmers by buying British produce; [28456]

(2) what plans he has for a campaign to promote the sale of British farm products in supermarkets and local shops. [28374]

Mr. Rooker: My colleagues and I take every opportunity to promote British produce, but a Buy British campaign would contravene the Treaty of Rome. Our aim is to encourage UK producers to provide the kind of food that everyone will want to buy, and to market it effectively.

Rural Assistance

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what assistance he plans to provide to those rural communities which are dependent upon agriculture during the present farming crisis. [28457]

Mr. Rooker: I have no plans, at present, to make any additional payments to farmers other than those announced by my right hon. Friend in his reply to my hon. Friend the Member for High Peak (Mr. Levitt), on 3 February 1998, *Official Report* columns 591–92.

Beef Products (Labelling)

Mr. Gray: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to enable supermarkets to be in a position to label beef guaranteed BSE-free. [28646]

Mr. Rooker: The Government have adopted stringent safeguards, based on the most up-to-date scientific advice, with the objective of ensuring that consumers are not exposed to the BSE agent through the beef they buy, whether the beef is purchased from supermarkets or independent butchers.

BSE

Mr. William Ross: To ask the Minister of Agriculture, Fisheries and Food if he will list the numbers of BSE cases confirmed in *(a)* Northern Ireland, *(b)* Scotland, *(c)* Wales, *(d)* England, and *(e)* each EU country in (i) 1997 and (ii) 1998. [28797]

Mr. Rooker: The table shows the number of cases of BSE confirmed in 1997 and 1998 for the relevant countries.

County	*1997*	*1998*
Northern Ireland	28	1 as at 9 February 1998
Scotland	165	18 as at 9 February 1998
Wales	375	32 as at 9 February 1998
England	4,307	419 as at 9 February 1998
Belgium	1	— as at 27 January 1998
France	6	1 as at 27 January 1998
Germany	2	— as at 27 January 1998
Luxembourg	1	— as at 27 January 1998
Netherlands	2	— as at 27 January 1998
Portugal	30	2 as at 27 January 1998
Republic of Ireland	77	9 as at 27 January 1998

As far as the United Kingdom is concerned, some of the cases confirmed in 1997 will have been reported in 1996. The majority of the cases confirmed in 1998 were reported in 1997.

Data for other EU Member States are notified by the Commission. The latest figures for 1997 were supplied on 20 January 1998.

Cattle Passports

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food what steps his Department will take to ensure that the cost of cattle passports will be shared throughout the value chain. [28719]

Mr. Rooker: We expect that the cattle passport charges which will pay for the computerised Cattle Tracing System will be reflected in the price paid to cattle breeders by their customers, and thence passed up the marketing chain. Moreover, farmers should benefit from the introduction of the Cattle Tracing System through improved customer confidence, which should in turn help demand for farmers' products.

Food Standards

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that food imported into the United Kingdom and consumed within the United Kingdom is subject to the same food standards regime as food produced in the United Kingdom. [28718]

Mr. Rooker: Most products of animal origin imported for human consumption from member states or from third countries must comply with harmonised Community rules. These rules are intended to ensure that, in general, equivalent health requirements apply whatever the origin of the products. Products not subject to Community rules may be imported only if they comply with our national rules. Food which fails to meet food safety requirements can be refused entry into the UK or it can be seized and taken before a Magistrate for condemnation, under provisions of the Food Safety Act 1990.

Publications

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26332]

Mr. Morley *[holding answer 9 February 1998]:* Publications produced by the Department between 1 May 1997 and 31 January 1998 are listed as follows:

Farm Woodland Premium Scheme Rules and Procedures booklet

Food Standards Agency report

Environmentally Sensitive Area Scheme (Stage IV)

Organic Conversion Information Service booklet

Environmentally Sensitive Area Scheme Standard costs booklet, Part I

Integrated Administration and Control System (IACS) Field numbering booklet

Arable Area Payments Scheme Explanatory Guide for 1998

Beef Labelling Scheme Explanatory Guide

Sheep Annual Premium Scheme Quotas explanatory booklet

Countryside Access Scheme—handbook for farmers

Countryside Stewardship Scheme—Information and How to apply booklet

Arable Stewardship Scheme—Information and How to apply booklet

Environmentally Sensitive Area Scheme (Stages II & III)—Guidelines for Farmers booklets

Environmentally Sensitive Area Scheme—Explanatory notes booklet

Apple and Pear Orchard Grubbing Up Grant Scheme 1998 Explanatory booklet
ESA Monitoring Reports
Flood and Coastal Defence Newsletter (Issue 10)
Sheep Scab Leaflet
Is Your Sprayer Fit for Work—leaflet
Environmental Protection (R & D Newsletter)
The Approval and Use of Oil Dispersants in the UK
FAWC Newsletter
Science into Practice Leaflet
VMD Surveillance Report
A.C.N.F.P. Annual Report
F.A.C. Annual Report
Basic Horticultural Statistics for the United Kingdom
Help and Advice for Businesses on Business Link
B.S.E. Progress Report
F.A.W.C. Report on the Welfare of Laying Hens
Pig Space Requirements Guidelines
E.S.A. Leaflets:
The Broads
Somerset Levels
44th Report/small Holdings
45th Report/small Holdings
Annual Report of the Working Party on Pesticide Residues 1996
Cattle Identification Record and Movement Guide
Forward Programme for the Poultry Industry
Steering Group on the Chemical Aspects of Food Surveillance Annual Report
Clean Livestock Policy
VMD Report Brochure
Controlling Soil Erosion
Pesticide Usage Survey Report No. 136
Food Allergy Leaflet
Pesticide Usage Survey Report No. 141
Quarantine for Pets
Pesticide Poisoning of Animals etc. 1996
Pesticide Usage Survey Report No. 135n
Campaign Against Illegal Poisoning Newsletter No. 21
Countryside Stewardship Scheme—Arable Stewardship
Stewardship News
Bovine TB in Badgers
F.A.W.C. Report on Welfare of Dairy Cattle
FAC Newsletter Winter 1997
Guide to Plant Varieties Act 1997
Executive Summary Bovine TB in Badgers
Ministers Response to Bovine TB in Badgers
Food Standards Agency leaflet
9 Reports for the Pig Welfare Advisory Group
Success with Farm Shops
State Veterinary Journal April
State Veterinary Journal August
State Veterinary Journal October
32nd Report River and Coastal Engineers
Egg Marketing Inspectorate Annual Report.

Hill Farmers

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what representations he has received regarding the increased payments to hill farmers announced on 22 December 1997; and if he will make a statement about his decision not to allocate the total compensation to the LFA. [28735]

Mr. Rooker *[holding answer 10 February 1998]:* The Department has received a great many representations following my right hon. Friend's statement on 22 December 1997, *Official Report*, columns *677–79*. EU rules on agrimonetary compensation limit the extent to which Member States can favour one type of production over another by concentrating aid on particular groups of recipients. Cattle and sheep farmers outside the less favoured areas (LFA) have also been affected by green rate revaluations, and, in our judgment, the balance of the revised package announced on 3 February 1998, *Official Report*, columns *591–92*, is fully justified and equitable.

Tobacco Subsidy

Mrs. Lait: To ask the Minister of Agriculture, Fisheries and Food what progress is being made in abolishing the tobacco subsidy to EU growers. [29051]

Mr. Rooker: The Commission is expected to introduce its proposals for reform of the tobacco regime at the Agriculture Council on 16/17 February. The Government will continue to press for disengagement from support. With producer Member States in a majority, abolition of the subsidy is unlikely.

Meat Imports

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will list each country from which *(a)* beef, *(b)* sheep meat, *(c)* pigmeat and *(d)* poultry meat was imported into the UK during 1997. [29309]

Mr. Rooker: The tables list the countries from which beef, sheep meat, pig meat (including bacon and ham) and poultry meat were dispatched to the UK between January and October 1997, the most recent month for which data are available.

Imports of beef, sheep meat, pig meat (including bacon and ham) and poultry meat between January and October 1997

	£000
Beef	
Irish Republic	95,688
Netherlands	30,320
Australia	23,047
Uruguay	22,222
Argentina	14,599
Botswana	14,329
Namibia	13,661
Zimbabwe	12,714
Germany	12,374
Brazil	12,182
New Zealand	7,429
France	5,416
USA	3,267
Belgium—Luxembourg	3,044
Spain	2,055
Denmark	1,355
Swaziland	691
Austria	607
Italy	525
Other	440

Imports of beef, sheep meat, pig meat (including bacon and ham) and poultry meat between January and October 1997

	£000
Sheep Meat	
New Zealand	187,566
Australia	20,462
Irish Republic	3,240
Germany	3,167
Spain	2,888
Netherlands	2,197
France	1,845
Uruguay	1,341
Belgium—Luxembourg	922
Chile	795
Argentina	501
Other	941
Pig Meat	
Denmark	267,690
Netherlands	205,571
France	48,750
Irish Republic	40,501
Germany	16,140
Belgium—Luxembourg	10,500
Italy	7,554
Spain	4,728
USA	1,363
Sweden	1,090
Other	1,843
Poultry Meat	
Netherlands	131,067
France	112,221
Irish Republic	19,770
Brazil	19,482
Denmark	18,638
Belgium—Luxembourg	15,375
Germany	11,745
Spain	9,034
Italy	8,288
Thailand	6,040
Austria	797
Other	884

Note:
All data are provisional and subject to amendment.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what checks are made on meat imports from other EU countries which originate from non-EU countries. [29308]

Mr. Rooker: All consignments of all animal products imported into the European Union (EU) are subject to checks at designated Border Inspection Posts (BIPs) regardless of the Member State for which they are destined. All consignments are subject to documentary checks. The levels of identity and physical checks are laid down in Community legislation and are determined by the product and country of origin. Once consignments have passed through a BIP, Single Market rules permit random spot checks only at the final destination.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what studies his Department has undertaken concerning the incidence of meat and meat products from other EU countries which originated from non-EU countries but have been relabelled as of EU origin. [29307]

Mr. Rooker: None. Monitoring of label information on food sold in the UK is the responsibility of locally based food law enforcement authorities.

Sheep Premium

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the mechanism for calculating sheep annual premium payments at EU level in respect of the setting of the average market price in the EU; and if it will be his policy to direct higher levels of premium towards those parts of the Union with lower prices. [29306]

Mr. Rooker: I recognise that the rise in the average EU market price for sheepmeat in 1997 is almost entirely attributable to the revaluation of currencies in particular sterling. At the same time, the price of sheepmeat on the domestic market has fallen sharply. I cannot accept, however, that we should seek to reshape the rules for the calculation of the Sheep Annual Premium simply because they do not suit the UK in any particular year. When sterling weakened, UK producers were to some extent over compensated. I cannot, therefore, agree that supplementary premia should be paid in those Member States where the average market price is below the Community average.

Rural Communities

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food if he will list the parliamentary constituencies which he defines as being rural and the criteria he uses for defining rurality; and if he will make a statement. [27345]

Mr. Morley: There is no generally accepted definition of what is rural. For example, the Rural Development Commission defines rural communities as those with up to 10,000 inhabitants. The Organisation for Economic Co-operation and Development defines rural areas as those with a population below 150 inhabitants per square kilometre. But other definitions may be appropriate for particular circumstances.

In terms of parliamentary constituencies the review of Parliamentary Constituencies 1991 defined Borough Constituencies as 'predominantly urban' and County Constituencies as

'containing more than a small rural element'.

Lists of County and Borough Constituencies are available in the Library.

Milk Production

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the accuracy of his Ministry's milk production figures; what is the current year's national milk quota; and what assessment he has made of how close to the target the level of United Kingdom milk production will be. [27705]

Mr. Rooker: The wholesale milk production figures are compiled by the Intervention Board using returns submitted by approved purchasers of milk. Adjustments are regularly submitted by those purchasers throughout the year, in an attempt to maintain as accurate a figure as possible. The figures are supplied as a guide as to how the UK's milk production is measuring against quota. The Intervention Board is wholly reliant on purchasers to provide accurate production figures in order to compile their production statistics.

Direct sales are not monitored against quota during the quota year.

As at February 1998 the national milk quota for the 1997–98 quota year (including quota in the National Reserve) stood at:

Wholesale: 13,936.2 million litres

Direct sales quota: 229.3 million litres.

The production figures to the end of January 1998 show butterfat adjusted delivery figures running 110.74 million litres ahead of the quota profile for the period April 1997 to January 1998. It is not possible to make a reasoned assessment of UK production against quota until after the current quota year has ended on 31 March 1998.

Cornish Handline Quota

Ms Atherton: To ask the Minister of Agriculture, Fisheries and Food what plans he has to increase the Cornish handline quota. [28178]

Mr. Morley: The UK's quotas for 1998 are due to be allocated to industry in March. As in previous years, there will be a separate allocation for the mackerel handline fishery. The uptake of quota will be monitored closely so that appropriate steps can be taken to keep the fishery open.

TRADE AND INDUSTRY

Electricity Industry

Mr. Rammell: To ask the President of the Board of Trade if she will ensure that local and national consumer organisations have an opportunity to make representations in the event of a bid for the Energy Group plc and Eastern Electricity by *(a)* Nomura International and/or *(b)* Texas Utilities. [29496]

Mr. Nigel Griffiths: Nomura International stated publicly on 10 February that it had withdrawn from talks with The Energy Group. Following Nomura International's announcement, Texas Utilities stated publicly that it continued to be in talks with The Energy Group which may lead to an offer. In the event of a bid which qualified for consideration under the Fair Trading Act 1973, my right hon. Friend the President of the Board of Trade would decide, in the light of the advice of the Director General of Fair Trading (DGFT) and the views of the Director General of Electricity Supply (DGES), whether or not to refer the merger to the Monopolies and Mergers Commission (MMC). The DGFT and DGES would, in formulating their advice and views, take account of any third party representations, including any representations they received from consumer organisations.

Written Answers

Mr. Redwood: To ask the President of the Board of Trade when she expects to answer the questions from the hon. Member for Wokingham tabled for answer on 29 October 1997 (reference 13046 and 13042). [29535]

Mrs. Beckett: The right hon. Gentleman received an answer to his question 13046 on 29 October 1997, *Official Report*, column 826.

As regards his question 13042, I replied yesterday.

I apologise that the original question was not picked up by my Parliamentary Branch. Each morning notice of questions is now obtained electronically from HMSO. However the system has no trace of having received electronically question 13042. Steps are being taken to ensure that this does not recur.

EDUCATION AND EMPLOYMENT

Iraqi Students

Mr. Brake: To ask the Secretary of State for Education and Employment how many Iraqi students are currently attending British universities; if he will list the subjects which they are studying; and what assessment he has made of the sources of their funding. [29303]

Dr. Howells: The latest figures for the 1996–97 academic year show that there were 143 Iraqi students on higher education courses in higher education establishments in the UK. Their subject of study and source of funding are given in the table.

Major source of tuition fees:	*Number*
English or Welsh LEA/SOEID/DENI award	10
Other UK sources[1]	7
Overseas government/funding	16
No award or financial backing (pays own fees)	66
Institutional waiver/no fees	23
Other sources of support	13
Not known	8
Total	143
Subject of Study:	
Engineering/Technology	51
Physical sciences	19
Medicine/dentistry	14
Business/Administrative studies	10
Mathematical/computing science	10
Subjects allied to medicine	9
Biological sciences	7
Languages	5
Other science	5
Law	4
Creative arts and design	3
Social/economic/political studies	3
Education	2
Combined studies	1
Total	143

[1] Includes Research Councils, Government departments, Training Councils, and UK industry and commerce.

Ofsted Inspections

Mr. Campbell-Savours: To ask the Secretary of State for Education and Employment (1) if he will make a statement on whether Ofstead has made a comparison between its judgments of inspected schools' performance and a corresponding value added assessment based upon longitudinal pupil records in those LEA areas where such value added data are available; [28519]

(2) what were Ofsted's definitions for each school year from 1993–94 of judgments in inspection reports stating pupils' achievements of Key Stage 2, and which were (i) in line with national expectations, (ii) below national

expectations, (iii) in line with national standards, (iv) below national standards, (v) in line with national norms, (vi) below national norms, (vii) in line with national averages and (viii) below national averages. [28520]

Mr. Byers: These are matters for HM Chief Inspector of Schools. I have asked him to write to my hon. Friend and to place a copy of his letter in the Library.

New Deal Awards

Mrs. Browning: To ask the Secretary of State for Education and Employment if he will publish the criteria for the New Deal money being awarded to schools where his Department prioritise the bids. [27825]

Mr. Byers: In the first round of the New Deal for Schools the criteria that were used to decide which applications would be successful were the contribution of the proposed projects to improvements in educational standards, their urgency, and their soundness and cost-effectiveness.

In the second phase of NDS, local education authorities (LEAs) and the Funding Agency for Schools (FAS) have been asked to prioritise all their applications into four objective categories which relate to building condition. In deciding allocations to schools, we shall follow these priorities, also taking account of the nature of the work proposed, the overall cost, and the outcomes which would be secured, including in particular higher educational standards, and value for money.

Employment Service (Ethnic Monitoring)

Mr. Dismore: To ask the Secretary of State for Education and Employment what information will be provided by the planned ethnic monitoring of the Employment Service's New Deal clients. [27242]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Andrew Dismore, dated February 1998:

The Secretary of State for Education and Employment has asked me to reply to your question about ethnic monitoring of New Deal clients.

Once the New Deal for 18–24 year olds is launched nationally in April we will be collecting information by ethnic origin in relation to the numbers of young people eligible for New Deal; invited to initial interview; starting on Gateway programmes; placed in unsubsidised jobs; starting on the four New Deal options and starting in self-employment. Information will also be collected by ethnic origin on the destinations of those leaving the New Deal options.

Our approach to ethnic monitoring on New Deal has been developed in consultation with the Commission for Racial Equality.

I hope this is helpful

Welfare to Work

Mr. Bob Russell: To ask the Secretary of State for Education and Employment if he will list the borough and district councils which comprise the Colchester District under the Welfare to Work New Deal proposals. [27295]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Bob Russell, dated February 1998:

The Secretary of State for Education and Employment has asked me to reply to your question relating to the borough and district councils which comprise the Colchester District under the Welfare to Work New Deal proposals.

I list below those councils whose responsibilities fall within the area covered by the Colchester District of the Employment Service:

Braintree District Council
Causeway House
Bocking End
Braintree
Essex CM7 9HB

Chelmsford Borough Council
Civic Centre
Duke Street
Chelmsford
Essex CM1 1JE

Colchester Borough Council
PO Box 884
Colchester Town Hall
Colchester
Essex CO1 1FR

Maldon District Council
Prince's Road
Maldon
Essex CM9 5DL

Tendring District Council
Town Hall
Station Road
Clacton-on-Sea
Essex CO13 9BU

I hope this is helpful.

Mr. Bob Russell: To ask the Secretary of State for Education and Employment who has been selected as the private sector Lead Partner in the Colchester District for the Welfare to Work New Deal proposals. [27296]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Bob Russell, dated February 1998:

The Secretary of State for Education and Employment has asked me to reply to your question about the private sector lead partner for New Deal in the Colchester District.

The competition to identify private sector organisations to lead the organisation and delivery of New deal for 18–24 year olds in Colchester and seven other locations in England and Wales has reached the shortlisting stage. Five organisations have been shortlisted in respect of Colchester. They are:

Capita Group Plc.

Instant Muscle Ltd;

North & Mid Essex Chamber of Commerce and Industry;

SEETEC Business Technology Centre;

Training and Business Group (London) Ltd.

We expect the identity of the successful private sector organisation to be announced by the end of February.

I hope this is helpful.

Home Energy Efficiency Programmes

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment how many tenders have been *(a)* submitted and *(b)* awarded for home energy efficiency programmes under the New Deal; and in each case what is the average cost for placement. [27279]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Matthew Taylor, dated February 1998:

The Secretary of State for Education and Employment has asked me to reply to your question about the number of tenders that have been submitted, and awarded, for home energy efficiency programmes under the New Deal.

I regret that this information is not yet available because we are still in the contracting process for the New Deal. Although the New Deal started in 12 Pathfinder Districts on 5 January, full national coverage will not be in place until April. It will be some time after this before all contracts will have been signed.

I am sorry I cannot be more helpful at this stage.

Further Education

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to impose tuition fees on students studying for the Postgraduate Certificate in Education/Certificate of Education (Post 16). [28906]

Dr. Howells: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Walthamstow (Mr. Gerrard) on 2 February 1998, *Official Report*, columns *564–65*.

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to increase the number of places available to train teachers of further education to meet the expansion of student numbers forecast for the next four years. [28907]

Dr. Howells: It is for universities and colleges to decide what courses to offer in response to demand from students and employers, including demand for potential teachers of further education. We are keeping the situation under review and will continue to consult with the sector.

Mr. Willis: To ask the Secretary of State for Education and Employment what is the total amount of government funding allocated to British further education institutions in 1998–99; and what the amount was in each of the past five years. [28909]

Dr. Howells: The Department will allocate £3,114m in 1998–99 to the Further Education Funding Council. The table shows the levels of funding in the last five years, including payment in respect of claims for demand-led funding in 1996–97 and 1997–98.

£ million

Year	*Amount*
1993–94	2,778
1994–95	2,914
1995–96	3,025
1996–97	3,154
1997–98	3,138

The responsibility for further education colleges in Scotland and Wales lies with my right hon. Friends the Secretaries of State for Scotland and for Wales.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what discussions he has had with the Further Education Funding Council on current budget deficits of further education colleges. [28694]

Dr. Howells: Departmental officials are in regular contact with the Further Education Funding Council on a range of issues affecting further education colleges.

Student Loans

Mr. Willis: To ask the Secretary of State for Education and Employment what is the minimum age at which borrowers with existing student loans will continue to be repaying such loans; when the decision was taken to raise the age limit from 50 years; and for what reasons Parliament was not informed. [28911]

Dr. Howells: The cancellation arrangements applying to the existing student loan scheme are set out in the Education (Student Loans) Regulations 1998. The maximum age at which a borrower might be repaying his or her loan under these arrangements is 59 in cases where the borrower was aged 40 or over when the loan was taken out, and 49 in other cases. We have no plans to change the cancellation arrangements for borrowers under the existing scheme.

The Government are proposing that the age at which the liability to repay income contingent loans is cancelled should be 65. This is because income contingent loans will typically be repaid over a longer period than loans made under the existing scheme. The decision to set the age limit for cancellation at 65 was one of a number of detailed decisions about the implementation of the new arrangements that we have made since we first announced our proposals for student support on 23 July 1997. It was published in the "Progress Report on New Student Support Arrangements in Higher Education from 1998–99" which was placed in the Library and distributed to other interested parties last month.

The cancellation arrangements applying to borrowers taking out income contingent loans from 1998–99 will be set out in regulations to be made later this year under the Teaching and Higher Education Bill, once enacted.

Higher Education

Mr. Willis: To ask the Secretary of State for Education and Employment what is the total amount of government funding allocated to British higher education institutions in 1998–99; and what the amount was in each of the past five years. [28908]

Dr. Howells: The total Government funding for higher education institutions in England for 1998–99 and the previous five years is given in the table. The total includes the grant to the Higher Education Funding Council for England, the grant to the Teacher Training Agency (for initial teacher training and INSET), and the public contribution to fees.

Funding for higher education institutions

£ million

	Total funding
1993–94	4,291
1994–95	4,561
1995–96	4,696
1996–97	4,606
1997–98	4,664
1998–99	[1]4,682

[1] In addition higher education institutions will receive an estimated £130 million in private contributions to fees in 1998–99 under the Government's new higher education funding policy.

Primary School Admissions Procedure

Mr. Kidney: To ask the Secretary of State for Education and Employment what legal advice he has received about the application of the Rotherham Judgment of 4 December 1997 to primary schools admissions procedures. [28706]

Ms Estelle Morris: The Department understands that the recent judgment on Rotherham LEA's admission arrangements confirms the primacy the legislation gives to meeting an expressed parental preference when allocating primary and secondary school places, while making clear that the use of catchment areas is not in itself unlawful.

HEALTH

Tobacco Advertising

Mr. Peter Bottomley: To ask the Secretary of State for Health what additional bans on tobacco advertising he estimates will be in effect by May 2002. [28820]

Ms Jowell: A common position text on the European Union Tobacco Advertising Directive (on banning tobacco advertising) was agreed at the Health Council meeting on 4 December 1997. This text will now be considered by the European Parliament.

Following completion of the EU Parliamentary process and adoption, and if unchanged, the following timetable will apply to the Directive:

Timetable	
by the end of year 3	domestic legislation to be implemented
by the end of year 4	application to written press
by the end of year 5	application to sponsorship
by the end of year 8	application to existing sponsorship of exceptional global events which have been allowed subject to diminishing levels of sponsorship and voluntary reduction of associated advertising.

1 October 2006 is the final date by which the Directive must be implemented in its entirety.

Secure Units (Females)

Dr. Cable: To ask the Secretary of State for Health how many local authority secure units exist in *(a)* London and *(b)* the Home Counties (i) in total and (ii) for young females. [28792]

Mr. Boateng: The table gives the number and location of secure units as at 11 February 1998, in England. All units are approved to accommodate boys and girls.

Secure Accommodation: current national local authority provision England

Unit	*Local Authority*
London	
1. Stamford House	Hammersmith and Fulham
2. Orchard Lodge	Southwark
Rest of England	
1. Clare Lodge	Cambridgeshire County Council
2. Barton Moss	Salford City Council
3. Watling House	Staffordshire County Council
4. Thornbury	Oxfordshire County Council
5. Stoke House	Coventry City Council
6. Swanwick Lodge	Hampshire County Council
7. Atkinson Unit	Devon County Council
8. Eastmoor	Leeds City Council
9. Lincolnshire	Lincolnshire County Council
10. Leverton Hall	Essex County Council
11. Clayfields House	Nottinghamshire County Council
12. Aldine House	Sheffield City Council
13. Dales House	Lancashire County Council
14. Briers Hey	Lancashire County Council
15. Redbank SU	St. Helens Met. Borough Council
16. Redbank (Vardy)	St. Helens Met. Borough Council
17. St. Catherine's	St. Helens/Nugent Care Society
18. Sutton Place	Hull City Council
19 Redsands	Cheshire County Council
20. Beechfield	West Sussex County Council
21. St. John's Earlswood	Birmingham City Council
22. Dyson Hall	Liverpool City Council
23. Vinney Green	South Gloucestershire County Council
24. Brunel	Derbyshire County Council
25. St. John's Tiffield	Northamptonshire County Council
26. Aycliffe	Durham County Council
27. Lansdowne	East Sussex County Council
28. Kyloe House	Northumberland County Council

Whittington Hospital Trust

Mrs. Roe: To ask the Secretary of State for Health when the new Chairman of the Whittington Hospital NHS Trust was appointed; and if he will make a statement. [29502]

Mr. Milburn: Dr. Michael Abrams was appointed on 27 January to chair the Whittington Hospital National Health Service Trust until 31 October 2001.

Tuberculosis

Mr. Love: To ask the Secretary of State for Health how many people with tuberculosis have been detained against their will in each of the last 10 years; when each person was detained, where they were held, and for how long. [29503]

Ms Jowell: The information requested is not routinely collected.

A person with infectious tuberculosis of the respiratory tract may be detained in hospital under section 37 of the Public Health (Control of Disease) Act, 1984. This would happen only when all other routes to establish treatment compliance has been exhausted and the person was deemed a risk to public health. Although compulsory admission to hospital is allowable under the law, compulsory treatment is not.

Written Answers to Questions

Monday 16 February 1998

CULTURE, MEDIA AND SPORT

Social Exclusion

8. **Mr. Gardiner:** To ask the Secretary of State for Culture, Media and Sport what action his Department is taking to assist the Government's initiative on social exclusion. [27592]

26. **Mr. Gerrard:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the role of his Department in combating social exclusion. [27610]

Mr. Tom Clarke: My Department is working with the Social Exclusion Unit to ensure that we make the fullest use of opportunities for all DCMS sectors to play their part in helping to tackle the problems of social exclusion.

Royal Opera House

12. **Mr. Baldry:** To ask the Secretary of State for Culture, Media and Sport what representations he has received on the management of the Royal Opera house. [27596]

Mr. Fisher: My Department has received approaching 1,300 letters on the issue of opera. A number of these has addressed the question of management of the Royal Opera House.

Media Diversity

13. **Mr. Mullin:** To ask the Secretary of State for Culture, Media and Sport what recent discussions he has had with Rupert Murdoch or his representatives on diversity in the British media; and if he will make a statement. [27597]

Mr. Chris Smith: I have not held any meetings with Mr. Murdoch or his representatives from News International or News Corporation since the election last May. I have indeed met Mr. Mark Booth, the Chief Executive of BSkyB, in which News International has a 40 per cent. shareholding, to discuss a range of broadcasting issues.

Public Libraries

15. **Mr. Jim Cunningham:** To ask the Secretary of State for Culture, Media and Sport what plans he has to encourage the use of libraries by children. [27599]

Mr. Fisher: It is very important that children are introduced to the wealth of information available in libraries at an early age. This is primarily the responsibility of local library authorities, but the Government have role in establishing the framework for the delivery of public library services. My Department therefore requires all library authorities to report on their services to children in their Annual Library Plans.

21. **Ms Beverley Hughes:** To ask the Secretary of State for Culture, Media and Sport what plans he has to encourage use of information technology in libraries. [27605]

Mr. Fisher: I refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for Luton, South (Ms Moran).

National Lottery (Disbursement)

18. **Mr. Ben Chapman:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the equity of lottery funds distribution as between London and the rest of the United Kingdom. [27602]

Mr. Chris Smith: In our White Paper, "The People's Lottery" we made it clear that we wish to see Lottery funds allocated fairly and equitably in the light of need across all regions and parts of the United Kingdom. I am pursuing this through measures in our Lottery Bill and through changes to the Policy Directions which I issue to distributors.

Press Complaints Commission

20. **Mr. Chope:** To ask the Secretary of State for Culture, Media and Sport when he plans to meet the chairman of the Press Complaints Commission to discuss its code of practice. [27604]

Mr. Chris Smith: On 25 September 1997 I welcomed Lord Wakeham's proposals for strengthening the newspaper industry's code of practice, and added that I intended to discuss further protection for people in all walks of life with him. I propose to do so in due course.

National Lottery (East Anglia)

23. **Mrs. Brinton:** To ask the Secretary of State for Culture, Media and Sport what plans he has to ensure that national lottery distributors take account of local needs in the East Anglian region. [27607]

Mr. Chris Smith: The Lottery Bill will require distributors to produce strategic plans for their funding activities, which reflect their assessment of needs. The plans will be drawn up after wide consultation, which will include local authorities and other local and regional interests.

Tourism Forum

28. **Mr. Sutcliffe:** To ask the Secretary of State for Culture, Media and Sport how the new Tourism Forum will help the tourism industry in the Yorkshire region. [27612]

Mr. Tom Clarke: I am working closely with the Tourism Forum and its Working Groups to develop an effective, comprehensive strategy for tourism which will benefit all regions, including Yorkshire, into the next century.

Health Care Projects

29. **Mr. Beard:** To ask the Secretary of State for Culture, Media and Sport what representations he has received on his proposals for a sixth good cause from health care projects in the Bexley and Greenwich area of south-east London. [27613]

Mr. Chris Smith: I have received no such representations.

National Lottery (Women's Interests)

Ms Keeble: To ask the Secretary of State for Culture, Media and Sport what steps he is taking to ensure women's interests are properly reflected in lottery awards. [27608]

Mr. Chris Smith: Securing access to the benefits of the Lottery for everyone is a fundamental aspect of our policy on Lottery distribution. Among our proposals which I expect to benefit women particularly are funding for out of school child care and healthy living centres, and distributors' plans for a one-stop shop service for community grants.

Television Licences

Mr. Keetch: To ask the Secretary of State for Culture, Media and Sport if he will list those categories of person entitled to concessionary television licences; if he will review the scheme; and if he will make a statement. [29274]

Mr. Fisher *[holding answer 13 February 1998]:* Entitlement to the concessionary television licence is determined by the accommodation occupied and the way it is provided or managed. Details of the qualifying criteria are set out in a leaflet prepared by the Department for Culture, Media and Sport, copies of which have been placed in the Libraries of the House.

The Government's Agreement with the BBC provides for a review of future funding arrangements prior to March 2002. We shall conduct that review in good time to allow decisions to be taken before then. It will include a detailed consideration of licence fee concessions. However, there are no plans for changes to the concessionary scheme in advance of that review.

Film Industry

Mr. Hopkins: To ask the Secretary of State for Culture, Media and Sport what plans he has to encourage overseas film-makers to use British studios and expertise. [27703]

Mr. Tom Clarke: I am currently co-chairing with Stewart Till of PolyGram Filmed Entertainment a Film Policy Review which, amongst other things, is looking at further ways of promoting inward investment into the UK.

The British Film Commission and the network of regional film commissions already undertake work to encourage overseas film production to this country.

In addition, the introduction in the Budget of accelerated 100 per cent. write-off on film production and acquisition has been widely welcomed as an incentive to increase investment. The British Screen Advisory Council has estimated that the new tax relief will generate a 31 per cent. increase in investment in film production over the next three years.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Radioactive Material

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what recent estimate has been made by his Department or its non-departmental public bodies or consultants reporting to his Department of the number of radioactive packages *(a)* imported into, *(b)* exported from and *(c)* transported within the United Kingdom within the most recent year for which figures are available; and if he will outline the conditions under which any shipment of radioactive material has to be notified in advance to his Department. [27988]

Ms Glenda Jackson: Data on the number of radioactive packages transported into, from and within the UK are not collected by the Department of the Environment, Transport and the Regions or by the Environment Agency. However, it can be estimated that of the order of 500,000 packages of radioactive material are carried by road annually in the United Kingdom (source: *Radiation Exposure from the Normal Transport of Radioactive Materials within the UK 1991 Review*, by R. Gelder, NRPB Report NRPB-R255, a copy of which is held in the Library).

Requirements for notification in advance of shipment are given in paragraph 456 of the International Atomic Energy Agency's Regulations for the Safe Transport of Radioactive Material 1985 Edition (As Amended 1990), a copy of which is held in the Library. Notification is required for:

all type B(M) packages; all transports made under special arrangement; and any type B(U) packages containing radioactive material in excess of defined quantities.

Freight

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the amounts of freight transported in England and Wales in 1996. [28009]

Ms Glenda Jackson: 1,724 Million tonnes of freight was loaded for transport by road, water and pipeline in England and Wales in 1996. Information for rail freight is available only for GB as a whole. In 1996 a total of 100 million tonnes was loaded for transport by rail for delivery within GB. There will be an element of double counting in these figures as some freight shipments will be transported by more than one mode in a single journey.

Rail Services

Dr. Iddon: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the percentage of scheduled rail services cancelled or which failed to reach their final destination, *(b)* the percentage of scheduled rail services which ran to within 10 minutes of the scheduled arrival time and *(c)* the subsidy per 1,000 km of scheduled train mileage in (i) 1997 and (ii) 1992. [28611]

Ms Glenda Jackson: Passenger's Charter Performance figures for the years in question are:

		Percentage
	1997	*1992–93*
Punctuality[1]	90.3	89.7
Reliability[2]	98.8	98.7

[1] Percentage of trains arriving within 5 or 10 minutes of scheduled time.

[2] Percentage of trains which were not cancelled or terminated before destination.

Note:

Full details of the methods for calculating the punctuality and reliability measures for individual train operating companies are set out in the Office of Passenger Rail Franchising's Performance Bulletin.

Information on subsidy per 1,000km of scheduled train mileage is not available. Estimates of grant paid per 1,000 passenger kilometres are:

Year	*£*
1997–98	[1]52.17
1992–93	[2]41.04

[1] Based on estimated outturn OPRAF grant and Metropolitan Special Grants to PTAs of £1,800 million and 34.5 billion passenger Km.

[2] Based on Central Government and PTE grants paid to British Rail of £1,301 million and 31.7 billion passenger Km.

Note:

Figures in outturn prices.

Energy-to-waste Facilities

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what independent scientific advice he has evaluated on the quality of emissions from energy to waste facilities. [28508]

Angela Eagle: The Environment Agency is responsible for authorising emissions to air, water and land from large scale energy from waste facilities under the integrated pollution control system.

The Agency publishes guidance to its inspectors on the standards with which such plant should comply. This guidance takes account of the Agency's own technical expertise, advice of consultants, non-governmental organisations and industry, and other relevant studies and reports from the UK and around the world.

Alcohol (Petrol Stations)

Ms Shipley: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has undertaken into the safety aspects of people buying alcohol from garages and petrol stations when driving. [28325]

Ms Glenda Jackson: I appreciate my hon. Friend's concern about the sale of alcohol at garages and petrol stations. At present there are few outlets of this kind and it would be difficult to mount a representative survey. We are not aware of any significant problem of drivers who consume alcohol purchased at off-licences during journeys. Driving after drinking at public houses and similar establishments is a far more widespread problem.

Railtrack

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to tighten the regulatory regime under which Railtrack operates. [28605]

Ms Glenda Jackson: We want to make regulation of the rail industry more effective and accountable. We shall announce proposals in the Spring.

Langstone Harbour

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions if pollution in Langstone Harbour has resulted in the reclassification of shellfish; what assessment he has made of the effects on the local fishing industry; and if he will make a statement. [28651]

Angela Eagle: Classification of shellfish production areas, as required by the Shellfish Hygiene Directive, lays down health conditions for the production and marketing of live bivalve molluscs (such as oysters, mussels, clams). Under this system, shellfish harvesting waters at the northern end of Langstone harbour were downgraded in 1994 from category B to category C (which meant that shellfish products required a longer period of cleansing or heat treatment, before being offered for sale). Waters elsewhere in the Harbour remained category B. This reflects a monitored deterioration in water quality which may have been due to increased pollution from one or more sources such as a sewage treatment works, riverine inputs or run-off from agricultural land. There has been no further reclassification of shellfish waters in Langstone Harbour.

Waste Water Treatment

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of capital investment restrictions on the amount of finance water companies put into the upgrading of waste water treatment facilities. [28647]

Angela Eagle: We do not place restrictions on capital investment by the private sector water companies in England and Wales. In setting price limits, the Director General of Water Services takes account of the needs of water companies to finance the investment necessary to meet required standards, including standards for waste water treatment.

Ofwat

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what are OFWAT's K factor predictions for each of the next 10 years. [28648]

Angela Eagle: The table lists the K factors determined by the Director General of Water Services, taking into account any subsequent adjustments, for each of the water

and sewerage companies and water supply companies in England and Wales for each of the years 1997–98 to 2004–05. K factors for the years 2000–01 to 2004–05 will be redetermined by the Director General at the 1999 periodic review of prices. No K factors have yet been determined for subsequent years.

K (percentage)

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*2004–05*
Water and sewerage companies								
Anglian	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Dwr Cymru	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
North West	2.5	2.5	2.5	0.0	0.0	0.0	0.0	0.0
Northumbrian	1.9	1.4	−2.1	2.0	2.0	2.0	2.0	2.0
Severn Trent	0.5	0.5	0.5	0.0	0.0	0.0	0.0	0.0
South West	1.0	1.0	1.0	0.0	0.0	0.0	0.0	0.0
Southern	4.0	4.0	4.0	3.0	3.0	3.0	3.0	3.0
Thames	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Wessex	1.5	1.5	1.5	0.5	0.5	0.5	0.5	0.5
Yorkshire	0.0	2.5	2.5	0.0	0.0	0.0	0.0	0.0
Water supply companies								
Bournemouth and West Hampshire	−0.5	−0.5	−0.5	−0.5	−0.5	−0.5	−0.5	−0.5
Bristol	1.0	1.0	1.0	−3.0	−3.0	−3.0	−3.0	−3.0
Cambridge	−2.0	−2.0	−2.0	−2.0	−2.0	−2.0	−2.0	−2.0
Chester	−1.0	−1.0	−1.0	−1.5	−1.5	−1.5	−1.5	−1.5
Cholderton	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Essex and Suffolk	2.0	2.0	2.0	−1.5	−1.5	−1.5	−1.5	−1.5
Folkestone and Dover	−0.5	−0.5	−0.5	−1.0	−1.0	−1.0	−1.0	−1.0
Hartlepool	1.5	1.5	1.5	0.5	0.5	0.5	0.5	0.5
Mid Kent	1.0	1.0	1.0	−1.0	−1.0	−1.0	−1.0	−1.0
Mid Southern	−1.0	−1.0	−1.0	−1.0	−1.0	−1.0	−1.0	−1.0
North Surrey	2.0	2.0	2.0	−1.5	−1.5	−1.5	−1.5	−1.5
Portsmouth	−1.5	−1.5	−1.5	−1.5	−1.5	−1.5	−1.5	−1.5
South East	−1.0	−1.0	−1.0	−1.0	−1.0	−1.0	−1.0	−1.0
South Staffordshire	−0.5	−0.5	−0.5	−1.0	−1.0	−1.0	−1.0	−1.0
Sutton and East Surrey	−1.2	−1.2	−4.7	−1.5	−1.5	−1.5	−1.5	−1.5
Tendring Hundred	−0.5	−0.5	−0.5	−0.5	−.05	−0.5	−0.5	−0.5
Three Valleys	2.5	2.5	2.5	−1.0	−1.0	−1.0	−1.0	−1.0
Wrexham	−2.0	−2.0	−2.0	−2.0	−2.0	−2.0	−2.0	−2.0
York	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Water Quality

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what steps OFWAT is taking to improve water quality standards. [28701]

Angela Eagle: The regulation and enforcement of water quality is principally the responsibility of the Environment Agency, in respect of the water environment, and the Drinking Water Inspectorate, in respect of drinking water quality. Water companies themselves have the responsibility to ensure that they meet the quality standards set by legislation and enforced by those regulators. The Director General of Water Services has a primary statutory duty to secure that water companies properly carry out, and are able to finance, their functions. He also has general duties including one to further conservation of, among other things, flora and fauna, and one to take account of the effect of proposals on flora and fauna, but he is not responsible for improving water quality.

Water Industry

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions if he will review the relationship between the Environment Agency, OFWAT and the water companies. [28634]

Angela Eagle: The Government are reviewing the regulation of the utilities, including the water companies and the role of the Director General of Water Services. There are no present plans to review the relationship between the Environment Agency and either the Director General or the water companies.

Water Charges

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what progress his Department has made with regard to future policy for water charges; and if he will make a statement. [28683]

Angela Eagle: The Government are reviewing the system of charging for water and sewerage services and will make proposals on water charging in a consultation paper to be issued shortly.

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what estimate his Department has made of the number of domestic water consumers *(a)* who have chosen to have water meters installed and *(b)* who now live in properties with water meters where there is no rateable value. [28682]

Angela Eagle: *(a)* The Office of Water Services reports that between 1990–91 and 1996–97 inclusive, 500,453 household customers in England and Wales opted to have

water meters installed. Figures for earlier years do not identify whether meters were installed at the customer's request.

(b) No separate figures are kept for the number of metered households in properties with no rateable value.

Mr. Todd: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce an obligation on water companies to provide a free meter installation service for customers. [28721]

Angela Eagle: Most water companies already provide free meter installation in some or all circumstances for household customers on request. The installation and use of meters is being considered as part of the Government's review of the system of charging for water and sewerage services. We shall make proposals on water charging in a consultation paper to be issued shortly.

Channel Tunnel Rail Link

Mr. Rowe: To ask the Secretary of State for the Environment, Transport and the Regions what steps he will take to ensure that any undertakings made by London and Continental (Union Railway) to affected parties on the route of the CTRL outside their parliamentary undertakings will be honoured by any successor company. [28679]

Ms Glenda Jackson: As my right hon. Friend explained in his statement of 28 January 1998, *Official Report,* columns *461–74,* the CTRL Development Agreement provides for London and Continental Railways to come forward with revised funding proposals in the following 30 days. The question raised by the hon. Member does not, therefore, arise at this point.

Mrs. Lait: To ask the Secretary of State for the Environment, Transport and the Regions what noise and pollution alleviation measures for residents in London will be required for those proposing to construct the high speed Channel Tunnel rail link. [29497]

Ms Glenda Jackson: In designing and constructing works authorised by the Channel Tunnel Rail Link Act 1996, the nominated undertaker must comply with certain Environmental Minimum Requirements, including a Code of Construction Practice. In preparing submissions for approval by local planning authorities under the Act, the nominated undertaker must take into account various objectives and measures set out in the Code. The Code also requires the preparation and implementation of several Environmental Management Plans, including ones for Traffic, Dust and Noise and Vibration.

Driving Licence (Elderly People)

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions if he will require drivers aged 70 years and over to have their health questionnaire from the DVLA countersigned by their family doctor. [28895]

Ms Glenda Jackson: We have no current plans to change the present arrangements under which applicants, of whatever age, for issue or renewal of ordinary driving licences are required to declare any relevant or prospective disabilities. False declaration is a serious offence. The Driver and Vehicle Licensing Agency makes further inquiries of doctors or specialists where necessary.

Vehicle Imports

Mr. Öpik: To ask the Secretary of State for the Environment, Transport and the Regions if he will limit the charges vehicle manufacturers can levy to issue a certificate of compliance when importing vehicles; and if he will make a statement. [28958]

Ms Glenda Jackson: There are no current plans to introduce a limit. The charge manufacturers may make for issuing a Certificate of Conformity in relation to a vehicle Type Approval is effectively part of the cost of the vehicle and is not prescribed. To assist the movement of vehicles between member states in the EU, the European Commission has issued guidance which says that charges should be reasonable and not exceed about £67.

Heavy Goods Vehicles

Mr. Öpik: To ask the Secretary of State for the Environment, Transport and the Regions what action his Department took to ensure that drivers of 3.5 tonne vehicles were properly notified of the change in status of their vehicles to heavy goods vehicles; and if he will make a statement. [28957]

Ms Glenda Jackson: There has been no change in the classification of goods vehicles between 3.5 and 7.5 tonnes, which remain "light goods vehicles". The only recent change relating to such vehicles concerns driving licences. Since 1 January 1997 higher health standards and a separate driving test have applied to new drivers. The higher health requirements have also applied since 1 January 1998 to pre-1997 car licence holders with automatic entitlement to drive such vehicles wishing to renew that entitlement group when their car licence expires. These requirements also apply to minibuses with 9–16 passenger seats. This change was publicised in a Department of Transport Press Notice (No. 129) of 12 June 1997. The driver and Vehicle Licencing Agency also notify drivers before their existing licences expire.

Severn Bridge Tolls

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on charging one-way tolls on the Severn Bridge; if he will review the policy of one-way tolls on the bridge; and if he will make a statement. [28363]

Ms Glenda Jackson *[holding answer 10 February 1998]:* Representations from local authorities have been received on this matter and in liaison with those authorities we have carried out studies to determine to what extent one-way or two-way tolling can lead to traffic diversion. These studies have not provided evidence that the benefits of a change to two-way tolling would justify the costs involved.

Goods Vehicle Operator Licences

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce legislation to make parish councils statutory consultees when awards of goods vehicle operator licences are being considered. [28364]

Ms Glenda Jackson *[holding answer 10 February 1998]:* I am aware that a number of parish councils favour a statutory right of objection to applications for goods vehicle operator licences. This would require primary legislation and there would first need to be full consultation. We are currently reviewing this issue, but I would encourage local authorities to take the views of parish councils into account when considering whether to use their statutory right of objection.

Road Safety

Mr. Öpik: To ask the Secretary of State for the Environment, Transport and the Regions in what proportion of road deaths he estimates alcohol is a contributing factor; and if he will make a statement. [28953]

Ms Glenda Jackson: In 1996, a total of 15,500 people were killed or injured in accidents involving a driver over the legal limit of 80 mg of alcohol per 100 ml of blood. Of those, an estimated 540 were fatalities. Records of the blood or breath alcohol reading of a driver involved in an accident are not normally kept in cases where the level is below the legal limit.

The consultation paper "Combating drink driving: next steps" reviews the available data on drink-drive accidents and estimates the likely effect of a reduction in the legal blood alcohol limit. Copies have been placed in the Library.

Mr. Öpik: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of road accidents and deaths are caused by (i) excessive lorry driver hours, (ii) tachograph interference and (iii) defective lorries; and if he will make a statement. [28954]

Ms Glenda Jackson: Comprehensive information is not collected on causation factors in road accidents. It is not therefore possible to supply the specific information requested. The Department is, however, undertaking a number of research projects in order to improve its knowledge of accident causation generally. We are also planning research into the relationship between driving and working hours and fatigue related accidents.

Integrated Transport

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what environmental appraisal will be undertaken of the implications of the Integrated Transport White Paper. [29019]

Ms Glenda Jackson: Environmental issues will be at the heart of the Integrated Transport White Paper. The policies under consideration for the White Paper are being appraised against their potential to contribute to the Government's overall environmental objectives.

Environmental Appraisals

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if the guidance contained in "Policy Appraisal and the Environment" is currently that used by Government departments undertaking environmental appraisals. [29022]

Mr. Meacher: Yes, the guidance in "Policy Appraisal and the Environment" still applies, though further guidance is being prepared in the light of the July 1997 KPMG report. This report was commissioned by the last Administration to gauge how far they were meeting their commitment to assess the potential environmental impact of new policy proposals; it showed that more needed to be done to ensure that policies were systematically considered.

The Department of the Environment, Transport and the Regions will shortly be issuing Policy Guidance for non-specialist staff across Government, explaining in relatively simple terms when and how to carry out an environmental appraisal.

The Department is also working on further technical guidance for appraisal specialists, in co-operation with the Government Group on Environmental Costs and Benefits. A contract for a scoping study has been awarded to Dr. David Pearce, who is due to report in the Spring. This work will inform decisions on the nature and format of new guidance scheduled for the Autumn.

Maritime Rescue

Mr. Alan Campbell: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the total number of *(a)* incidents, *(b)* incidents requiring co-ordinating action and *(c)* false alarms or hoaxes handled by each of the maritime rescue co-ordination centres in 1996; [29412]

(2) if he will list the total number of *(a)* incidents, *(b)* incidents requiring co-ordinating action and *(c)* false alarms or hoaxes handled by each of the maritime rescue sub-centres in 1996. [29413]

Ms Glenda Jackson: The information requested is detailed in the tables:

Co-ordination centres	*Total incidents*	*Assistance rendered*	*False alarms and hoaxes*
Aberdeen	670	188	482
Clyde	415	256	159
Dover	559	258	301
Falmouth	895	345	550
Swansea	958	515	443
Yarmouth	505	191	314

Sub centres	*Total incidents*	*Assistance rendered*	*False alarms and hoaxes*
Belfast	303	174	129
Brixham	720	456	264
Forth	316	160	156
Holyhead	553	322	231
Humber	508	375	133
Liverpool	523	274	249
Milford Haven	445	253	192
Oban	255	180	75
Pentland	133	85	48
Portland	874	548	326
Shetland	123	90	33
Solent	1,207	751	456
Stornoway	224	149	75
Thames	771	512	259
Tyne Tees	334	219	115

Coastguard

Mr. Alan Campbell: To ask the Secretary of State for the Environment, Transport and the Regions what is the cost of setting up the integrated coastguard communications system project. [29414]

Ms Glenda Jackson: The overall cost of setting up the Integrated Communications System for the period May-December 1997 was £30,041. We have yet to invite tenders or this project and to disclose the anticipated cost of the system at this time would distort the process of competitive tendering.

Aviation Industry

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what recent studies *(a)* his Department and *(b)* the Civil Aviation Authority have commissioned into the economic value of the aviation industry to the United Kingdom. [29706]

Ms Glenda Jackson: No studies have been conducted by the Department or Civil Aviation Authority (CAA) on the economic value of the aviation industry to the UK, but studies have been undertaken on additional capacity. Such studies include the RUCATSE study on runway capacity in the South East published in 1993, the evidence submitted by the Department and the CAA to the T5 Inquiry and a study by CAA (CAP 638) on the economic value of new air services to regional airports.

Beaches

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what guidelines his Department issues relating to beach *(a)* hygiene and *(b)* safety. [29543]

Angela Eagle: My Department provides support to the Tidy Britain Group which promotes the Seaside Awards and Blue Flag awards, both of which are designed to encourage cleanliness and safety standards on beaches.

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of beaches in the United Kingdom fail to comply with EU standards. [29545]

Angela Eagle: I refer my hon. Friend to the answer given by my right hon. Friend the Minister for the Environment on 4 December 1997, *Official Report*, columns *289–91*, to my hon. Friend the Member for Shipley (Mr. Leslie).

Speed Limits

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to allow local highway authorities to set 20 mph limits within urban areas without reference to his Department. [29603]

Ms Glenda Jackson: I refer the hon. Member to the reply I gave to the hon. Member for Hazel Grove (Mr. Stunell) on 11 February 1998, *Official Report*, column *228*.

British Rail Land (Newhaven)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to prevent the sale by British Rail of land in Newhaven. [29446]

Ms Glenda Jackson: The Government have endorsed the policy that BR should continue to dispose of its surplus land at market value. Interest in the Newhaven site has been expressed by more than one party including railway interests and BR is proposing to put it out to tender.

Sheep Dip

Mr. Charles Kennedy: To ask the Secretary of State for the Environment, Transport and the Regions what monitoring of the impact of synthetic pyrethroid sheep dips on *(a)* the aquatic environment, *(b)* the soil environment and *(c)* fisheries (i) has been carried out and (ii) is planned by his Department; and if he will make a statement. [29724]

Angela Eagle: The Environment Agency, which is responsible for monitoring the aquatic environment and for day-to-day management of freshwater fisheries in England and Wales, has initiated monitoring programmes to assess the impact of sheepdip compounds (including synthetic pyrethroids) on the chemical quality of the aquatic environment (including any effects on fish populations). Monitoring has been targeted on the most intensive sheep rearing areas, including Wales and the Midland region. There is no specific monitoring of soil.

Last month the Government published draft groundwater regulations relating to England, Wales and Scotland which specify additional monitoring requirements for groundwater, including synthetic pyrethroids.

INTERNATIONAL DEVELOPMENT

Sanctions

Mr. Dalyell: To ask the Secretary of State for International Development what progress she has made in developing her policy of applying sanctions which are targeted at elites rather than ordinary people. [29748]

Mr. Foulkes: I refer my hon. Friend to the reply given to him by my right hon. Friend the Secretary of State for International Development on 28 January 1998, *Official Report*, column *288*.

Conferences

Mr. Malcolm Bruce: To ask the Secretary of State for International Development if she will list the conferences held by her Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27734]

Clare Short *[holding answer 10 February 1998]:* I have listed the conferences held by my Department since 1 May 1997.

Conferences held by DFID since 1 May 1997

Title	*Purpose*	*Estimated cost (£)*
South African Revenue Service Strategic Planning Conference	To confirm strategic direction and agree key strategic implementation issues	2,300
Consultation on South African Local Government White Paper	To collect and agree comments to feed into Local Government White Paper process	1,500
The Role of the State in a Changing World	To present the World Development Report to senior South African public servants	24,000
Gender Sensitisation Workshop for Swaziland Parliamentarians	To sensitise the Parliamentarians to the strategic and practical gender needs of Swaziland men and women	20,000
Community Based Natural Resources Management Conference (CBNRM)	To discuss approaches taken in CBNRM in South Africa	2,000
Regional Ecotourism Conference	To stimulate and facilitate the further development of regional ecotourism	20,000
FAO International Livestock and the Environment Conference	To discuss recommendations on making the most significant impact on future livestock development	25,000
Sierra Leone Policy Framework Conference	To agree policy document and programme of immediate actions	190,000
Participation and Social Justice Conference	To prepare for the 36th session of the UN Commission for Social Development	27,400
NGO Conference	To share experiences of lesson learning	23,400
Ethiopia Discussion Conference	To share views, ideas and experiences on the political and social aspects of Ethiopia	5,900
White Paper Consultation on Support for Transition Countries	To inform and enrich the thinking which will go into the development of a new strategy for support to transition countries	12,400
Public-private Partnerships for Development	To discuss ideas and scope for public-private partnerships for development	4,100
Corruption and Development	To review existing and applied research on corruption in developing countries	21,600
Demand Assessment in Water Sanitation	To help develop DFID capacity for ensuring water and sanitation projects are demand-led	21,000
The Study of the Role of Co-operatives and Self Help Organisations	To provide DFID with clear guidelines on the most constructive ways of contributing to the success and development of SHOs	18,000
Global Environment Facility	Informal consultation meeting on the Global Environment Facility	300
Sexual and Reproductive Health	To discuss research findings on sexual and reproductive health	1,400
Communicable Diseases	To discuss research findings on communicable diseases	3,000
Health Care in Unstable Situations	To discuss research findings on health care in unstable situations	2,700
International Health Policy	To discuss and consult international health policy with UK development health partners	6,000
Annual Meeting	World Bank/WHO Onchocerciasis programme Annual Meeting	60,000
Know How Fund Health Sector	To review health sector projects and consider future health programmes	400
Economic Growth and Poverty Reduction	To discuss economic growth and poverty reduction	900
China Poverty Seminar	To discuss poverty in China	300

Foreign Direct Investment

Mr. Hoyle: To ask the Secretary of State for International Development what plans she has to ensure that flows of foreign direct investment benefit poorer countries and contribute to development. [29690]

Clare Short: My Department is working extensively to increase the amount of beneficial trade and investment flowing to the developing world, particularly the poorer countries. The best way to increase such trade and investment is likely to be through efforts to secure a more open and transparent international trading regime. Apart from engaging in the international policy debate over fairer trade policy, we are working with our partner governments to encourage growth of the private sector within poorer countries. The Department's support for economic reform packages assists countries achieve macro-economic stability. Our good governance agenda aims to increase the competence and strength of government, including the key interfaces with the private sector such as the judicial system and revenue collection.

I have also provided a grant to support the Ethical Trading Initiative which brings together the private sector, NGOs and unions to work on the implementation of ethical codes of practice for the production of goods sold in our shops. This will help promote best practice in overseas enterprises including many financed through foreign direct investment by improving the working conditions of their employees.

Philippines

Dr. Tonge: To ask the Secretary of State for International Development what support the British Government are contributing to the land reform programme in the Philippines. [29118]

Clare Short: We are not making any direct contributions, but Christian Aid are using their block grant from my Department to part-fund a project to educate farmers in Cebu and Leyte of their legal rights under the Agrarian Reform Law and to establish People's Organisations capable of representing their interests. Similarly, Oxfam have been using their grant on a legal training project with indigenous peoples which includes issues of land and ancestral rights. The European Union is financing a 20 million ecu Agrarian Reform Support project.

HOME DEPARTMENT

Family Law

Dr. Palmer: To ask the Secretary of State for the Home Department what plans he has to improve the family court welfare work of the Probation Service and other related services. [30171]

Mr. Straw: As part of the comprehensive spending review, my right hon. and learned Friend the Lord Chancellor, my right hon. Friend the Secretary of State for Health, and my right hon. Friend the Secretary of State for Wales and I are considering the range of services currently provided to the courts on child welfare matters within family law by the Probation Service. Guardian ad Litem and Reporting Officer Service and the Official Solicitor's Department. We believe that a new integrated service subsuming the work of each of the above could provide an improved service to the courts, better safeguard the interests of children, reduce wasteful overlaps and so increase efficiency.

I have therefore agreed with my right hon. Friends that further detailed work involving practitioners and other users of the services should be undertaken to form the basis for public consultation.

The detailed terms of reference for the work are as follows:

To identify the range of welfare services currently provided by the Probation Service, Guardian ad Litem and Reporting Officer Service and the children's work of the Official Solicitor's Department and other agencies in family proceedings, and to consider the scope for improvements to the effectiveness of their work through the creation of a new unified service.

To make proposals on the structure of a new service; to provide preliminary analysis of the estimated costs and benefits as a basis for public consultation; and to consider the implications for any new structure of the Government's plans to establish a Welsh Assembly.

Fraud Trials

Dr. Palmer: To ask the Secretary of State for the Home Department what plans he has to review alternative methods to jury trial in serious fraud cases. [30172]

Mr. Michael: The Government are determined that there should be effective measures in place for tackling financial fraud.

The Government recognise that there are concerns that the present system for handling some major complex fraud trials is not working satisfactorily. Therefore, I have today issued a consultation document which has been placed in the Library. This invites views on the principle of whether the system is likely to operate better and with a greater degree of public confidence if, in a small number of complex fraud trials, a traditional jury were to be replaced by another method of determining the facts. Views are also sought on four possible alternative methods of trial. The Government have not reached a conclusion on whether the ending of a jury trial in serious fraud cases is desirable in principle or formed an opinion on any particular option for change and will not do so until the consultation process is complete. The purpose of the consultation is to provide a full opportunity for the principle of change to be considered in the context of the problems presented by these case and possible alternative trial methods.

Comments on the document are invited by 31 May 1998 and we shall consider them all carefully before reaching any conclusions as to whether any changes should be made.

Data Protection

Mr. Cohen: To ask the Secretary of State for the Home Department if, in relation to the Data Protection Bill [*Lords*], he will ensure that the Data Protection Commissioner is empowered to enforce the rights granted to data subjects by Clause 12 of the Data Protection Bill [*Lords*]; and if he will make a statement. [29042]

Mr. George Howarth: Clause 12 empowers courts to order the rectification, blocking, erasure and destruction of inaccurate data and opinions based on them. Clause 38 enables the Commissioner to serve enforcement notices in respect of such material.

Mr. Cohen: To ask the Secretary of State for the Home Department if he will introduce data protection measures to ensure that any information concerning fair obtaining is given to the data subject, in advance of any processing by the data controllers, and if he will make a statement. [29040]

Mr. George Howarth: Paragraph 2 of Schedule 2 of the Data Protection Bill, introduced in another place on 14 January, specifies the content and timing of such declarations.

Hillgrove Farm, Witney

Mr. Flynn: To ask the Secretary of State for the Home Department if he will estimate the cost to the police of protecting Hillgrove Farm in Witney in 1997. [28997]

Mr. Straw: I understand from Thames Valley Police that the total cost of policing Hillgrove Farm in 1997 was £415,935.

Private Finance Initiative

Dr. Julian Lewis: To ask the Secretary of State for the Home Department if the PA Consultancy has been asked to recommend whether his Department should *(a)* continue with its current timetable for the awarding of the planned PFI contract for providing information technology services, *(b)* award the contract several months earlier than currently proposed or *(c)* discontinue the PFI. [29389]

Mr. Straw *[holding answer 13 February 1998]:* Given the speed of change in information technology (IT), the Home Office will continue to keep under review the options for taking forward its IT projects. PA Consulting has been commissioned to examine the interface between

the planned Private Finance Initiative procurement, the Department's Year 2000 compliance projects, and other planned upgrades of office systems. It is too early to say whether this work will lead to changes in current plans.

Charity Act 1992

Mr. Sanders: To ask the Secretary of State for the Home Department when he expects Part III of the Charity Act 1992 to be implemented; and if he will make a statement. [29304]

Mr. Michael *[holding answer 13 February 1998]:* Consideration is currently being given to the implementation of Part III of the Charities Act 1992, which seeks to rationalise the provisions for the licensing of street collections and house to house collections currently contained in the Police, Factories, etc. (Miscellaneous Provisions) Act 1916 and the House to House Collections Act 1939. It is not envisaged that Part III will be in force before the end of 1998; the practical issues involved are complex and it is essential that these are fully examined before any decision is made. Later this year, I hope to be in a position to announce proposals for taking this matter forward.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for the Home Department if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28936]

Mr. Straw *[holding answer 10 February 1998]:* The information requested for official and constituency engagements in January is as follows. In addition, I attended a number of meetings within central London by car.

Tuesday 6 January

Visits to Her Majesty's Young Offender Institution Brinsford, West Midlands Probation Service, West Midlands Fire Service and Her Majesty's Prison Grendon, near Aylesbury, Buckinghamshire. Train from London to Wolverhampton. Car used to travel between venues and return to London.

Friday 9 January

Constituency meetings in Blackburn. Train from London to Preston and return by train on Saturday 10 January.

Thursday 15 January

Visit to West Yorkshire Probation Service Victim-Offender Unit in Leeds.

Visit to Ravenscliffe Estate in Bradford. Aeroplane to Leeds/Bradford Airport. Car used to travel to Bradford from Leeds and then from Bradford to Blackburn.

Friday 16 and Saturday 17 January

Constituency meetings in Blackburn. Train from Preston to London.

Monday 19 January

Visit to a Refugee Council Day Centre, Vauxhall, London. Car.

Friday 23 January

Visit to Her Majesty's Prison Wayland.

Visit to North West Norfolk, for speech at Kings Lynn. Car.

Thursday 29 and Friday 30 January

Chaired Informal Justice and Home Affairs Meeting in Birmingham. Train from Euston to Birmingham. Return journey by car to Oxfordshire 30 January and London 1 February.

Animal Procedures Committee

Mr. Baker: To ask the Secretary of State for the Home Department if he will list the occasions on which the Animal Procedures Committee has met *(a)* representatives from Imutran and *(b)* representatives from Novartis giving in each case the purpose and outcome of the meetings. [29445]

Mr. George Howarth: Representatives from Imutran, led by the Director of Research, made presentations to the Animal Procedures Committee on two occasions. The first was made to the primate sub-committee on 23 January 1997. The second was made to the whole Committee on 29 January 1998.

On both occasions, the presenters outlined the benefits of xenotransplantation for human patients and examined the current research programme involving the transplantation of genetically modified pig hearts to baboons, with particular reference to immunosuppression.

The purpose of these presentations was to provide the Animal Procedures Committee with up to date information on the Imutran research programme and to facilitate consideration of applications from Imutran for project licence authorities under the Animals (Scientific Procedures) Act 1986.

Imutran was taken over by Novartis in April 1996. There have been no meetings with the Animal Procedures Committee by representatives from Novartis outside these two occasions.

Civil Defence

Mr. Key: To ask the Secretary of State for the Home Department (1) what is his budget for defence of the civil community from nuclear attack and aid from his Department in the event of terrorist and other nuclear incidents in the current year; and if he will make a statement; [29717]

(2) what is his budget for defence of the civil community from chemical and biological attack and for aid from his Department in the event of terrorist and other chemical and biological incidents in the current financial year; and if he will make a statement. [29718]

Mr. George Howarth: The Home Office is responsible for civil defence and provides grants to some local authorities as a contribution towards the cost of their emergency planning arrangements. In the current financial year, the total civil defence grant available is £14,457 million. The grant is provided to support emergency planning for the complete range of incidents, however caused.

A series of classified contingency plans exist for responding to a wide range of terrorist threats, including those which might involve the threatened or actual use of nuclear, chemical or biological materials.

The Department of Trade and Industry is the lead Government department for nuclear incidents at civil installations in England and Wales.

Cannabis

Mr. Evans: To ask the Secretary of State for the Home Department how many people have been cautioned for

possession of cannabis *(a)* once, *(b)* twice and *(c)* three or more times, by police force region, in each year since 1986. [29249]

Mr. George Howarth: This information is not available since data are not routinely collected on whether a particular caution is the first or a subsequent one given by the police to an individual. However, special exercises were carried out for the 1991 and 1994 Criminal Statistics using information from the Home Office Offenders Index. These indicate that in 1994, of those cautioned, 15 per cent. had a previous caution, compared with 20 per cent. in 1991. The later sample was drawn after Home Office circular 18/1994 had been issued. This circular specifically discouraged repeat cautioning and cautioning for the most serious offences.

Speed Cameras

Mrs. May: To ask the Secretary of State for the Home Department what plans he has to pass funds raised from fines for speeding identified using a speed camera to the police forces concerned. [29761]

Mr. Michael: None. Hypothecating the revenue from speeding fines would result in expenditure on traffic enforcement being determined by the income generated rather than the relative priority of the activity. We are examining the current funding arrangements for the cameras to see what more might be done.

World Cup

Ms Ward: To ask the Secretary of State for the Home Department what plans he has to ensure the safety of British fans at the World Cup finals in France. [27590]

Mr. Michael: The Government are determined to do everything possible to help ensure that British fans attending the World Cup Finals in France this summer do so in a safe and secure environment. To achieve this, we have established a World Cup Co-ordinating Group which brings together official, policing and football representatives from both England and Scotland. They are all working closely with the French authorities, who are responsible for the management and security of the tournament. This is to ensure a co-ordinated approach to maximise the safety and security of supporters en route to and from France and whilst attending matches during the tournament.

We are very pleased that the French Organising Committee (CFO) are adopting the stewarding methods used in this country so impressively during Euro '96. We are also aware that the French authorities have studied the British system of crowd safety management. There has been considerable liaison and consultation between the French authorities and British representatives and we will continue to ensure that we provide that high level of co-operation up to and throughout the tournament.

Later this month, my right hon. Friend will be hosting a seminar in Blackburn on the policing of football which will bring together relevant experts from across the European Union to discuss policing, safety and security arrangements for the World Cup and to share advice and expertise.

Closed Circuit Television

Mr. Llwyd: To ask the Secretary of State for the Home Department (1) what assessment he has made of the impact of CCTV on the crime rate in neighbouring areas; [29364]

(2) what statistical evidence his Department has collated on the impact on crime levels of the introduction of CCTV. [29365]

Mr. Michael: The Home Office Police Research Group study, "CCTV in Town Centres: Three Case Studies" has shown that closed circuit television (CCTV) can be effective in reducing crime and fear of crime, particularly when it is deployed as part of a wider crime reduction strategy. This research, and also research sponsored by the Scottish Office on a CCTV scheme in Aidrie, revealed no evidence of displacement of crime from areas which had CCTV coverage to neighbouring areas which did not. The Department keeps under review the research literature on CCTV and we will be assessing the evaluations of effectiveness produced by the schemes which have received funding under the CCTV Challenge competition.

Human Rights Bill [*Lords*]

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department if (1) the Advertising Standards Authority, (2) the Association of British Travel Agents, (3) the Automobile Association, (4) the Bar Council, (5) the BBC, (6) the Broadcasting Standards Council, (7) British Airways, (8) the British Medical Association, (9) British Midland, (10) British Railways Board, (11) the British Tourist Authority, (12) BT, (13) Cable and Wireless, (14) Cambridge Water Company, (15) the Charity Commission, (16) the Church of England, (17) the Church of Scotland, (18) the Confederation of British Industry, (19) the Defence Research Agency, (20) the Financial Services Authority, (21) the Football Association, (22) the Gaming Board for Great Britain, (23) the General Dental Council, (24) Great Western Trains, (25) the Independent Television Commission, (26) the Law Society, (27) the London Stock Exchange, (28) London Weekend Television, (29) the Millennium Commission, (30) National Express, (31) the National Heritage Memorial Fund, (32) National Power, (33) National Savings, (34) the National Trust, (35) the Newspaper Society, (36) the Office for Standards in Education, (37) the Office of Electricity Regulation, (38) the Office of Telecommunications, (39) the Press Complaints Commission, (40) the Prince's Trust, (41) PowerGen, (42) the Radio Authority, (43) Railtrack, (44) Ridge Parish Council, (45) the Roman Catholic Archdiocese of Westminster, (46) the Royal Opera House, (47) the Royal Institute of Chartered Surveyors, (48) the Rugby Football Union, (49) Southern Electric, (50) the Sports Council, (51) Stagecoach, (52) Transco, (53) United Utilities, (54) the Universities and Colleges Admissions Scheme, (55) the University of Cambridge, (56) Virgin Trains and (57) Yorkshire Water are organisations *(a)* whose acts or omissions it is intended should be able to be challenged and *(b)* which perform functions of a public nature under the Human Rights Bill [*Lords*]. [29529]

Mr. Mike O'Brien *[holding answer 13 February 1998]:* Clause 7(1) of the Human Rights Bill enables an act of a public authority to be challenged on the ground

that it is unlawful under clause 6(1) of the Bill because it is incompatible with a Convention right. As to the definition of "public authority" under clause 6 of the Bill, I refer the right hon. Member to the replies I am giving today to his earlier Questions on this matter. It would be for a court or tribunal to decide in individual cases whether an organisation is obviously a public authority or, if it is not, whether it is nevertheless to be regarded as a public authority because it performs functions certain of which are of a public nature. In the latter case, it would also be for the court to determine whether the particular act or omission which it was sought to challenge was of a private nature.

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department (1) if, to constitute a public authority for the purposes of the Human Rights Bill [*Lords*], a body must *(a)* receive public money and/or *(b)* fulfil a statutory responsibility and/or *(c)* have on the governing body one or more persons appointed by the Government; [29171]

(2) if a body which *(a)* receives public money, and/or *(b)* fulfils a statutory responsibility and/or *(c)* has on its governing body one or more persons appointed by the Government is automatically a public authority for the purposes of the Human Rights Bill [*Lords*]. [29172]

Mr. Mike O'Brien *[holding answer 12 February 1998]:* Clause 6 provides for a non-exhaustive definition of "public authority" for the purposes of the Human Rights Bill. The term includes (i) organisations, such as central government and the police, which are so obviously public authorities that it is not necessary expressly to define them as such; (ii) a court or tribunal; and (iii) any person certain of whose functions are functions of a public nature, except where the nature of the act is private. The definition specifically excludes either House of Parliament or a person exercising functions in connection with proceedings in Parliament. Following amendments to the Bill in Another place, the definitions in (ii) and (iii) above are currently qualified by clauses 6(5) and 6(6) respectively.

It will be for a court or tribunal to decide in individual cases which come before it whether a person falls within the above definition.

PRIME MINISTER

Official Functions

Mr. Jenkin: To ask the Prime Minister what was the occasion of the official function held on 7 May at No. 10 Downing Street; who attended; and at what cost to public funds. [23836]

The Prime Minister: This was an official reception for Ministers. The approximate cost was £250.

Official Residence

Mr. Forth: To ask the Prime Minister, pursuant to his answer of 26 January 1998, *Official Report*, column *66*, if he will list for the period since 1 May 1997, the items and costs of refurbishment of and improvements to the domestic living accommodation in Number 11 Downing Street. [26215]

The Prime Minister: I do not propose to list every item in the domestic living accommodation in No. 11. I refer the right hon. Member to the answer I gave him on 26 January 1998, *Official Report*, column *66*, where I have accounted fully for refurbishment costs.

Mr. Wilshire: To ask the Prime Minister (1) if he will list by item the furniture, fittings and decorations purchased since 1 May with public funds for his official flat in Downing Street indicating the cost of each item not subjected to a formal competitive tendering process; if he will list for each item the reasons it was not subjected to competitive tendering; if more than one quotation was sought; whether the lowest price was accepted; what was the lowest quotation submitted; and what factors led to more than one quotation not being sought in respect of certain items; [26063]

(2) if he will list by item all furniture, fittings and decorations purchased with public funds since 1 May for his official flat in Downing Street indicating the cost of each item subjected to a formal competitive process; and what was the lowest tender price submitted for each item; [26065]

(3) if he will list the country of origin of each item of furniture, fittings and decoration purchased with public funds since 1 May for his official flat in Downing Street; and what factors led to the purchase of items whose country of origin was not the United Kingdom; [26067]

(4) if he will list the date and time of delivery to Downing Street of each item of furniture, fittings and decorations purchased with public funds since 1 May for his official flat in Downing Street; and what factors governed the delivery time of each item delivered outside normal working hours. [26068]

The Prime Minister *[holding answers 30 January 1998]:* No. I do not propose to list every item in the domestic living accommodation in No. 11. I refer the hon. Member to the answer I gave to the right hon. Member for Bromley and Chislehurst (Mr. Forth) on 26 January 1998, *Official Report*, column *66*, where I have accounted fully for refurbishment costs.

Foreign Secretary's Private Office

Mr. Blunt: To ask the Prime Minister what evidence underlay the press briefing by his official spokesman that Ms Anne Bullen's appointment was a political one. [27282]

The Prime Minister *[holding answer 3 February 1998]:* Ms Anne Bullen was selected for the post of Diary Secretary by the then Foreign Secretary, Lord Hurd. Ms Bullen was appointed under Paragraph 2(i) of Schedule 2 of the Diplomatic Service Order in Council 1991 which allows for exceptions to the normal Civil Service rules of recruitment.

Mr. Gavyn Davies

Mr. Malcolm Bruce: To ask the Prime Minister (1) what meetings he has had with Mr. Gavyn Davies of Goldman Sachs in the last three months; and if he will make a statement; [27689]

(2) what contact there has been between the No. 10 Downing Street Policy Unit and Mr. Gavyn Davies of Goldman Sachs over the last three months; and if he will make a statement. [27690]

The Prime Minister *[holding answers 5 February 1998]:* My staff and I have meetings with a wide range of organisations and individuals.

Mr. Malcolm Bruce: To ask the Prime Minister if Mr. Gavyn Davies of Goldman Sachs will be part of the Government team visiting the United States of America this week; in what capacity he will be attending the talks in Washington; and if he will make a statement. [27691]

The Prime Minister *[holding answer 5 February 1998]:* Mr. Davies was not a member of the official delegation.

Mr. Malcolm Bruce: To ask the Prime Minister with whom Mr. Gavyn Davies will be attending meetings during his visit to Washington with the Prime Minister over the period 4 February to 7 February; and if he will make a statement. [28353]

The Prime Minister *[holding answer 9 February 1998]:* Mr. Davies was not a member of the official delegation, although he did attend an informal seminar at my invitation.

Mr. Malcolm Bruce: To ask the Prime Minister what is the cost to public funds of taking Mr. Gavyn Davies to Washington for meetings with the US Administration; and if he will make a statement. [28367]

The Prime Minister *[holding answer 10 February 1998]:* Mr. Davies met his own travel and accommodation costs for the trip to Washington.

Ministerial Travel

Mr. Baker: To ask the Prime Minister if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28938]

The Prime Minister *[holding answer 10 January 1998]:* During January I have undertaken fourteen engagements in the London area where I have used a car; one engagement outside London where I have used a car, and; two engagements outside London where I have used a combination of car and train.

Overseas Visits

Mr. Blunt: To ask the Prime Minister if, under paragraph 69a of the Ministerial Code, Cabinet Ministers may take their spouses or permanent partners overseas at their own expense on official visits without his written permission. [28949]

The Prime Minister *[holding answer 10 February 1998]:* I refer the hon. Member to the final sentence of paragraph 70 of the Ministerial Code, a copy of which was placed in the Library in July 1997.

Millennium Compliance

Mrs. Gillan: To ask the Prime Minister if he will appoint one Minister with overall responsibility for overseeing the millennium computer compliance problem. [29505]

The Prime Minister *[holding answer 13 February 1998]:* I refer the hon. Member to the answer I gave her on 12 February 1998, *Official Report*, columns *327–28*.

TREASURY

Hotels (VAT)

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the full-year annual cost of reducing the rate of value-added tax on hotel accommodation to *(a)* 8 per cent. and *(b)* 5 per cent. taking into account the revenue effect deriving from the elasticity of demand for this service; and if he will make a statement. [28396]

Dawn Primarolo *[holding answer 11 February 1998]:* There are no reliable figures available on the amount of Value Added Tax paid on hotel accommodation.

Official Cars

Mr. Bercow: To ask the Chancellor of the Exchequer how many official cars are available for use by Ministers in his Department; and how many new cars have been acquired for the use of Ministers in his Department since 1 May. [25182]

Mr. Gordon Brown *[holding answer 23 January 1998]:* Each Treasury Minister has one official car available for use. The Government Car Service renews all official cars on a cyclical basis.

EU Budget Contribution

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will update the estimate of the United Kingdom's net contribution to the European Community for 1998–99 on the same basis as the figure in Table 5.A4 of the Financial Statement and Budget Report 1997–98, page 123. [29606]

Mrs. Liddell: The Government's latest estimate of the United Kingdom's net payments to European Community Institutions for 1998–99 is £2,440 million.

Self-assessment

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer what assessment he has made of the response of taxpayers to the introduction of self-assessment; and if he will make a statement. [28365]

Dawn Primarolo *[holding answer 10 February 1998]:* Eight million taxpayers sent in their self assessment tax returns by the 31 January deadline. It is particularly

reassuring to know that over 95 per cent. of those taxpayers without professional tax advisers met the deadline. This illustrates that the vast majority of ordinary taxpayers understood what they had to do and dealt with this aspect of the new system.

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will assess the advantages of exempting pensioners from fines resulting from the late completion of self-assessed income tax returns. [28206]

Dawn Primarolo: Only a small minority of pensioners are required to complete self assessment tax returns. And the large majority of people who are not represented by tax advisers, into which group many tax paying pensioners will fall, submitted their completed tax returns to the Inland Revenue well within the deadline. Anyone who had a reasonable excuse for failing to submit a tax return on time may appeal against the penalty.

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer what steps he took to ensure that taxpayers who *(a)* completed their self-assessment tax returns before 30 September 1997 and *(b)* before 31 January 1998 were aware that they had to make a payment on account for the tax year 1997–98 in addition to their 1996–97 payment; what are the penalties for failing to make a payment on account for 1997–98; and if he will make a statement. [28366]

Dawn Primarolo *[holding answer 10 February 1998]:* Information identifying the need to make a payment on account on 31 January 1998 for the tax year 1997–98, and how to calculate it, was included in the tax return package issued to all self assessment taxpayers.

Income Tax

Mr. Lilley: To ask the Chancellor of the Exchequer if he will estimate how much the income tax take will be *(a)* as a percentage of gross domestic product and *(b)* in cash terms in each year from 1997–98 to 2002–03 on current taxation plans; and how much of this is attributable to the abolition of dividend tax credits. [29194]

Dawn Primarolo *[holding answer 12 February 1998]:* Projections for income tax as a percentage of GDP were published in Table B3 of the November 1997 Pre-Budget Report. Figures for income tax in cash terms for the years 1997–98 and 1998–99 were published in Table S2.4 of the Supplementary Document to the November 1997 Pre-Budget Report. Projections of money GDP were published in Table B2 of the November 1997 Pre-Budget Report. Figures for the effects of the abolition of dividend tax credits on income tax receipts were published in Table 2.2. line 5. of the July 1997 FSBR.

Mr. Lilley: To ask the Chancellor of the Exchequer what would be the loss in revenue resulting from an increase in the single person's income tax allowance of *(a)* £50, *(b)* £100, *(c)* £150, *(d)* £200, *(e)* £250 and *(f)* £300; and how many people would be taken out of tax in each case. [29184]

Dawn Primarolo *[holding answer 12 February 1998]:* Estimated full year costs at 1998–99 income levels are given in the table.

Increase in non-aged and aged personal tax allowances £	*Full year cost at 1998–99 income levels £ million*	*Number of taxpayers taken out of income tax 000*
50	310	100
100	620	180
150	920	280
200	1,230	410
250	1,540	530
300	1,840	630

Euro

Mr. Wilkinson: To ask the Chancellor of the Exchequer what assessment his Department has made of the impact on employment of changes in the petro-currency status of the national currency upon the United Kingdom's accession to the euro zone, with particular reference to periods of international crisis. [28742]

Mrs. Liddell *[holding answer 12 February 1998]:* The Chancellor has set out the five economic tests which will be used to assess whether it is in the UK's economic interest to join the single currency, and has made it clear that the bottom-line is the impact on UK employment and growth. The Treasury paper "UK Membership of the Single Currency: As Assessment of the Five Economic Tests" (published in October 1997) sets out the factors that would need to be considered, and identifies the UK role as an oil exporter as one of these factors.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what estimate he has made of the extent to which United Kingdom industry and commerce will price their goods and services in the euro after its introduction but before the decision is taken on United Kingdom membership. [26809]

Mrs. Liddell: The Chancellor of the Exchequer has not made any estimate of the extent to which United Kingdom industry and commerce will price their goods and services in the euro.

However, the work of the Business Advisory Group indicates that the euro is likely to be used more widely by business than other foreign currencies are today. Firms with operations in, and firms that export to, countries which join the single currency are most likely to decide to price their goods and services in euro. In addition, although the euro will not be legal tender in the UK in 1999, firms will be able to use it here for various commercial purposes if they wish.

Finance (No. 2) Act 1997

Mr. Gibb: To ask the Chancellor of the Exchequer how many representations his Department has received since the enactment of the Finance (No. 2) Act 1997, on measures contained in the Act. [24883]

Dawn Primarolo *[holding answer 26 January 1998]:* I received a number of representations prior to the enactment of the Finance (No. 2) Act 1997.

Diesel Duty

Mr. Fallon: To ask the Chancellor of the Exchequer what would be the cost of reducing duty on ultra low sulphur diesel to 2p per litre less than the duty on ordinary diesel. [26353]

Dawn Primarolo: Customs estimate that the cost of a 2p differential between duty on a litre of ordinary diesel and a litre of ultra low sulphur diesel from April 1988 would be about £5 million in financial year 1998–99.

Spirits Duty

Mr. Fallon: To ask the Chancellor of the Exchequer what would be the revenue cost in *(a)* 1998–99 and *(b)* 1999–2000 of a 4 per cent. cut in spirits duty, commencing on 6 April 1999. [26354]

Dawn Primarolo: Cutting the spirit duty by 4 per cent. on 6 April 1999 will have no effect on revenue in 1998–99, but will cost approximately £30 million in 1999–2000.

Inheritance Tax

Mr. Fallon: To ask the Chancellor of the Exchequer how many estates in the most recent year for which figures are available were entitled to the inheritance tax exemption for farmland; and what revenue he estimates was lost as a result of this exemption. [26195]

Dawn Primarolo: Available information is in terms of inheritance tax relief for all agricultural property which covers farmland and other related assets. In 1997–98 it is estimated that about 1,200 death estates will benefit from agricultural property relief, at a cost to the Exchequer of around £70 million.

Hypothecation

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what assessment he has made of the advantages and disadvantages of hypothecation of taxation. [27163]

Mr. Darling: There are great difficulties with hypothecation. However, we look at each case on its merits.

Smuggling

Mr. Cotter: To ask the Chancellor of the Exchequer, pursuant to his answer of 22 January 1998, *Official Report*, columns *647–48*, on tobacco smuggling, if he will list the factors which account for the increase in the amount of tobacco smuggled, seized by HM Customs and Excise year on year since 1993; and what plans he has to set targets in conjunction with his EU counterparts to reduce the amount of tobacco smuggled. [28528]

Dawn Primarolo: There are no doubt many factors but the two principal ones are the growth in tobacco smuggling itself and the increased effectiveness of Customs in tackling the smugglers. Also, since the introduction of the Single Market in 1993, the number of Excise Verification Officers has been increased from 220 to 330 in 1997.

An EU High Level Group was formed in March 1997 to analyse the nature and causes of tobacco and alcohol fraud, to identify solutions and to guide action at the relevant level within the appropriate Community framework. The Group is due to complete its work by the Spring.

Mr. Cotter: To ask the Chancellor of the Exchequer, pursuant to his answer of 22 January 1998, *Official Report*, column *648*, if he will publish the original timetable for the publication of the report on alcohol and tobacco smuggling, cross border shopping and fraud currently being prepared by HM Customs and Excise; and if he will make a statement. [28517]

Dawn Primarolo: I asked the review team to present its findings by 31 December 1997. I and my Ministerial colleagues are considering the findings of the review in the run up to the Spring Budget.

Mrs. Lait: To ask the Chancellor of the Exchequer what was the value of confiscated smuggled or bootlegged *(a)* tobacco and its products and *(b)* alcohol in each year since 1991. [27935]

Dawn Primarolo: I regret that figures on the value of confiscated smuggled tobacco and alcohol products are not available. The revenue that would have been due on tobacco and alcohol products smuggled from other EU member states and detected by Customs in each financial year since the advent of the Single market has been as follows:

£ million

Year	*Tobacco*	*Alcohol*
1993–94	1.3	0.80
1994–95	4.0	2.75
1995–96	6.8	8.00
1996–97	17.6	11.80

I regret that no figures are available for the years prior to 1993–94.

Mrs. Lait: To ask the Chancellor of the Exchequer what evidence Customs and Excise has obtained of tobacco and its products and alcohol originating in countries outside the EU being smuggled or bootlegged into the United Kingdom; if he will list the countries concerned; and what price differential there is between alcohol and tobacco and its products in those countries and the United Kingdom. [27929]

Dawn Primarolo: There is very little evidence of alcohol being smuggled into the United Kingdom from outside the EU. The main area of concern is cigarettes smuggled from the Canary Islands, Andorra, the Baltic States and from Cyprus transited through the Lebanon, Egypt, Libya and Malta.

Information is not readily available on the price differential between alcohol and tobacco and its products in these countries and the United Kingdom.

Insurance Premium Tax

Mrs. Ewing: To ask the Chancellor of the Exchequer what *(a)* discussions he has had with and *(b)* what representations he has received from the European Commission regarding the impact on the travel

insurance market of the introduction of higher rate insurance premium tax; and if he will make a statement. [22625]

Dawn Primarolo: I have had no discussions with the European Commission about their higher rate of Insurance Premium Tax. Officials in Customs and Excise have supplied information to, and had discussions with, the Commission on this measure.

Welfare to Work

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer on what grounds he has decided to exclude spending on the Welfare to Work scheme from the control total. [28181]

Mr. Darling: We made it clear before the election that the resources needed to fund the New Deal would be provided from the Windfall Tax and would be additional to the spending plans set by the Conservatives.

DEFENCE

Market Research

Mr. Malcolm Bruce: To ask the Secretary of State for Defence what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and (iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26632]

Mr. Spellar *[holding answer 5 February 1998]:* This is a matter for the Chief Executives of the Defence Analytical Services Agency, the Meteorological Office and the Hydrographic Office. I have asked the Chief Executives to write to the hon. Member.

Letter from Paul Altobell to Mr. Malcolm Bruce, dated 16 February 1998:

I am replying to your question to the Secretary of State for Defence regarding expenditure incurred by his department, agencies and non-government public bodies in (a) 1996–97 and (b) since 1 May 1997 on (i) opinion polling (ii) focus groups and (iii) other forms of market research. This matter falls within my area of responsibility as Chief Executive of the Defence Analytical Services Agency.

Apart from surveys undertaken by HYDR(O) and MET(O) who will respond separately, the department commissioned surveys of the general public to the value of:

£481,383: 1996–97

£458,675: 1 May 1997 to date.

Details of the surveys are given in the tables attached.

Unfortunately, we have no central records of the methodology employed in each survey so cannot subdivide according to your categories (i), (ii) or (iii).

In addition the department, from time to time, undertakes surveys of its own employees, the Armed Services and other stakeholders. Information on these surveys is not kept centrally.

I hope you will find this information useful.

MoD Expenditure on Surveys of the General Public, 1996 to date

Date	*Description*
1996–97	
April 96	Effectiveness of RNPT presentations and audience research
April 96	Soldier—Creative Development research
August 96	Advertising tracking
August 96	Army Officer Creative Development
September 96	Scottish advertising research
September 96	Army radio advertising research
October 96	Ethnic minorities advertising research
September 96	Territorial Army qualitative research
November 96	RAF events evaluation
November 96	Leuchars Air Show visitors survey
October 96	Territorial Army—quantitative phase
October 96	Continuous tracking
December 96	Army advertising tracking
November 96	Creative Development research for Soldier advertising
January 97	Image of The Army
January 97	Royal Navy Advertising—evaluation and attitude Survey
February 97	Wales & West Marketing Trial—research
February 97	Advertising tracking Be The Best
March 97	Be The Best advertising tracking—attitude survey
Total Expenditure	£481,383

Date	*Description*
Since 1 May 1997	
June 97	RAF advertising strategy
August 97	Navy advertising evaluation
August 97	Technicians Target market research
August 97	RAF Degree Package research
August 97	Army Presentation Team—evaluation
September 97	Attitudes to NATO
October 97	'Be The Best' branding research
October 97	Territorial Army advertising development research
January 98	Image of RAF/reactions to advertising concepts
February 98	Army fitness video research
March 98	RAF attitude survey and advertising tracking
March 98	Army Campaign Development research
March 98	Catterick Garrison Radio Trade evaluation
June 98	Be The Best Tracking Research
November 98	Army Ethnic Minority Initiative evaluation
Total Expenditure:	£458,675

Note:
Excludes HYDR(O) AND MET(O).

Letter from J. P. Clarke to Mr. Malcolm Bruce, dated 16 February 1998:

You recently asked the Secretary of State for Defence a Parliamentary Question about the levels of expenditure incurred on opinion polls, focus groups and market research. As this matter falls within my area of responsibility as Chief Executive of the United Kingdom Hydrographic Office, I have been asked to reply to you directly.

Details of expenditure incurred for the periods requested and the surveys upon which this was expended are as follows:

1996/97

(i) Opinion Polling—Nil

(ii) Focus Groups—£32,500. User group meetings were held to establish worldwide customer requirements for a future Electronic Navigational Chart Service currently under development by the UKHO.

(iii) Other forms of market research—£9,000.

This covers a general survey of professional merchant marine operators to identify strengths and weaknesses of UKHO products for future marketing action.

Since 1 May 1997

(i) Opinion Polling—Nil.

(ii) Focus Groups—£500. This relates to a meeting of ship operators or those related to ships operations to discuss user friendliness of UKHO Charts and Publications.

(iii) Other forms of market research—£37,800.

The expenditure covers three separate market research exercises as follows:

a. £8,300 was incurred in a survey at the London and Southampton Boat Shows in order to identify the interests of those visiting the UKHO exhibition stand (eg the balance of leisure to commercial customers) to assist improvements in the staffing, product displays and services offered at future shows.

b. £15,000 was expended on a consultancy review of UKHO Customer Service Strategy which sought to provide an independent assessment of current UKHO customer service delivery performance and provide a strategy for developing customer friendly services and improving customer support.

c. £14,500 has been incurred in obtaining consultancy support to develop an appropriate and acceptable pricing structure for Electronic Navigational Charts. The UKHO expects to be the first national Hydrographic Office to provide an electronic charting service. We therefore have no equivalent benchmark against which to set prices.

I hope this reply has been of assistance.

Letter from Peter Ewing to Mr. Malcolm Bruce, dated 16 February 1998:

I am replying to your Question to the Secretary of State for Defence about expenditure incurred by his department, agencies and non-governmental public bodies during 1996–97 and since 1 May 1997 on (i) opinion polling (ii) focus groups and (iii) other forms of market research. As Chief Executive of the Meteorological Office, supply of information in respect of this Agency falls within my area of responsibility.

I attach a list of the surveys commissioned by the Met. Office during the periods concerned. The expenditure incurred, exclusive of VAT, amounted to £32,180 for 1996/97 and £116,874 for the period from 1 May 1997. Apart from £2,000 spent in this financial year on a CAA customer satisfaction survey, which was clearly aimed at a specific focus group, all of this expenditure falls into the third of your categories, other forms of market research. This research is, of course, in support of our activities as a Trading Fund with an annual turnover of £152M.

Survey	*Year*	*Purpose*
Public Perception Survey	1996–97	Establish Met. Office performance against targets laid down by the government to ensure proper public spending.
Corporate Perception Survey	1996–97	Establish the perception of the branding and position of the Met. Office within the weather market.
Employee Attitude Survey	1996–97	Establish the morale of The Met. Office in a time of change.
Economic benefit of offshore industry for UKMO	1996–97	Establish the economic benefit of the offshore industry business to UKMO
CAA customer satisfaction survey	1997–98	Establish satisfaction criteria of customers and users for the CAA.

DREAM Rig, Pendine

Mr. Ainger: To ask the Secretary of State for Defence how much his Department and its agencies have spent on developing and constructing the DREAM rig at Pendine to date; and what is the projected work load for this facility in each of the next five years. [28039]

Mr. Spellar *[holding answer 9 February 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Nick Ainger, dated 16 February 1998:

I have been asked to reply to your question about the cost and projected work load of the DREAM (Dynamic Research, Evaluation and Assessment of Munitions) rig.

The DREAM rig is located at the Defence Evaluation and Research Agency (DERA) range at Shoeburyness in Essex, not at Pendine. It was designed and constructed by Hunting Engineering in 1988–89 for research on the behaviour of small scale 'model' warheads against a variety of horizontal and vertical surfaces at a cost of £68,000 (about £100,200 at 1997 prices).

Last year the rig underwent a major modification at a cost of £58,000. The DREAM rig is now used to conduct research on the attack of high value fixed land targets.

The estimated use of the rig is 10 days for each of the next two years. There are, as yet, no details of the likely use beyond that date.

I hope this information is helpful.

Military Exercises

Mr. Key: To ask the Secretary of State for Defence if he will list exercises by British forces outside Europe in 1997 by country and by participants. [29448]

Dr. Reid: I cannot provide a complete answer to this question since some information could, if disclosed, cause harm to defence, security and international relations. I am therefore withholding certain details under exemption 1 of the Code of Practice on Access to Government Information. Furthermore, exercises vary considerably in scale and full central records of all activity in which our forces have been engaged are not available. However, we do not have records of the more significant exercises, and details of British participation in exercises is given, by area, in the table. This table also includes details of the participating UK service and, where information is available, any overseas participants other than the host country. Where we have records that the host nation did not participate, this is indicated:

Area	*UK participant*	*Foreign participant (other than host)*
Belize	Army	UK only
Kenya	Army	UK only
Kenya	Army	UK only
USA	Army	—
Belize	Army	UK only
Oman	RAF	—
USA	RAF	—
Falklands	RN	UK only
Kenya	Army	UK only
Belize	Army	UK only
USA	Army	—
Canada	Army	—
Gulf	RN	US, UAE
Kenya	Army	UK only
Kenya	Army	UK only

Area	UK participant	Foreign participant (other than host)
Kenya	Army	UK only
Canada	RAF	—
Brunei	RN/RM	—
Belize	Army	UK only
Carribean	RN/RM	Barbados, Belize, Guyana Grenada, Jamaica, St. Lucia Trinidad and Tabago, USA
Carribean	RN	—
Gulf	RN	—
South China Sea	RN	Australia, Malaysia, Singapore, New Zealand
Canada	RAF	—
Gulf	RN	—
Gulf	RN	—
Kuwait	RM	—
Canada	RAF	—
Gulf	RN	US, Bahrain
USA	RM	—
Belize	Army	UK only
Gulf	RN	—
Canada	Army	—
USA	Army	—
USA	Army	—
Canada	Army	UK only
USA	RAF	—
Canada	RAF	—
Falklands	Joint services	UK only
Canada	RN	—
USA	RM	—
USA	RAF	—
USA	RM	—
Canada	Army	—
USA	Army	—
Qatar/Pakistan	Joint services	—
Canada	Army	—
Canada	Army	—
USA	Army	—
USA	Army	—
Australia	RN	US
USA	RAF	—
Gulf	RN	US, France
Canada	Army	UK only
Canada	Army	—
Belize	Army	UK only
Canada	RAF	—
Canada	RAF	—
Canada	RAF	—
USA	Joint services	—
Canada	RAF	—
Canada	RAF	—
Canada	Army	UK only
Canada	Army	UK only
Brunei	Army	—
Gulf	RN	—
Canada	RAF	—
Canada	RAF	—
Oman	Army	UK only
Belize	Army	UK only
USA	RAF	—
Canada	RAF	—
South China Sea	RN	Australia, Malaysia, New Zealand, Singapore
Canada	Army	—
Jordan	Army	—
Canada	RAF	—
Falklands	Joint services	UK only
New Zealand	Army	Australia, Malaysia, Singapore
Brunei	RM	—
Canada	RAF	—
Egypt	Army	US
Kenya	Army	UK only
Belize	Army	UK only
Jordan	RM	—
Kuwait	Joint services	—
Mid East	RAF	—
Red Sea	RN	UK only
Gulf	RN	US, UAE
Red Sea	RN	Germany
Gulf	RN	Germany, Italy
Gulf	RN	France
Indian Ocean	RN	Pakistan
Indian Ocean	RN	India
Bay Bengal	RN	US, Canada
Indian Ocean	RN	Thailand
Indian Ocean	RN	Brunei
South China Sea	RN	Indonesia
Gulf of Aden	RN	France
Pacific	RN	Australia
Pacific	RN	Australia
South China Sea	RN	Korea
Pacific	RN	Australia
South China Sea	RN	South Korea
Pacific	RN	New Zealand
South China Sea	RN	South Korea
South China Sea	RN	Japan
Pacific	RN	Australia
Indian Ocean	RN	Australia
Indian Ocean	RN	Australia
Indian Ocean	RN	France
Brunei	RM	—
Singapore	RM	—
Thailand	RM	—
Malaysia	RM	—
Zimbabwe	RM	—
South Africa	RM	—
Egypt	RAF/Army	—
USA	RAF	—
Malaysia/Australia	RAF	Singapore
Oman	RAF/RN	—
USA	RAF	—
India	RAF	—
Jordan	RAF	—
Canada	RAF	—

Overseas Tours of Duty

Miss McIntosh: To ask the Secretary of State for Defence what plans he has to amend his Department's regulations relating to military and civil personnel being accompanied by their spouses on overseas tours of duty. [27683]

Dr. Reid: We have no plans at present to amend the regulations relating to military and civil personnel being accompanied by their spouses on overseas tours of duty, although the situation is kept under review. Separately, consideration is being given to a revision of current rules relating to short-term visits by spouses who accompany senior officers on official duties.

Ammunition Test Centre

Mr. Ainger: To ask the Secretary of State for Defence what was the cost of transferring the NATO certified test centre for small-calibre ammunition from Cold Meece to Pendine at 1998 prices. [28041]

Mr. Spellar *[holding answer 9 February 1998]:* The cost of the construction of the NATO certified test centre for small calibre ammunition at Pendine at 1997 prices was £1,008,563. Inflation figures for 1998 are not yet available, so it is not possible to calculate the cost at 1998 prices.

Small Arms Test Centre

Mr. Ainger: To ask the Secretary of State for Defence what conclusions were reached by the study produced in 1993 on moving the NATO small arms test centre in respect of the Eskmeals range; and if he will place a copy of that study in the Library. [28040]

Mr. Spellar *[holding answer 9 February 1998]:* The decision to move the small arms test centre from Cold Meece to Pendine was taken when the ranges were part of the Directorate of Proof and Experimental Establishments. Records of meetings held during July 1992 indicate that a working group considered three options for the relocation: to Pendine, to Shoeburyness, or to split the centre between Pendine and Shoeburyness. For strategic reasons, Pendine was chosen as the small arms test centre in January 1993. No consideration appears to have been given to the possibility of moving the centre to the Eskmeals range. Subsequently, the DGT&E Land Systems Asset Study was published, D/DTE (Land)9/24 dated 23 March 1993, which discusses two possibilities for the facility: Kirkcudbright and Shoeburyness. Both Eskmeals and Pendine were recommended for closure in this report. The report was, at the time, deemed to contain confidential information; I have asked for it to be reviewed to determine whether it can be placed in the Library of the House.

Low Flying

Mr. Öpik: To ask the Secretary of State for Defence (1) what requirements govern the permissible noise levels for low-level RAF flight training; and if he will make a statement; [29477]

(2) what measures his Department takes to monitor the noise pollution generated by low-level flight training; and if he will make a statement; [29478]

(3) what plans he has to introduce restrictions on the level of noise that flight training may create at ground level; and if he will make a statement. [29479]

Mr. Spellar: My Department already places restrictions on the heights, speeds and operating procedures of military aircraft in the UK, which are designed to ensure that noise levels experienced on the ground represent a sensible balance between our essential training requirements and environmental considerations. The restrictions are kept under continuous review to reflect medical and scientific advice and experience of noise measurement surveys carried out by, or on behalf of, my Department.

High-level Flights (Greater Manchester)

Mr. Terry Lewis: To ask the Secretary of State for Defence how many high level flights, by military aircraft, over Greater Manchester there were in each of the last six months. [29255]

Mr. Spellar: Area specific information on air traffic movements is not available.

Nuclear Weapons (Test Veterans)

Mr. Llew Smith: To ask the Secretary of State for Defence if he will establish an Internet website for information on studies undertaken into health problems of nuclear weapons test veterans. [29273]

Mr. Spellar: I have asked my officials to investigate the possibilities of making such information available on the Internet. I will write to the hon. Member when these inquiries have been completed and a copy of my letter will be placed in the Library of the House.

Exports

Mr. Menzies Campbell: To ask the Secretary of State for Defence what assessment he has made of the principal export markets for British military sales; and what is the Government's strategy for promoting exports to them. [29196]

Mr. Spellar: The principal markets for UK defence exports are in The Gulf, Asia Pacific and North America. The Defence Export Services Organisation (DESO) of my Department has developed, with industry, a five year Strategic Plan which identifies within these regions the top 22 markets and also the major prospects and sets out how Government and industry will work together to win business. This Plan is fully consistent with our foreign and security policy our international obligations and with Government Commitment to a strong defence manufacturing industry. It has helped DESO and companies to organise their resources more effectively and is improving our national performance in winning export orders which increased by 10 per cent. in 1997 compared with 1996.

DUCHY OF LANCASTER

Ministerial Cars

Mr. Brake: To ask the Chancellor of the Duchy of Lancaster if he will list the models of cars which *(a)* Government Ministers can choose from and *(b)* are currently used by all Government Ministers. [23581]

Mr. Kilfoyle: Cabinet Ministers are provided with an appropriate car, normally a Rover Sterling or another car from the Rover 800 series. Ministers of State and Parliamentary Under-Secretaries of State are provided with a choice of cars normally within the Rover 400 series or equivalent cars such as the Ford Mondeo, Vauxhall Vectra or Nissan Primera with a comfortable but not extravagant level of fit.

The Prime Minister and the Deputy Prime Minister currently have the use of a Daimler 4.0 litre and a Jaguar respectively. Other Ministers use cars in the above categories. The main exceptions are where a difference model is used for security reasons or where cars of a different model were used by Ministers of the previous administration and to replace them would not be an efficient use of public resources.

FOREIGN AND COMMONWEALTH AFFAIRS

Murder Victims (British Citizens)

Mr. Fallon: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British subjects have been murdered abroad in the last 20 years; and in which countries. [29762]

Mr. Fatchett: Our records in their current form date back to 1985. Since then 619 murders of British Nationals abroad have been reported to us. The countries concerned are:

Afghanistan: 1
Algeria: 3
Angola: 4
Antigua and Barbuda: 4
Argentina: 1
Australia: 27
Austria: 2
Bahamas: 4
Bahrain: 1
Belgium: 6
Belize: 4
Bermuda: 2
Bolivia: 1
Botswana: 5
Brazil: 6
British Virgin Islands: 1
Cambodia: 1
Cameroon: 1
Canada: 10
Cayman Islands: 1
China: 1
Colombia: 2
Congo: 1
Cyprus: 3
Czech Republic: 4
Denmark: 3
Djibouti: 1
Dominican Republic: 1
Egypt: 7
El Salvador: 1
Estonia: 2
France: 25
Gambia: 1
Germany: 17
Ghana: 5
Gibraltar: 1
Greece: 13
Guatemala: 3
Guyana: 1
Honduras: 2
Iceland: 1
India: 12
Indonesia: 2
Iraq: 1
Israel: 4
Italy: 6
Jamaica: 12
Jerusalem: 1
Kenya: 19
Korea: 1
Kuwait: 1
Lebanon: 1
Liberia: 1
Malawi: 2
Malaysia: 1
Malta: 3
Mexico: 3
Mongolia: 1
Morocco: 1
Mozambique: 3
Namibia: 2
Nepal: 1
Netherlands: 17
New Zealand: 4
Nigeria: 9
Pakistan: 11
Papua New Guinea: 6
Peru: 1
Philippines: 18
Poland: 1
Portugal: 11
Republic of Ireland: 2
Russia: 4
Rwanda: 1
Saudi Arabia: 5
Somalia: 1
South Africa: 55
Spain: 58
St. Lucia: 2
Sudan: 6
Sweden: 2
Switzerland: 3
Tanzania: 1
Thailand: 13
The Comoros: 6
Togo: 2
Trinidad and Tobago: 2
Tunisia: 2
Turkey: 8
Uganda: 4
United States: 71
Venezuela: 1
Vietnam: 1
Yugoslavia: 8
Zaire: 1
Zambia: 7
Zimbabwe: 16.

Schengen Agreement

Mr. Brazier: To ask the Secretary of State for Foreign and Commonwealth Affairs if his discussions with his counterparts from other European Union countries indicated variance in the recollection of events relating to Schengen opt-in procedures agreed at Amsterdam. [29760]

Mr. Doug Henderson: Although it would not be appropriate to enter into the details of every discussion with other Ministers, my right hon. Friend the Foreign Secretary is not aware of any disagreement about what was said at the European Council. Not every Member State was categorical on whether a Spanish text was circulated. We are clear that it was not.

Mr. Brazier: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answers of 30 January 1998, *Official Report*, column *440*, and 10 February 1998, *Official Report*, column *144*, to the hon. Member for Buckingham (Mr. Bercow) concerning the Schengen opt-in procedure, which Minister consulted the Irish Foreign Minister; and what reasons underlay the difference between the two answers. [29766]

Mr. Doug Henderson: This was due to an administrative error. The answer I should have given on 10 February was as follows:

My right hon. Friend the Foreign Secretary consulted with the Irish Foreign Minister on the Schengen opt-in procedure as a matter of mutual interest. It would not be appropriate to publish details of these discussions.

Amsterdam Treaty

Mr. Swayne: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on article K.7 (6) of the Amsterdam Treaty. [29375]

Mr. Doug Henderson: Article K.7 (6) of the Treaty on European Union, as amended by the Treaty of Amsterdam, will allow a member state or the Commission to review the legality of framework decisions and decisions adopted by the Council under Article K.6.2 (b) and (c) of the Treaty on European Union.

The grounds of review listed in Article K.7 (6) are identical to those already found in Article 173 of the Treaty establishing the European Community under which the validity of Community acts can be challenged.

Article K.7 (6) will not permit challenge of measures taken by member states to give effect in their national law to any obligations resulting from framework decisions or decisions.

Iraq

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 9 February 1998, *Official Report*, columns *36–37*, on weapons inspections in Iraq, if he will list the British manufacturers of equipment found by inspectors in Iraq; and, in each case, itemise the equipment found and the number of the export licence. [29279]

Mr. Fatchett: I have nothing to add to the reply given by my hon. Friend the Member for Manchester, Central (Mr. Lloyd) on 9 February 1998, *Official Report*, columns *36–37*.

UN Resolutions

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those UN resolutions which have not been fully complied with since 1968. [29381]

Mr. Fatchett: The UN Security Council has adopted 908 Resolutions since 1968. The General Assembly adopted an average of 144 resolutions a year between 1968 and 1975 and an average of 236 resolutions a year since then. These are publicly available. The information requested in the question could be obtained therefore only at disproportionate cost.

European Convention on Human Rights

Sir Nicholas Lyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 2 February 1998, *Official Report*, columns *544–45*, if he will list the primary and secondary legislation brought forward to implement the judgments in each of the cases cited in his answer. [29501]

Mr. Fatchett: The primary legislation brought forward in order to implement the judgments of the European Court of Human Rights was as follows:

Sunday Times (1979): Contempt of Court Act 1981;

Young, James and Webster (1981): Employment Act 1982, sections 2–14;

X (Mental Patient) (1981): Mental Health (Amendment) Act 1982, section 28 and Schedule 1.

Campbell and Cosans (1982): Education (No. 2) Act 1986, section 47;

Malone (1984): Interception of Communications Act 1985;

O, H, W, B and R (Parental Access) (1987): Children Act 1989, sections 22 and 34;

Thynne, Wilson and Gunnell (1990): Criminal Justice Act 1991, section 34;

Boner and Maxwell (1994): Criminal Justice (Scotland) Act 1995, section 42;

Hussain and Singh (1996): Crime (Sentences) Act 1997, section 28;

Chahal (1996): Special Immigration Appeals Commission Act 1997.

The subordinate instruments brought forward in order to implement the judgments of the European Court of Human Rights were as follows:

Golder (1975): Prison (Amendment) Rules 1976 (S.I. 1976/503);

Dudgeon (1981): Homosexual Offences (Northern Ireland) Order 1982 (S.I. 1982/1536; N.I. 19);

Silver and Others (1983): Prison (Amendment) Rules 1983 (S.I. 1983/568);

Abdulaziz, Cabales and Balkandali (1985): Statement of Changes in Immigration Rules, laid before Parliament on 15 July 1985 (HC 503);

McCallum (1990); Campbell (1992): Prison (Scotland) Amendment Rules 1993 (S.I. 1993/2227);

McMichael (1995): Children's Hearings (Scotland) Amendment Rules (S.I. 1996/1199);

Benham (1996): Legal Advice and Assistance (Scope) (Amendment) Regulations 1997 (S.I. 1997/997).

The primary legislation already brought forward which in the Government's view ensured that United Kingdom law was compatible with subsequent judgments of the European Court of Human Rights was as follows:

Fox, Campbell and Hartley (1990): Northern Ireland (Emergency Provisions) Act 1987, section 6;

Findlay (1997); Coyne (1997): Armed Forces Act 1996, section 5 and Schedule 1; section 15; section 16 and Schedule 5; section 17.

In some cases, the action taken to ensure the compatibility of United Kingdom law with a judgment of the European Court of Human Rights may have been a combination of the above and other measures.

Immigration

Mrs. Virginia Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the compatibility of world trade agreements and national trade-related legislation which enables countries to bar spouses and their children from entry. [29292]

Mr. Doug Henderson: Under the General Agreement on Trade in Services, a country may regulate the entry of foreign nationals as long as this does not impair or nullify benefits accruing under GATS commitments.

USA (Exclusions)

Mrs. Virginia Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made on behalf of British women and children banned from the USA under trade-related legislation. [29289]

Mr. Doug Henderson: I and my colleagues continue to take every opportunity to make clear to the US Administration and Congress that we entirely reject such legislation.

Helms-Burton Act

Mrs. Virginia Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom women and children have been banned from the USA under the Helms-Burton legislation. [29290]

Mr. Doug Henderson: We are aware of two British families which have been affected by title IV of the Helms-Burton Act which allows the President to exclude individuals from the US.

HEALTH

Private Finance Initiative

Dr. Brand: To ask the Secretary of State for Health what assumption concerning private sector income has been made in *(a)* each PFI contract approved and *(b)* each PFI contract being planned. [28309]

Mr. Milburn: Two major acute Private Finance Initiative schemes involving private beds—Norfolk and Norwich Health Care National Health Service Trust and South Buckinghamshire NHS Trust—have reached financial close; their contracts include assumptions about income from these beds. Four other major acute PFI schemes are proposing to include private beds, but these projects have not yet reached financial close and assumptions about income from these beds is still subject to negotiations.

Information is not held centrally on assumptions concerning income from private beds in smaller scale (capital value of £10 million or less) and non-acute PFI schemes.

The assumptions in the PFI contracts about income from private beds at Norfolk and Norwich Health Care NHS Trust and South Buckinghamshire NHS Trust are as follows:

Norfolk and Norwich

The new PFI hospital will include a private patients ward with 20 beds. Patients will be treated by NHS staff and use NHS facilities for which the trust receives a fee. The trust anticipates that income from these beds will be approximately £2.6 million at 1996–97 prices.

South Buckinghamshire

A private patient operator will lease an area of the new building at High Wycombe from the trust's consortium (United Healthcare) and will pay for the construction of a private patients unit. The trust will receive an income of £100,000 per annum from private beds which will be operated by the private patient operator, rising to a maximum of £200,000 as the operator's turnover increases. In addition, the trust will receive income from the use of NHS clinical and other NHS services by the private sector operator.

Health Service Funding

Mr. Peter Bottomley: To ask the Secretary of State for Health by what proportions spending on the NHS has in real terms grown in each year and on average per year during each Parliament since 1968; and what was the overall annual average. [28809]

Mr. Milburn: The information requested is set out in the table. Information on National Health Service total spending prior to 1973–74 is not available as the data are not comparable with those for subsequent years.

Year	*NHS total net expenditure percentage real terms growth*[1]	*NHS total gross expenditure percentage real terms growth*[1]
1973–74	2.9	2.9
1974–75	11.2	10.5
1975–76	5.4	5.2
1976–77	0.5	0.4
1977–78	–2.8	–2.7
1978–79	1.6	3.2
1979–80	1.7	1.8
1980–81	10.1	10.1
1981–82	2.0	2.2
1982–83	1.6	1.8
1983–84	1.0	1.5
1984–85	2.2	2.4
1985–86	0.2	0.2
1986–87	3.9	4.4
1987–88	4.3	4.5
1988–89	3.5	4.2
1989–90	0.8	0.7
1990–91	4.1	3.6
1991–92	6.7	6.4
1992–93	5.9	5.2
1993–94	0.6	0.6
1994–95	4.1	3.6
1995–96	1.7	1.9
1996–97	0.6	0.9

Parliamentary Term	Net annual average increase percentage	Gross annual average increase percentage
1974–75 to 1978–79[1]	3.1	3.2
1979–80 to 1982–83[2]	3.8	3.9
1983–84 to 1986–87[3]	1.8	2.1
1987–88 to 1991–92[4]	3.9	3.9
1992–93 to 1996–97[5]	2.5	2.4

[1] Using the Gross Domestic Product deflator of 26 November 1997.
[2] The Parliamentary term was from October 1974 to April 1979, for the purposes of this analysis the financial years 1974–75 to 1978–79 have been used.
[3] The Parliamentary terms was from May 1979 to May 1983, for the purposes of this analysis the financial years 1979–80 to 1982–83 have been used.
[4] The Parliamentary term was from June 1983 to May 1987, for the purposes of this analysis the financial years 1983–84 to 1986–87 have been used.
[5] The Parliamentary terms was from June 1987 to March 1992, for the purposes of this analysis the financial years 1987–88 to 1991–92 have been used.
[6] The Parliamentary terms was from April 1992 to May 1997, for the purposes of this analysis the financial years 1992–93 to 1996–97 have been used.

Annual average real terms growth	Net percentage real terms growth	Gross percentage real terms growth
1997–74 to 1997–98	3.0	3.0

Mr. Peter Bottomley: To ask the Secretary of State for Health what plans he has to announce the restoration of real terms increases of NHS funding to the average over the past three decades. [28813]

Mr. Milburn: We have increased the National Health Service spending plans inherited from the previous administration by almost £1.5 billion. We shall announce plans for future years in due course.

New Smokers

Mr. Peter Bottomley: To ask the Secretary of State for Health if he will estimate the weekly numbers of new smokers. [28817]

Ms Jowell: No reliable estimate has been made centrally. However, information about the smoking habits of young people aged 16–24 in 1996, leads to an estimate of about 3,000–5,000 new smokers each week on average.

Community Pharmacists

Ms Drown: To ask the Secretary of State for Health what estimate his Department has made of the likely impact on the number of community pharmacies of the abolition of resale price maintenance on over-the-counter medicines. [28697]

Mr. Milburn: The Department has made no such estimate. The question of resale price maintenance has been referred by the Director General of Fair Trading to the Restrictive Practices Court. Should the Court grant leave for the case to be heard, the implications for community pharmacies will no doubt receive full and proper consideration.

Ms Drown: To ask the Secretary of State for Health what assessment he has made of the financial savings to the NHS resulting from healthcare advice provided by community pharmacists. [28696]

Mr. Milburn: We have made no such assessment.

NHS Hospital Beds

Mr. Jenkin: To ask the Secretary of State for Health what is *(a)* the number of NHS hospital beds in each health authority area in England and Wales and *(b)* the number per head of population in each area, arranging the health authorities in order of the number per head of population. [28673]

Mr. Milburn: The information requested for England has been placed in the Library. Figures relating to Wales are a matter for my right hon. Friend the Secretary of State for Wales.

General Practitioners

Mr. Jenkin: To ask the Secretary of State for Health what is *(a)* the number of NHS GPs in each NHS health authority area in England and Wales and *(b)* the number per head of population in each area, arranging the health authorities in order of the number per head of population. [28672]

Mr. Milburn: The available figures for England have been placed in the Library. Questions relating to Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Homicide Inquiries

Dr. Julian Lewis: To ask the Secretary of State for Health (1) how many independent inquiries into homicides committed by mentally ill people established under HSG(94)27 have not yet published reports but which are due to publish reports; [28658]

(2) how many independent inquiries set up under Health Service Guidelines HSG(94)27 into homicides committed by mentally ill people have published reports since the publication of the Clunis report; [28657]

(3) if he will make it his policy that the recommendations contained in inquiry reports published under HSG(94)27 are implemented by the NHS throughout England and Wales. [28659]

Mr. Boateng: Thirty two independent inquiries set up under Health Service Guidelines HSG(94)27 have published reports.

Twenty four independent inquiries are currently underway.

The purpose of independent inquiries in England is to ensure that lessons are learnt and remedial action is taken at local level. We expect the commissioning agencies to develop robust action plans in the light of recommendations. The National Health Service Executive monitors closely the implementation of these action plans.

It would not be appropriate to require recommendations contained in local inquiry reports to be implemented nationally. We would, of course, take into account any recommendations which had significance for national

policy. We are already funding the National Confidential Inquiry into Suicide and Homicide by People with Mental illness to develop a national overview.

There are separate arrangements in Wales for local mental health inquiries.

Infant Formula

Mr. Maples: To ask the Secretary of State for Health when he plans to introduce new guidelines on information and educational materials relating to the Infant Formula and Follow on Formula Regulations of 1995. [29014]

Ms Jowell: I met the Infant and Dietetic Foods Association, which acts on behalf of the United Kingdom infant formula companies, in October of last year and with breastfeeding support groups and health professionals in December to discuss the draft guidelines on information and educational materials relating to the Infant Formula and Follow on Formula Regulations of 1995. I listened to their concerns and will publish the guidelines later this year.

Shoulder Dystocia

Mr. Bill Michie: To ask the Secretary of State for Health what progress has been made by the working group under the auspices of the Confidential Inquiry into Stillbirths and Deaths in Infancy in preparing guidance on the management of shoulder dystocia; and when this guidance will be available. [29233]

Mr. Boateng: he report of the "Shoulder Dystocia Group" of the Confidential Inquiry into Stillbirths and Deaths in Infancy will be published in the 5th Annual Report of the Confidential Inquiry before the end of July 1998.

Guidelines on the management of shoulder dystocia will be included in the report and are currently being considered by the appropriate professional organisations with the intention of issuing guidance on clinical practice.

Hepatitis C

Ms Walley: To ask the Secretary of State for Health what plans he has to raise awareness of the hepatitis C virus; and if he will make a statement. [29002]

Ms Jowell: The Department has produced a range of publications for the National Health Service and the public to raise awareness of hepatitis C.

Injecting drug misusers who share contaminated equipment are at increased risk of acquiring hepatitis C infection. The Guidelines for Doctors on the Clinical Management of Drug Misusers, last issued in 1991, are currently being revised and will be published later this year. They will include updated advice on the management of hepatitis C in drug misusers. The guidance to purchasers of drug treatment and care services, which the Department issued in March 1997, included advice for purchasers on dealing with those who seek testing for hepatitis C.

The Chief Medical Officer's letter to all doctors in April 1995 about the hepatitis C and blood transfusion look back exercise included advice about the prevalence, epidemiology and treatment of hepatitis C.

The Department is funding representatives of the medical profession to produce clinical guidelines on the use of alpha interferon in treating hepatitis C which will be disseminated widely.

The Health Advice for Travellers booklet contains advice for those travelling abroad on avoiding the risks of hepatitis C. The revised version of the Travel Safe leaflet which will be published later this year will contain similar information.

The Department is funding the British Liver Trust to raise awareness and provide advice on hepatitis C and the Trust have produced a number of comprehensive leaflets.

The Health Education Authority has published an information leaflet on hepatitis C for the public which may be obtained from general practitioner surgeries.

Ms Walley: To ask the Secretary of State for Health what research his Department has commissioned in respect of the hepatitis C virus; and if he will make a statement. [29004]

Ms Jowell: In 1996, the Department made £1 million available for research into the natural history, prevalence, transmission and treatment of hepatitis C. The results of the research commissioned so far will become available over the next three years. A further £500,000 will be allocated this year to expand the research programme. In addition, the National Health Service Health Technology Assessment is finalising the arrangements for a research project to establish the effectiveness of the early treatment of chronic hepatitis C with alpha interferon.

Creutzfeldt Jakob Disease

Mr. Gill: To ask the Secretary of State for Health how many cases of each variant of CJD were identified in 1997; and how many resulted in death. [29417]

Ms Jowell: Creutzfeldt Jakob Disease (CJD) is invariably fatal. Definite diagnosis of all types of CJD depends on the examination of brain tissue and is usually only made after the patient has died.

The Department publishes monthly statistics showing deaths from all types of CJD. The latest were issued on 2 February 1998 and copies are available in the Library.

Mr. Gill: To ask the Secretary of State for Health if the World Health Organisation has revised its statement of April 1996 that a link has not yet been proven between V-CJD in the United Kingdom and the effects of exposure to the BSE agent. [29757]

Ms Jowell: A further World Health Organisation consultation was held very recently. We expect to be informed of the outcome very shortly and I will write to the hon. Member as soon as possible.

War Disablement Pension

Mr. David Stewart: To ask the Secretary of State for Health if he will list the treatment of war disablement pension made by each local authority in calculating residential care assessments. [29284]

Mr. Boateng: There are national rules for the treatment of income to assess charges for residential care—the National Assistance (Assessment of Resources) Regulations 1992—which provide that a person must be

allowed to retain £10 of their War Disablement Pension, and the remainder is taken into account in the assessment of charges.

Xenotransplantation

Mr. Baker: To ask the Secretary of State for Health how many postcards registering opposition to xenotransplantation he has received to date. [29440]

Ms Jowell: As of 12 February, 15,675 postcards have been received.

Continence Pads (VAT)

Mrs. Browning: To ask the Secretary of State for Health, pursuant to the answer of 2 February 1998, to the hon. Member for Sutton and Cheam (Mr. Burstow), *Official Report*, column *511*, if he will list the financial effects resulting from the Value Added Tax Order of 1 January 1998. [29767]

Mr. Milburn: As indicated in my earlier answer, officials are still working on these issues.

Health Authorities and Trusts (Deficits)

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list the deficits of each *(a)* health authority and *(b)* health trust for each of the last three financial quarters. [29511]

Mr. Milburn: The forecast surpluses and deficits for all health authorities and National Health Service trusts for the first three quarters of 1997–98 will be available in due course.

Inequalities in Health

Helen Jones: To ask the Secretary of State for Health what discussions he has had with other Ministers on the effect of unemployment and poor housing on inequalities in health. [29597]

Ms Jowell: We have had a number of discussions with Ministerial colleagues at various times over the impact which unemployment and bad housing have on health inequalities. We have launched a number of initiatives that aim to make society more equitable, for example the reduction of Value Added Tax on fuel to 5 per cent., and those that will have a particular effect on the health of the most needy in society are explained in the recent Green Paper "Our Healthier Nation".

Helen Jones: To ask the Secretary of State for Health what action his Department is taking to promote research into inequalities in health; and if he will make a statement. [29599]

Ms Jowell: There is considerable research evidence about the determinants of inequalities in health, but very little to indicate wheat interventions would be effective in reducing inequalities. Consequently, the Department is commissioning a programme of research into this area. The results of the commissioning process will be announced in due course.

Additionally, the Department's Director of Research and Development chairs a co-ordinating group on research in inequalities covering funders working in this area. The Department particularly welcomes and supports the Economic and Social Research Council programme on Inequalities in health.

The Independent Inquiry into Inequalities in Health being undertaken by Sir Donald Acheson may suggest further areas where research would be valuable. The inquiry is due to report later this year.

NORTHERN IRELAND

Terrorist Activity

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland if she will list those incidents evaluated as having potential terrorist organisation involvement which have occurred since 20 July broken down by type of incident; and what assessment the RUC has made as to the organisation involved in respect of each incident. [21516]

Mr. Ingram: The tables provide details of terrorist incidents between 20 July 1997 and 25 January 1998.

	Attribute to Republicans[1]	*Attributed to Loyalists*[1]	*Attribution Unknown*[1]
Deaths due to the security situation	2	13	—
Shooting Incidents[2]	21	51	21
Bombing Incidents (include devices defused)	20	6	2

[1] Statistics and attribution figures are subject to adjustment.
[2] The figures for Shooting Incidents includes paramilitary style attacks.

Casualties as a result of paramilitary style attacks

	Attributed to Republicans	*Attributed to Loyalists*	*Total*
Shootings	15	18	33
Assaults	26	36	62
Total	41	54	95

Prisoners

Mr. McNamara: To ask the Secretary of State for Northern Ireland what, for life sentence prisoners released in the past 25 years, was the average time served in prison for *(a)* Republican, *(b)* Loyalist and *(c)* other prisoners. [27393]

Mr. Ingram: The average time served in prison for life sentence prisoners released in the past 25 years could be obtained only at disproportionate cost. However, information is available for such releases since 1985, ie those recommended for release by the Life Sentence Review Board.

Average period served by indeterminate sentence prisoners[1] released on licence since 1985

Loyalist	*Republican*	*Others*
14 years 4 months	14 years 11 months	12 years 3 months

[1] Includes life sentence and Secretary of State's Pleasure prisoners.
Note:
The classification into Republican and Loyalist is the perceived affiliation at the time that the offence was committed.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many Republican, Loyalist and other life sentence prisoners have been released on licence in each year since 1970; and how many in each category have subsequently *(a)* been arrested *(b)* had their licence revoked or *(c)* been reconvicted for a similar offence. [27392]

Mr. Ingram: The information requested, where available, is set out below. The figures relate to life sentence and Secretary of State's pleasure prisoners.

Indeterminate sentence prisoners released on licence since 1985

Year	*Republican*	*Loyalist*	*Other*	*Total*
1985	4	6	0	10
1986	7	6	2	15
1987	14	12	2	28
1988	7	19	2	28
1989	12	25	1	38
1990	37	35	3	75
1991	14	11	1	26
1992	21	27	0	48
1993	18	33	3	54
1994	32	15	2	49
1995	8	11	4	23
1996	9	7	3	19
1997	5	11	0	16
1998	2	3	4	9

Note:
These figures include prisoners detained at the Secretary of State's pleasure. They exclude prisoners released on medical grounds or who provided significant assistance to the authorities.

(a) This information is not readily available and could be obtained only at disproportionate cost.

(b) This information is readily available only for the period commencing 1985. The total number of licences revoked is 18: three Republican, 10 Loyalist and five Other. *(c)* Of the 18 prisoners whose licences have been revoked two have been reconvicted of further serious terrorist type offences: one Republican and one Loyalist.

Danny McNamee

Mr. McNamara: To ask the Secretary of State for Northern Ireland what medical examinations of Danny McNamee have been conducted since his transfer to HMP Maze; and what medical conditions were identified. [27441]

Mr. Ingram: Medical records of individuals are confidential and are not disclosed publicly. Under the Access to Health Records (Northern Ireland) Order an application may be made personally only by the patient or other person authorised in writing to make application.

WALES

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27737]

Mr. Ron Davies *[holding answer 5 February 1998]:* The information requested is as follows:

Internal fraud and theft

	Welsh Office	*Agencies*	*NDPBs*
1995–96			
Number	1	—	—
Value (£)	20	—	—
Amount recovered (£)	20	—	—
1996–97			
Number	6	—	—
Value (£)	998	—	—
Amount recovered (£)	332	—	—
1997 to date			
Number	—	—	—
Value	—	—	—
Amount recovered (£)	—	—	—

External fraud and theft

	Welsh Office	*Agencies*	*NDPBs*
1995–96			
Number	—	15	17
Value (£)	—	9,369	34,808
Amount recovered (£)	—	—	1,034
1996–97			
Number	3	5	19
Value (£)	41,879	5,217	26,625
Amount recovered	—	—	—
1997 to date			
Number	—	—	8
Value (£)	—	—	9,187
Amount recovered (£)	—	—	—

Local Government Finance

Mr. Edwards: To ask the Secretary of State for Wales if he will estimate the gross cost to public expenditure in Wales if all local authority rents were to be reduced by 10 per cent.; and what would be the net savings in housing benefits. [28860]

Mr. Win Griffiths: The effects on public expenditure of a 10 per cent. reduction in council rents depend on what assumptions are made about the consequential adjustments to Housing Revenue Account Subsidy. If the reduction had applied in the current financial year and other elements within the subsidy calculation remained unchanged, the Welsh Office estimates that there would be a reduction of £26.6 million in rent rebates but an overall subsidy cost of £10.6 million. Because the rent reduction would marginally reduce the rate of increase in the RPI, there would also be a saving in benefits in the UK as a whole of about £1.6 million this year, rising to £6.1 million in the following year.

Local Bus Services

Mr. Öpik: To ask the Secretary of State for Wales how much additional money he will make available to local authorities in 1998–99 to enable them to subsidise local bus services; and if he will make a statement. [28998]

Mr. Win Griffiths: The Welsh Office does not provide authorities with specific resources to subsidise bus services. Authorities have discretionary powers which—subject to available resources—enable them to subsidise local public transport services which they consider are essential to meet a social need.

Inward Investment

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his answer of 2 February 1998, *Official Report*, column *533*, on inward investment to Wales, if he will list the criteria he uses to determine the areas of Wales which need most help. [29000]

Mr. Hain: The areas which need the most help are those which have the highest levels of unemployment and those areas which have been less successful in terms of industrial and economic development and in attracting inward investment. Classic examples which display some or all of these problems are in our priority areas of the south Wales valleys, mid Wales and south and north west Wales. But, while we focus and encourage, it is the companies with which we deal which must take the final decision on location, decisions which are based on a wide range of commercial considerations.

EU Structural Funds

Mr. Wigley: To ask the Secretary of State for Wales what representations he has made to the European Commission concerning the future of EU aid to the poorer regions in the United Kingdom as a result of the new definition of eligibility for Objective 2 funds. [28995]

Mr. Hain: My right hon. Friend met Commissioner Wulf Mathies on 12 December and underlined the importance the UK attach to the continued receipt of Structural Funds support after 1999. The eligibility of the poorer UK regions will, of course, be dependent on criteria laid out in the Structural Funds Regulations which are due to be published next month. We are already seeking to influence these and my right hon. Friend specifically asked the Commissioner to consider the inclusion of GDP within the new Objective 2 criteria, as a more appropriate measure of prosperity. Indeed this would be more consistent with the approach taken with Structural Funds more generally and with the criteria applied to Objective 1.

Air Services

Mr. Wigley: To ask the Secretary of State for Wales if he will undertake a study of the future needs of air services and airports in Wales; and if he will make a statement. [28996]

Mr. Hain: I am currently undertaking a series of meetings with airport and airline owners and operators, including one based in Caernarfon, to assess the potential for establishing a scheduled air service between North and South Wales. Once these discussions have been concluded, I will consider what further work is necessary and how it might best be undertaken.

Strategic Roads Programme

Mr. Barry Jones: To ask the Secretary of State for Wales when he proposes to announce his strategic roads programmes for Wales; and if he will make a statement. [29430]

Mr. Hain: The responses to the consultation exercise on the review of the Welsh trunk road programme are being assessed. I am not yet in a position to say when I will be able to give any indications as to the size, composition and overall strategy of the future trunk road programme.

Rail Services

Mr. Barry Jones: To ask the Secretary of State for Wales what talks he has had with North Western Trains in respect of services on the Wrexham-Bidston Railway; and if he will make a statement. [29433]

Mr. Hain: I hope shortly to meet the Managing Director of North Western Trains to discuss the company's operations in Wales, including services on the Wrexham to Bidston line.

New Deal

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the progress of the New Deal in Wales. [29429]

Mr. Hain: My hon. Friend will be aware that the New Deal for 18–24 year olds has been operating in the West Wales Pathfinder Area since 5 January and the early indications are that young people and employers are embracing the programme enthusiastically. Around 1,000 young people have already been interviewed and West Wales businesses have pledged 750 jobs.

The response elsewhere in Wales, where the New Deal will commence on 6 April, has been equally encouraging. Even before our advertising campaign commenced on 15 February, a considerable degree of employer interest has been evident. I welcome this interest and look forward to their involvement in making the New Deal a success.

Closed Circuit Television

Mr. Llwyd: To ask the Secretary of State for Wales what CCTV projects are proposed for Wales during the next 12 months. [29366]

Mr. Win Griffiths: In 1997–98 the Welsh Office has approved Strategic Development Scheme capital funding of £140,000 for Bridgend CBC and £60,000 for Wrexham CBC for the provision of CCTV.

All local authorities in Wales have delegated SDS capital and revenue resources at their disposal which they can use to support a wide range of projects including the provision of CCTV. However, we do not have firm details yet of whether local authorities have funded CCTV projects in 1997–98 or intend to do so in 1998–99.

In addition, I understand that the Home Office is funding three town centre CCTV schemes in Wales following the third round of that Department's CCTV Challenge Competition. These are located in Monmouth, Prestatyn and Wrexham. The fourth round of the

Challenge Competition was announced on 24 November by the Minister of State, Home Office, my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael).

Mobile Phones

Mr. Gareth Thomas: To ask the Secretary of State for Wales what plans he has to improve mobile phone reception within Wales. [29362]

Mr. Hain: Welsh Office officials have regular dialogue with representatives of the industry to discuss improvements in mobile phone coverage in Wales which is unsatisfactory in too many cases.

Public Transport

Mr. Llwyd: To ask the Secretary of State for Wales what proposals he has to improve public transport communications between North and South Wales. [29373]

Mr. Hain: I am currently undertaking a series of meetings with key transport operators to assess the potential for improved air and rail services between North and South Wales. I am also engaged in discussions with the Director of Passenger Rail Franchising. My conclusions will be reflected in a Welsh transport policy statement which will be published at around the same time as the forthcoming integrated transport White Paper.

Mr. Llwyd: To ask the Secretary of State for Wales what proposals he has to increase the use of public transport in West Wales. [29372]

Mr. Hain: The promotion of public transport will be one of the key objectives of the Government's integrated transport White Paper, which is due to be published in the spring. A separate Welsh transport policy statement will be published at around the same time.

SCOTLAND

Young People

Mr. Gorrie: To ask the Secretary of State for Scotland what resources are allocated by the Scottish Office for *(a)* monitoring performance regarding children's rights and *(b)* enabling young people's views to be represented in planning and policy making processes involving (i) the Scottish Office and (ii) local authorities. [24952]

Mr. Galbraith: The Scottish Office allocated £276,000 for the current financial year under the Social Work Grants Programme to voluntary organisations dealing with children's rights and interests. As part of my remit as Minister with responsibility for children, I will be considering the terms of a Child Strategy Statement designed to ensure that policy development across the Scottish Office takes due account of any likely effect on children's interests. I expect to issue a copy of this document to local authorities and other relevant groups. I am aware also of the Connect Youth Initiative and proposals from Save the Children Fund in Scotland, both of which seek to find effective ways of allowing the views of children and young people to be heard on a wide range of issues that affect them.

Scottish Parliament

Mr. Gorrie: To ask the Secretary of State for Scotland what steps he took *(a)* to include other potential sites for the Scottish Parliament and *(b)* to invite modifications from the proponents of the existing proposals at the time when the Holyrood site was added to the short list of sites. [24951]

Mr. McLeish: A range of sites was considered before the original shortlist was drawn up. The Holyrood site was added to that list once it became clear that it would be available in a reasonable timescale. There was no reason at that point to add any other sites. Independent Design Feasibility Studies were commissioned on all four sites to allow a fair comparison of their potential to house the Parliament building.

Student Grants

Mr. Moore: To ask the Secretary of State for Scotland how many applications for grants by students from Scotland to study at Scottish universities and colleges for the session 1997–98 were awaiting processing on 1 December 1997; and how many processed applications were unpaid. [26054]

Mr. Wilson: The Student Awards Agency for Scotland had a total of 13,732 applications for awards in respect of students attending Scottish universities and colleges awaiting processing on 1 December. At the same date 94,349 applications had been processed. Where the processing of an application results in a payment being due to a student, a Payable Order is generated automatically and is normally received by the student within seven days of processing. Apart from that delivery period, the only applications processed but unpaid were those which did not generate any payment due to the student. The applications awaiting processing included a significant number which were submitted late, or for which additional information had been sought.

Social Exclusion

Mr. Gorrie: To ask the Secretary of State for Scotland if he will provide more funds to voluntary organisations whose work contributes to combating social exclusion. [29070]

Mr. Macdonald *[holding answer 12 February 1998]:* The Scottish Office is already a major funder of voluntary organisations in Scotland, including those whose work contributes to combating social exclusion. Forty per cent. of the £1.4 million recently allocated to voluntary sector organisations for housing purposes will support work on homelessness. Voluntary sector organisations will also benefit from the £11 million allocated under the Rough Sleepers Initiative in September last year. At least 60 per cent. of the Urban Programme funding of £67.6 million in 1998–99 is expected to be allocated to voluntary organisations. Also in 1998–99, under section 10 of the Social Work (Scotland) Act 1968, grants totalling £6.9 million will be made to national voluntary organisations working in the field of social welfare to support their day to day work with children and families, people with disabilities or addictions, offender services and the homeless.

Further decisions on expenditure to tackle social exclusion, including support for the voluntary sector, will be considered as part of the Government's Comprehensive Spending Review. This process will be informed by the consultation exercise on social exclusion in Scotland, which is currently under way.

Hyundai

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what public funds have been spent in the preparation of the Hyundai site in Dunfermline, broken down by major items within the expenditure total. [29512]

Mr. Wilson: Expenditure by the Scottish Enterprise Network on acquiring, levelling and servicing the Hyundai site totals £14.340 million. The expenditure is made up as follows:

	£ million
Cost of land purchase	4.894
Levelling of site	3.977
Utility provision - power	3.600
Utility provision - water	0.774
Utility provision - gas	0.698
Fees	0.397

In addition, a further £5.5 million has been spent on infrastructure works related to the whole of the 1,100 acre Dunfermline East Expansion Area, including the 150 acre Hyundai site. None of this expenditure relates specifically to the Hyundai project.

AGRICULTURE, FISHERIES AND FOOD

Green Pound Compensation

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food if he will provide a breakdown for *(a)* Scotland, *(b)* England, *(c)* Northern Ireland and *(d)* Wales of the green pound compensation that was to be made available under the package announced on 22 December 1997, and the new levels of compensation available for each nation under the green pound compensation package announced on 3 February 1998; if he will state the differences between the figures under the two schemes in each case; if he will provide a breakdown of these figures for the hill livestock sector; and if he will make a statement. [28261]

Mr. Rooker *[holding answer 6 February 1998]:* The information requested is set out in the table. The figures in brackets show that part of the totals which is payable to producers in the Less Favoured Areas.

Estimated £ million

	22 December package	*3 February package*	*difference*
(a) Scotland	17.4 (14.9)	23.9 (20.6)	6.5 (5.7)
(b) England	24.7 (9.5)	34.7 (14.0)	10.0 (4.5)
(c) Northern Ireland	11.0 (8.5)	14.2 (11.0)	3.2 (2.5)
(d) Wales	6.9 (6.2)	12.2 (11.1)	5.3 (4.9)

Retirement Packages

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from other European Union countries on retirement packages for the agricultural sector. [29250]

Mr. Rooker: None.

Veterinary Products (Ivomec)

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food when Ivomec was first licensed for use in the United Kingdom. [29416]

Mr. Rooker: Our records show that the first use of the name "Ivomec" for a veterinary medicine was for a product licensed in June 1981. This is an injectable product for the treatment of cattle.

Sheep Exports

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will allow the export of whole carcases of sheep over 12 months old. [29310]

Mr. Rooker *[holding answer 13 February 1998]:* The Specified Risk Material Regulations 1997 require the removal of the spinal cord of all sheep and goats more than 12 months of age by the splitting of the carcase, or by removal of a longitudinal section of the whole vertebral column containing the spinal cord. There is no exemption for carcases destined for export.

We are currently considering representations received from various organisations about the impact of this provision on exports of carcases of sheep over 12 months of age.

Food-handling Machinery (Lubricants)

Mrs. Gilroy: To ask the Minister of Agriculture, Fisheries and Food what plans he has for introducing regulations to ensure that only appropriate and food-compatible lubricants are used in food-handling machinery. [28743]

Mr. Rooker: As the production or sale of any food which is injurious to health or unfit for human consumption is already an offence under the Food Safety Act 1990, we see no need at present to introduce regulations specifically relating to lubricants used in food-handling machinery.

Meat Imports

Mrs. Dean: To ask the Minister of Agriculture, Fisheries and Food what measures are being taken to ensure that meat imported to the United Kingdom is from animals fed on animal foods which are as safe as those now used in the United Kingdom. [29236]

Mr. Rooker: I refer my hon. Friend to the reply given to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) on 2 February 1998, *Official Report*, columns *547–48*.

TRADE AND INDUSTRY

Absenteeism

Mr. Malcolm Bruce: To ask the President of the Board of Trade if she will estimate the rates of absenteeism in her *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if she will make a statement. [26594]

Mrs. Beckett *[holding answer 5 February 1998]:* My Department is responsible for 21 executive non-Departmental public bodies, 25 advisory bodies and 7 tribunals, one of which covers the 24 industrial tribunals, and another the 2 employment tribunals. I regret that only some of the information requested by the hon. Member is held centrally, and the complete details requested could be provided only at disproportionate cost.

For the headquarters areas of the Department, the sickness absence database of the Occupational Health Service Agency Ltd. shows the average number of days sick leave per employee for the 1995 calendar year is 8.2. I refer the hon. Member to the answer given by my right hon. Friend the Chancellor of the Duchy of Lancaster, 10 February 1998, *Official Report*, column *116*, which announced publication of the 1996 figures, and show this Department's average number of days sick leave per employee during that calendar year as 7.6.

I have asked the Chief Executive of the Agencies to write to the hon. Member. The management of sickness absence in the Department has been identified as a priority for line managers, with the aim of ensuring that absence rates are comparable to or better than those of similar organisations in the private sector.

Letter from Peter Joyce to Mr. Malcolm Bruce, dated 16 February 1998:

The President of the Board of Trade has asked me to reply to your question about rates of absenteeism (sick leave) of staff in The Insolvency Service.

The Cabinet Office is responsible for publishing sick leave data. The most recent in the report was issued on 10 February 1998 containing 1996 data. The figures for Service Staff for the last two available years were (working days absences per staff year):

	1995	*1996*
Certificated Sick Leave	5.9	3.3
Self-certificated Sick Leave	3.6	6.05
Total Sick Leave	9.5	9.35
Staff Years	1,642	1,469

Letter from Jim Norton to Mr. Malcolm Bruce, dated 16 February 1998:

I have been asked by the President of the Board of Trade to reply to the above Parliamentary Question with information about the Radiocommunications Agency.

The average rate of absenteeism in the Radiocommunications Agency was as follows:

1995/96: 0.74 days sick leave per staff member

1996/97: 0.76 days sick leave per staff member

1997/98 to date: 0.78 days sick leave per staff member.

Letter from Dr. Seton Bennett to Mr. Malcolm Bruce, dated 16 February 1998:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about the rate of absenteeism.

The rates of absenteeism for the last three years are set out in the table below:

Year	*Days per member of staff*
1995–96	11.9
1996–97	12.9
1997–98 (April to November)	10.3

It should be noted that the high figures reflect a number of long term illnesses within the Agency. Five staff (10% of total) have had long term illnesses in the period concerned.

Letter from Ian Jones to Mr. Malcolm Bruce, dated 16 February 1998:

I have been asked by the President of the Board of Trade to reply, in respect of the Employment Tribunals Service (ETS), to your question about rates of absenteeism.

The ETS gained status on 1 April 1997 and I am able to inform you that, for the six months from April to September 1997, the absenteeism rate for the agency was 5.4%. For the periods before 1 April 1997, absenteeism in the ETS would be included in the reply from the Department of Trade and Industry and the Department for Education and Employment (for the former Employment Department).

I hope that this is helpful.

Letter from P. R. S. Hartnack to Mr. Malcolm Bruce, dated 16 February 1998:

I am replying for the Patent Office to your Parliamentary Question to the President of the Board of Trade about the rates of absenteeism. Below are the statistics for the Patent Office:

Year	*Number of working days*	*Average per person*	*Percentage of working days lost*
April 1995–March 1996	8,770	10.98	3.87
April 1996–March 1997	5,673	7.99	3.06
April 1997–September 1998[1]	2,663	3.70	2.93

[1] Note 6 months.

Letter from John Holden to Mr. Malcolm Bruce, dated January 1998:

I have been asked to reply to your question to the President of the Board of Trade regarding the rates of absenteeism in DTI Agencies.

The sickness absenteeism rate for Companies House for the years in question are as follows:

1995/96: 5.6%

1996/97: 6.0%

1997/98: 5.7%.

Correspondence

Mr. Ian Bruce: To ask the President of the Board of Trade how long on average it takes her Department to answer letters from hon. Members; what target date her Department sets; what percentage receive replies within the target date; and what assessment she has made of how long it takes to deliver a letter after it has been typed. [27031]

Mrs. Beckett *[holding answer 2 February 1998]:* My Department aims to send substantive replies to 77 per cent. of all letters within 10 working days and 98 per cent. within

a calendar month. Figures are collected in relation to all letters to Ministers rather than those from hon. Members alone.

Since 1 May, 56 per cent. of letters were issued within the 10 day target. The average issue time for all letters was 12 days.

The Department does not measure the time it takes to deliver a letter after it has been typed.

Multilateral Agreement on Investment

Mr. Chaytor: To ask the President of the Board of Trade if she will make a statement on the powers of the dispute settlement mechanisms contained within the draft texts of the Multilateral Agreement on Investment to deal with contraventions of the OECD guidelines for multinational corporations. [29918]

Mrs. Roche: The MAI's dispute settlement procedures will not apply to the OECD Guidelines for Multinational Enterprises (MNEs) which are a voluntary code of conduct of good corporate behaviour.

Mr. Chaytor: To ask the President of the Board of Trade what assessment she has made of the implications of the OECD guidelines for multinational corporations on the Multilateral Agreement on Investment. [29919]

Mrs. Roche: We are pressing for the close association of the OECD Guidelines for Multinational Enterprises with the Multilateral Agreement on Investment (MAI) in a manner which will not affect their legal status.

Ms Drown: To ask the President of the Board of Trade what steps the Government will take to ensure that reservations under the Multilateral Agreement on Investment are binding and effective. [29950]

Mrs. Roche: The Government will ensure that the UK's country-specific exceptions are drafted in such a way that they will be fully effective.

Ms Drown: To ask the President of the Board of Trade if she will make it her policy not to sign the Multilateral Agreement on Investment unless it contains binding labour standards. [29955]

Mrs. Roche: When the final text of the Multilateral Agreement on Investment (MAI) is available, the Government will decide if it meets the UK's objectives. We will continue to press the case for a binding commitment not to derogate from labour or environmental standards in order to attract specific investments.

Ms Drown: To ask the President of the Board of Trade what consultations have been held with small and medium-sized businesses about the Multilateral Agreement on Investment. [29978]

Mrs. Roche: My officials have consulted widely with business, including organisations which represent, among others, small and medium-sized enterprises.

Mr. Stunell: To ask the President of the Board of Trade what representations she has made to the OECD on the participation of developing nations in the Multilateral Agreement on Investment; and if she will make a statement. [28327]

Mrs. Roche: In the MAI negotiations at the OECD the UK has strongly supported the view that the MAI should be open to all countries willing and able to meet the MAI's obligations. The Government have also supported a proposal for language to be included in the Agreement to clarify that the special needs of developing countries should be taken into account when they apply to join.

Gross Domestic Product

Mr. Evans: To ask the President of the Board of Trade if she will list the gross domestic product of each county in England in each year since 1977. [29481]

Mrs. Roche: The latest information for 1993 and 1995 is in the Economic Trends January 1998 edition, published by the Office for National Statistics on 15 January 1998. Information from 1977 is available in the House of Commons Library but figures are available only for selected years.

Millennium Compliance

Mrs. Gillan: To ask the President of the Board of Trade if a chief executive of Action 2000 has been appointed. [24379]

Mrs. Roche *[holding answer 20 January 1998]:* The Chairman of Action 2000 has appointed Ian Eddison as Acting Director and he has been in post since 17 December 1997. Action 2000 has advertised for a permanent Director and this is progressing swiftly with approximately 100 applications received by the closing date.

Mrs. Gillan: To ask the President of the Board of Trade when Action 2000 will be launched. [24377]

Mrs. Roche *[holding answer 20 January 1998]:* Action 2000 launched its Millennium Bug Campaign on 22 January.

Mr. Redwood: To ask the President of the Board of Trade how many staff are employed on answering the Millennium Bug Hotline; and how many phone lines can be operated simultaneously. [28582]

Mrs. Roche *[holding answer 9 February 1998]:* I understand from Action 2000 that there are six staff permanently assigned to the Millennium Bug Hotline with immediate recourse to an additional three to cope with fluctuations in demand. There is no fixed number of lines. Action 2000 is keeping performance under review and will consider expanding the resources if the need arises.

Electricity Industry (North Yorkshire)

Mr. Hague: To ask the President of the Board of Trade when she proposes to announce her decision in respect of the application by the National Grid to construct new overhead power lines across North Yorkshire. [29550]

Mrs. Beckett: I shall reach my decision as soon as I properly and practically can.

Inward Investment

Mr. Redwood: To ask the President of the Board of Trade what was the sterling value of inward investment

into the United Kingdom in *(a)* the three months prior to 31 January 1996 and *(b)* the three months prior to 31 January 1997. [28585]

Mrs. Beckett *[holding answer 9 February 1998]:* Information on the value of inward investment is available on a quarterly basis only. Figures of the latest five quarters available are given in the table.

Inward direct investment in the United Kingdom

£ billion

Year	Flows	Stocks[1]
1996 Q3	5.1	137.7
1996 Q4	3.5	138.7
1997 Q1	8.7	147.8
1997 Q2	5.1	152.9
1997 Q3	3.0	155.9

[1] The stock of investment at the end of a period represents the net book value of the investment. It equals the stock at the end of the previous period plus the flow of investment during the period, together with adjustments for goodwill write-offs, revaluation of assets and exchange rate fluctuations. However, these adjustments are only carried out when the results of the annual inquiries are available. The figures for the most recent quarters are not so adjusted.

Source:
The Office for National Statistics (ONS).

Minimum Wage

Mr. Redwood: To ask the President of the Board of Trade how many submissions her Department has received expressing the view that differentials will be restored in whole or part following the imposition of a minimum wage. [27895]

Mrs. Beckett *[holding answer 5 February 1998]:* My Department has received a number of submissions which contain reference to the restoration of pay differentials following the introduction of a national minimum wage.

Mr. David Atkinson: To ask the President of the Board of Trade what representations she has received on the impact on employment in the tourism industry in the South West Region of the introduction of a minimum wage. [29745]

Mr. Ian McCartney: The Government have received a number of representations on the possible effects, including on employment, in the tourism and leisure industry following the introduction of the national minimum wage.

Mr. Levitt: To ask the President of the Board of Trade if *(a)* payments in kind and *(b)* board and lodging where living on the premises is a condition of employment, will be taken into account when assessing income for purposes of applying the minimum wage. [29805]

Mr. Ian McCartney: The Low Pay Commission has been asked to make recommendations on what is to be treated as remuneration when assessing compliance with the National Minimum Wage.

Mr. Willetts: To ask the President of the Board of Trade what are the estimated costs for businesses of complying with the requirement that all employees be informed of the level of the minimum wage on pay-slips and other company documentation. [29687]

Mr. Ian McCartney: The Government have made a commitment to consult with business over any secondary legislation to implement the National Minimum Wage Bill and indicated that they will produce a detailed appraisal of the impact associated with that secondary legislation. This would include any costs associated with a requirement to show the level of the minimum wage on pay-slips.

Concessionary Coal

Mr. Redwood: To ask the President of the Board of Trade what changes *(a)* are planned and *(b)* have been made with respect to the free coal scheme for miners' families. [22656]

Mrs. Beckett *[holding answer 12 January 1998]:* Since liability for concessionary fuel for ex-employees of British Coal (and their dependants) transferred to the Government in March 1995, no changes have been made to the scheme.

My hon. Friend the Minister for Science, Energy and Industry announced on 11 February that it would be premature to introduce new arrangements, and that we are extending the consultation period for a while longer to consider all relevant issues before we make necessary changes.

Our aim is to find a solution to future entitlements which is fair to all concerned, and which complies with EU legal requirements and the Fuel Agreements. We have listened to representations and the views of beneficiaries expressing concern about the entitlements, and have decided to make no change to existing entitlements while full and wide ranging consultations are in progress. Beneficiaries can be assured that they will continue to receive their present fuel type at existing tonnages while the consultations are underway.

British Standards Institute

Mr. Baldry: To ask the President of the Board of Trade if she will make a statement on the future of the British Standards Institute. [28652]

Mr. Battle: The British Standards Institution (BSI), the national standards body, is a Royal Charter body which is independent of Government. Its future is primarily a matter for its members.

BSI's senior management, after consulting Government through my Department, have submitted proposed amendments to BSI's Royal Charter and Byelaws, which comprise its constitution, to an Extraordinary General Meeting of BSI's members on 27 February 1998. If BSI's members approve the amendments they will be submitted to the Privy Council Office.

The main aim of the amendments is to allow BSI to expand its commercial activities, with a view to seeing its long term viability, while at the same time safeguarding the future of its standards facilitation activities.

Fireworks

Mr. Baker: To ask the President of the Board of Trade what advice she has offered to traders holding stocks of fireworks which have become illegal to sell. [29443]

Mr. Nigel Griffiths: On the few occasions the DTI has been approached by retailers they have been advised to discuss the issue of unsold stocks of prohibited fireworks with their suppliers. In some cases it is open to suppliers to re-export such fireworks to countries where national traditions mean that they are still acceptable and I understand that some suppliers are exploring this option.

Mr. Baker: To ask the President of the Board of Trade what Government assistance is available to *(a)* firework manufacturers and *(b)* firework retailers to help them dispose of recently banned firework stocks. [29444]

Mr. Nigel Griffiths: Following discussions between the DTI and the Health and Safety Executive the latter has issued an exemption certificate to facilitate the return to suppliers of stocks of the prohibited fireworks which have been taken out of their original transport packaging. My Department has been in contact with the National Federation of Retail Newsagents to make sure retailers are informed and the information is being given to others who inquire about this issue. The trade association representing the firework industry is also aware that an exemption certificate has been issued.

Trade Union Rights

Mr. Boswell: To ask the President of the Board of Trade what plans she has to increase trade union rights to recognition; and if she will make a statement. [26182]

Mr. Ian McCartney *[holding answer 29 January 1998]:* The Government are committed to enabling trade unions to obtain recognition where a majority of the relevant workforce vote in a ballot for the union to represent them. We will consult fully on our proposals which will be set out in a White Paper to be published in the first part of this year.

MOX Fuel

Mr. Chaytor: To ask the President of the Board of Trade if, in assessing the future export market for MOX fuel, she will evaluate projections by independent experts, with particular reference to the international MOX assessment final report of November 1997. [29500]

Mr. Battle: Evaluation of the future export market for MOX fuel is for the commercial judgment of British Nuclear Fuels plc (BNFL), taking into account all relevant financial and economic factors.

The commercial and economic justification for the Sellafield MOX Plant is currently the subject of a further public consultation, on the justification of the proposed uranium commissioning and operation of the plant, being undertaken by the Environment Agency (EA). It is for the EA to decide on the justification for the plan on the basis of all evidence, including any reports, made available to them.

Civil Servants

Mr. Forth: To ask the President of the Board of Trade how many civil servants in her Department at each grade for grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the department since 1 May 1997; if she will indicate the Minister to whom each was responsible; and if she will make a statement. [26921]

Mr. Nigel Griffiths: Since 1 May the Regional Director for the North East has taken early retirement. None has resigned. There have been ten staff moves within the department involving posts at or above a level equivalent to what was formerly Grade 3 during that period. These have all been routine moves for career development or operational reasons (for example because a post has been abolished or a new one created). All Civil Servants in the Department of Trade and Industry are responsible to the President of the Board of Trade.

Transfer of Undertakings

Mr. Hanson: To ask the President of the Board of Trade if the Government plan to amend the legislation giving employees the right to be informed and consulted through representatives in the event of a collective redundancy or the transfer of a business undertaking between employers. [29976]

Mr. Ian McCartney: My Department has today published a public consultation document seeking views on proposals to amend this aspect of the employment protection legislation.

Aerospace Industry

Mr. Gordon Prentice: To ask the President of the Board of Trade what assessment she has made of current and projected skills shortages in the aerospace sector. [26810]

Mr. Battle: My Department works closely with the Society of British Aerospace Companies (SBAC) who are taking forward a programme of activities under the DTI's Competitiveness Challenge. Through the Competitiveness Challenge the SBAC have commissioned the Institute for Employment Services (IES) to conduct a survey into a number of aspects of people-management in the aerospace sector, including skills shortages. The IES's findings will be made public at the end of March.

Engineers

Mr. John M. Taylor: To ask the President of the Board of Trade what discussions she has had recently with business in the West Midlands regarding the availability of skilled engineers. [28529]

Mr. Battle: My right hon. Friend the President of the Board of Trade visited major West Midlands manufacturing companies on 26 January 1998. Similar visits to the region were made by myself and my hon. Friend the Minister for Small Firms, Trade and Industry in October.

My Department is aware that skill shortages exist in the West Midlands in particular sectors, such as automotive and construction, which are key to competitiveness of the region. Local organisations, including schools, Training and Enterprise Councils (TECs) and FE Colleges are responding to such shortages to encourage more young people into engineering. Examples of activity include TEC-funded Modern Apprenticeships in engineering, schools working with the Engineering Employers' Federation to give work experience in engineering and FE colleges working with specific employers to address skill needs. A particular example is an advanced engineering centre being developed at Sutton Coldfield College in conjunction with local employers including LDV.

Non-fossil Fuel Obligation

Mr. Matthew Taylor: To ask the President of the Board of Trade what environmental appraisal will be undertaken in respect of the award of contracts to renewables developers under the Fifth Round of the Non Fossil Fuel Obligation. [29017]

Mr. Battle: I expect projects to be contracted under the fifth Non Fossil Fuel Obligation to demonstrate high standards of environmental performance. This will require developers to consult widely on their project proposals so that their projects meet the concerns of the community likely to be affected. Award of NFFO contract does not confer any special privilege in the planning approval process which must be carried out in the normal way.

Disqualified Directors

Dr. Tonge: To ask the President of the Board of Trade, pursuant to her answer of 28 January 1998, *Official Report*, column *253*, if she will make a statement on the procedures *(a)* for selecting newspapers to which press releases are sent in the vicinity of (i) the disqualified director's private address and (ii) the address of the failed company, *(b)* for the timing of the press release, before or at the end of any stay period and *(c)* on the extent to which the disqualified director is advised on these matters, including being sent a copy of the release. [29549]

Mr. Nigel Griffiths: Disqualification proceedings are held in open court to which both the public and the press have access. The newspapers which are offered briefing are selected by the Central Office of Information (COI) from a list held by them, such newspapers being those relevant to both the director's home address and to the trading address of the failed company. The press release is issued as soon as possible after the court hearing at which the director has been disqualified. The press release gives the date of the disqualification order and whether the director was given leave to be a director of any other company(s).

Where directors ask whether there will be any publicity they are told that a press release will be issued and when requested a copy is made available to the director.

Gas Industry

Mr. Vaz: To ask the President of the Board of Trade what steps she is taking to *(a)* increase competition and *(b)* ensure fair pricing in the gas supply market. [29534]

Mr. Battle: By this summer, all domestic gas consumers in Great Britain should have a choice of supplier. Competition exerts a downward pressure on prices, and in the areas of the country which have already been opened to competition, consumers are able to benefit from prices which are up to 20 per cent. lower than those available from the former monopoly supplier. I am concerned that pre-payment meter users should also be able to benefit fully from the introduction of competition. This is an issue that is being considered as part of the Government's review of utility regulation.

Centrica

Mr. Vaz: To ask the President of the Board of Trade what representations she has received regarding the activities of Centrica. [29553]

Mr. Battle: My Department receives representations concerning a wide range of gas issues in which Centrica will have some involvement.

Transco

Mr. Vaz: To ask the President of the Board of Trade what representations she has received concerning the activities of Transco. [29533]

Mr. Battle: My Department receives representations concerning a wide range of gas issues in which Transco will have some involvement.

Tableware Strategy Group

Ms Walley: To ask the President of the Board of Trade if she will make a statement on the progress to date on the reconvening of the Tableware Strategy Group. [29419]

Mr. Battle: I have been considering this suggestion, along with other options, to identify how best we can work with the ceramics industry. Following discussions with the British Ceramic Confederation (BCC) and the Treasury, it may be that the Ceramic Industry Liaison Group (CILG) would be the most appropriate forum to take this process forward. This is an existing forum at which my Department, the DETR, The BCC and CERAM Research, the industry research Association, meet regularly to discuss issues of concern to the industry. My officials are also looking at the possibility of Treasury involvement.

I mentioned this possible approach in my letter of 31 January 1998 to my hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson), which I have also copied to my hon. Friend. I shall consider the matter further when responses are to hand.

MINISTER WITHOUT PORTFOLIO

Millennium Experience

33. **Mr. Corbyn:** To ask the Minister without Portfolio what is his estimate of the cost of the millennium experience. [27617]

Mr. Mandelson: The cost of the Millennium Experience and its associated national programme of events will be met by a grant of £399 million (net) from the Millennium Commission and forecast income totalling £359 million from sponsorship, commercial activities, visitor revenues and disposal income.

34. **Mr. Gareth Thomas:** To ask the Minister without Portfolio to what extent the contents of the millennium dome will reflect Welsh and Scottish identities. [27618]

Mr. Mandelson: The Millennium Experience at Greenwich and its associated national programme of events and activities will appeal to and be relevant to people of all ages and interests wherever they may live. The overarching theme, "Time to Make a Difference", will encourage participation of individuals in all areas of the United Kingdom. NMEC is setting up teams in Wales, Scotland, Northern Ireland and the nine regions of England.

36. **Mr. Cranston:** To ask the Minister without Portfolio if he will make a statement on progress in securing financial sponsorship for the millennium exhibition. [27620]

Mr. Mandelson: The New Millennium Experience Company (NMEC) are at crucial stages of very promising negotiations with a wide range of companies.

37. **Mr. Swayne:** To ask the Minister without Portfolio if he will make a statement on the work of M&C Saatchi in respect of the millennium experience. [27621]

Mr. Mandelson: After full competitive tendering M&C Saatchi were chosen by the New Millennium Experience Company (NMEC) to develop an integrated communications strategy for the Millennium Experience. This will incorporate media purchasing, production, direct marketing, Advertising Agency Service and other elements of integrated communications. That work is underway.

38. **Sir Teddy Taylor:** To ask the Minister without Portfolio what consultations he has held with the appropriate local authorities about the impact of traffic relating to attendance at the dome in Greenwich. [27622]

Mr. Mandelson: The New Millennium Experience Company have had regular discussions with the Department of Environment, Transport and the Regions, the relevant local authorities and London Transport to ensure that there is minimal traffic impact on Greenwich and its surrounding area.

The site will be a car free zone. A multi-modal integrated public transport system, including new river boat services and the new Jubilee Line Extension, will provide a variety of means of getting to the Millennium Experience.

39. **Mr. Wilkinson:** To ask the Minister without Portfolio what percentage of his total personal ministerial travel, accommodation and related subsistence expenditure in respect of his work on the millennium experience has been devoted to visits to EU countries. [27623]

Mr. Mandelson: I have visited Futuroscope in Poitiers as part of an official visit to France which cost approximately £970 in total; and Disney World in Florida as part of an official visit to the United States which cost approximately £3,450 in total.

Mr. Edward Davey: To ask the Minister without Portfolio how he intends to involve a representative selection of young people in the Millennium Dome project. [28229]

Mr. Mandelson: The New Millennium Experience Company (NMEC) is developing proposals to ensure that young people across the country are able to put forward their views and ideas on the Millennium Experience at Greenwich and the associated national programme of events and activities. These proposals envisage Regional Junior Boards in Scotland, Wales, Northern Ireland and the nine English regions, each comprising twenty young people between the ages of 9 and 16, whom local education establishments and agencies have been asked to nominate. The Boards will be chaired by NMEC's national programme Education Managers for each region, and will meet twice a term. NMEC's objective is to arrange the first such meeting this summer.

The proposals also envisage that one member of each Regional Junior Board will sit on the National Junior Board, together with representatives of the major national youth organisations and agencies.

Mr. Baker: To ask the Minister without Portfolio if he will list *(a)* the United Kingdom publications and *(b)* the US publications in which contracts for the air-conditioning system of the Millennium Dome were advertised. [28132]

Mr. Mandelson *[holding answer 9 February 1998]:* The contract for the design, manufacture and supply, testing and commissioning of mechanical and electrical plant for the Millennium Dome (including boilers, chillers, air handling units, standby generators, transformers and packaged substations) was advertised on 7 June 1997 in the Official Journal of the European Communities as required by European law on public procurement.

Mr. Dalyell: To ask the Minister without Portfolio, pursuant to his answer of 19 January 1998, *Official Report*, column *432*, on transport arrangements for the Millennium Experience, what discussions the New Millennium Experience has had with Scottish public transport providers. [27982]

Mr. Mandelson: The New Millennium Experience Company has had discussions with the Association of Train Operating Companies (of which ScotRail is a member), and is exploring ticketing options with the operators of large and small coach fleets in respect of scheduled services and private hire from across the UK.

EDUCATION AND EMPLOYMENT

National Curriculum Tests

Mr. Don Foster: To ask the Secretary of State for Education and Employment what assessment his Department has made of the relative standards achieved at Level 4 in *(a)* Key Stage 2 and *(b)* Key Stage 3 National Curriculum English Tests; and what research underlies this assessment. [28789]

Mr. Byers: The Qualification and Curriculum Authority (QCA) is responsible for the standards demanded in statutory tests and takes a number of measures to ensure comparability of standards between Key Stages. These include cross-Key Stage pre-tests before the tests are finalised and script scrutiny to compare pupil performance across the Key Stage tests. QCA has published details of the test development process in its leaflet "Key Stages 1–3 National Curriculum Tests: Setting and Maintaining the Standards" and in its annual Standards Reports. I have placed copies of these publications in the Library.

Local Colleges

Mrs. Dean: To ask the Secretary of State for Education and Employment what proposals he has to encourage co-operation between local colleges and high schools. [28744]

Dr. Howells: We are keen to encourage co-operation in post-16 education and training. Proposals will be published in the forthcoming consultation document on lifelong learning.

Engineering and Technology

Helen Jones: To ask the Secretary of State for Education and Employment what steps he intends to take to encourage more women to undertake degrees in engineering and technology. [29600]

Dr. Howells: The Government acknowledge the need for top class scientists and engineers and the important role that Universities play in helping to bring that about. The Development Unit for Women in Science, Engineering and Technology, which operates within the Office of Science and Technology, was established to encourage the increased participation of women in science, engineering and technology (SET) at all levels. It has produced various materials to encourage girls to consider engineering and technology as career options.

WISE (Women in Science and Engineering), started in 1984 with support from the former Manpower Services Commission. It has a remit to raise the number of women studying these subjects and, since then, women's representation on these courses in HE has doubled. It continues to receive support from the Department of Trade and Industry.

It is important that industry itself plays a full role in attracting girls to study engineering and technology subjects and that this will lead to satisfying career opportunities. It was unfortunate, for example, that the Women into Technology Foundation was not sustainable without public support. The Government continue to encourage industry to consider what further steps it might take, and to offer appropriate support.

New Deal

Mr. Rowe: To ask the Secretary of State for Education and Employment when he plans to extend the New Deal to the older unemployed. [29295]

Mr. Andrew Smith: We will be introducing the New Deal for those aged 25 and over, and unemployed for two years or more, in June. As we announced on 5 January, we have been considering a number of options for extending provision for those aged 25 or more who have been unemployed for 1 year or 18 months, and whether pilots could be introduced later this year.

Mr. Rowe: To ask the Secretary of State for Education and Employment what is the per capita funding for those unemployed who *(a)* are and *(b)* are not included in the New Deal. [29294]

Mr. Andrew Smith: Employment measures are not based on overall per capita cost. They offer a wide range of opportunities based on length of unemployment and individual need. Someone unemployed for over six months, for example, could attend a Jobclub at an average cost of £200 or undertake work based training for adults at an average cost of £2,510, including allowances. Similarly, the New Deal for 18–24 year olds could help one young person to find work during the Gateway at a cost of less than £100 to New Deal funds, and another to improve employability and then find work at a cost of over £5,000 to New Deal funds. The New Deal is in general resourced to make a real difference to the employability of young people and to contribute to reducing structural unemployment.

Welfare to Work

Mr. Willetts: To ask the Secretary of State for Education and Employment if he will list the numbers of *(a)* young unemployed and *(b)* long-term unemployed expected to participate in welfare to work schemes in 1998–99, broken down by travel-to-work area. [27167]

Mr. Andrew Smith: I refer the hon. Member to the answer I gave on 27 January 1998, *Official Report*, column *188*.

By convention, the Government do not publish forecasts of unemployment. In January 1998, 118,000 18–24 year olds were recorded as having claimed Jobseeker's Allowance (JSA) for six months or more; each month about 15,000–20,000 18–24 year olds reach six months' claimant unemployment. In January 1998 some 216,000 people aged 25 or over were recorded as having claimed JSA for more than two years; each month between 5,000 and 10,000 people who are 25 or over reach two years' claimant unemployment. It is not possible to break these data down to provide accurate estimates by travel to work areas.

SOCIAL SECURITY

New Deal

Helen Jones: To ask the Secretary of State for Social Security what estimate she has made of the number of people in Warrington, North who have declined to participate in the New Deal and who are owner-occupiers. [29601]

Mr. Keith Bradley: The information requested is not readily available and can be obtained only at disproportionate cost.

There will be a full and independent evaluation of the New Deal for Lone Parents which will examine all aspects of the programme, including participation rates. The evaluation will compare the outcomes for lone parents in the New Deal for Lone Parents areas with those in the control areas where the service is not yet available, and will be published in 1999.

Written Answers to Questions

Tuesday 17 February 1998

PRIME MINISTER

Committee on Europe

Mr. Howard: To ask the Prime Minister (1) if costs relating to his proposed cross-party committee on Europe will be met from public funds; [25822]

(2) what criteria he will adopt for membership of his proposed cross-party committee on Europe; [25820]

(3) when he expects to form his proposed cross-party committee on Europe. [25821]

The Prime Minister *[holding answer 27 January 1998]:* When further details are available we will make them public.

Welfare Reform Roadshow

Mr. Ieuan Wyn Jones: To ask the Prime Minister for what reasons he will not be visiting Wales during his welfare reform roadshow. [26992]

The Prime Minister: Pressures of time make it impossible for me to visit all the places I would like to, as often as I would like to. However, my right hon. Friend the Secretary of State for Education and Employment did attend the welfare reform roadshow held in Wales on 5 February.

Overseas Travel

Mr. Llew Smith: To ask the Prime Minister if he will list the *(a)* officials and *(b)* industrialists who accompanied him on his recent visit to Japan; and if he will list those (i) Ministers, (ii) officials and (iii) industrialists his delegation met during the visit. [28240]

The Prime Minister: I was accompanied on my official visit to Japan by:

Mr. John Holmes—Private Secretary;

Mr. Alastair Campbell—Chief Press Secretary;

Mr. Phillip Barton—Assistant Private Secretary;

plus nine No. 10 support staff providing secure communications and administrative support; one official from the Foreign and Commonwealth Office; and two officials from the Department of Trade and Industry. This is in line with support provided to previous Prime Ministers when travelling abroad.

In addition, the following leading members of the business community accompanied me, at their own expense, and took part in discussions with the Japanese on developing trade links:

Sir Colin Marshall, British Airways

Mr. James Dyson, Dyson Appliances

Mr. John Rose, Rolls Royce

Dr. John Russell, ICI

Dr. Peter Sedgwick, Schroders

Dr. Michael Shears, Ove Arup

Sir Clive Thompson, Rentokil

Dr. Peter Williams, Oxford Instruments

Mr. Robert Wilson, Rio Tinto

Mr. Allen Yurko, Siebe Plc

Mr. Nick Scheele, Jaguar

Sir Iain Vallance, British Telecom.

I met the following Japanese Ministers:

Mr. Hashimoto, Prime Minister

Mr. Mitsuzuka, Finance Minister

Dr. Sakakibara, Vice Minister for International Affairs

Mr. Horiuchi, Minister of International Trade and Industry.

I also met a number of Ministry of International Trade and Industry officials.

I met the following Japanese industrialists during my visit:

Mr. Sohoiciro Toyoda KBE, Chairman, Toyota Motor Corporation

Mr. Shoh Nasu, Chairman, Tokyo Electric Power Company

Mr. Hirotaro Higuchi, Chairman of the Board, Tokyo-Mitsubushi Bank

Mr. Kozo Uchida, Director General of the Keidanren

Mr. Katsuhiro Fujiwara, Managing Director of the Keidanren

Mr. Norio Ohga, Chairman and CEO, Sony Corporation

Mr. Josei Itoh, Chairman Nippon Life Insurance Co.

Abortions

Mr. Peter Bottomley: To ask the Prime Minister if he will give responsibility for answering questions on the numbers and trends in the numbers of terminations performed under the Abortion Act 1967 to the Department of Health. [29678]

The Prime Minister: Following the creation of the Office for National Statistics (ONS) on 1 April 1996 there is an agreed division of responsibility between ONS and Departments for answering Parliamentary Questions with a statistical content. Oral questions and written questions including issues of policy are answered by the relevant Department, while written questions seeking statistics only are answered by ONS. In line with these arrangements written questions seeking only statistics on abortions in England and Wales, are delegated by my right hon. Friend the Chancellor of the Exchequer to the Director of ONS for answer. There are no plans to change these arrangements.

Mr. Peter Bottomley: To ask the Prime Minister how often, and to which part of government, reports are made by places licensed to carry out terminations under the Abortion Act 1967. [29679]

The Prime Minister: All non-National Health Service places approved by my right hon. Friends the Secretaries of State for Health, for Scotland and for Wales, under Section 1(3) of the Abortion Act 1967, to carry out termination of pregnancy, are subject to unannounced visits and monitoring by officials of their Department. All registered medical practitioners have a statutory obligation to notify the Chief Medical Officer of the relevant Department of each termination of pregnancy they perform.

Iraq

Mr. Dalyell: To ask the Prime Minister if he will place a paper in the Library setting out the authority under international law which underpins his policy towards Iraq. [29749]

The Prime Minister *[holding answer 19 February 1998]:* Security Council resolutions are a matter of public record.

The requirement for Iraq to destroy its weapons of mass destruction under international supervision is part of the conditions laid down by the Security Council for the ceasefire established at the end of the Gulf conflict in SCR 687.

The Security Council currently has the question of Iraq's compliance under active consideration.

Amsterdam Summit

Mr. Bercow: To ask the Prime Minister what tape recordings were made of the Amsterdam Treaty summit. [29694]

The Prime Minister: I understand that, in accordance with normal practice, the proceedings of such meetings are recorded by the Secretariat General of the Council. These recordings are made for internal purposes and are not available to member states.

TREASURY

Tax Evasion

Dr. Marek: To ask the Chancellor of the Exchequer what is his estimate of the loss to the Exchequer arising from evasion of *(a)* income tax, *(b)* VAT, *(c)* corporation tax and *(d)* all other taxes in the last year for which figures are available. [26416]

Dawn Primarolo *[holding answer 30 January 1998]:* It is not possible to determine the amount of tax that is lost through evasion.

Individual Savings Account

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer how many responses he has received to his consultative document "The New Individual Savings Account" broken down into *(a)* letters, *(b)* trade submissions and *(c)* other responses; and if he will make a statement. [24554]

Mr. Geoffrey Robinson *[holding answer 22 January 1998]:* Comments were asked for by 31 January. By 4 February, the Inland Revenue had received

3,096 letters from individuals

273 trade submissions

7 other responses.

Ministers had received a further 3,303 responses by the same date, although this figure includes some duplication as a number of respondents copied their responses to more than one recipient.

We are grateful to everyone who has taken the time to share with us their views on the ISA proposals and we will consider them all carefully. Consultations of this kind allow the Government to draw on the widest possible range of experience and expertise. The ISA is an important and, we believe, exciting initiative, and we want to get it right.

Business Profits

Mr. Peter Atkinson: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Preseli Pembrokeshire (Ms Lawrence) of 22 December 1997, *Official Report*, column *471*, when he expects to make a final decision to confirm the withdrawal of the practices which permit professional businesses to pay tax on profits on a cash basis. [29580]

Dawn Primarolo *[holding answer 16 February 1998]:* The consultation period ended on 14 February. We will be considering the various points made on the proposals, including those concerning the timing of their implementation. There will be no announcement of any decision on the withdrawal of the cash basis practices in advance of my right hon. Friend's Budget.

Mr. Peter Atkinson: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Preseli Pembrokeshire (Ms Lawrence) of 22 December 1997, *Official Report*, column *471*, what representations he has received following the decision to withdraw the practices which permit some professional businesses to pay tax on profits worked out on a cash basis. [29579]

Dawn Primarolo *[holding answer 16 February 1998]:* The Inland Revenue Press Release issued on 22 December invited comments on the proposals to withdraw the cash basis practices available to professionals. The Inland Revenue has received a large number of responses and I myself have received several. The Inland Revenue has also had a number of meetings with representative bodies, including the Law Society, the Bar Council, and the different accountancy bodies. The consultation period ended on 14 February. Thereafter we will be considering the various points made on the proposals.

Inland Revenue (Invoices)

Mr. Lilley: To ask the Chancellor of the Exchequer how many invoices sent to the Inland Revenue were not paid within *(a)* 30, *(b)* 40, *(c)* 50 and *(d)* 60 days in the period since 1 May 1997. [29186]

Dawn Primarolo *[holding answer 12 February 1998]:* Since 1 May 1997 the Inland Revenue has paid 322,816 invoices. 95.58 per cent. were paid within 30 days. The number of invoices not paid, including those in dispute, within this period is:

(a) 30 days: 14,916

(b) 40 days: 11,256

(c) 50 days: 9,969

(d) 60 days: 8,845.

Corporation Tax

Mr. Lilley: To ask the Chancellor of the Exchequer if the proposed system of advanced payments of corporation tax had been in force, how many companies would *(a)* have benefited and *(b)* have been disadvantaged if their size had been determined using previous years' profits rather than an accurate estimate of current year profits in each of the last three years. [29192]

Mr. Geoffrey Robinson *[holding answer 12 February 1998]:* The following table gives broad estimates of the numbers of companies standing *(a)* to benefit and *(b)* be disadvantaged if the criterion for allocating companies to the small, medium or large categories for the purposes of instalments (under the modern system for the payment of corporation tax published as a consultative document in November 1997) was related to profits of the previous rather than the current year.

Companies would benefit if their previous years' profits placed them in the small company category rather than a larger profit category, or the medium-sized category rather than the large company category for instalment purposes. Disadvantaged companies would be placed in larger profit groups on the basis of their previous years' profits. The table shows that there would have been substantially more companies benefiting than losing from using previous year profits in 1993–94 and 1994–95 as profits increased quickly after the earlier recession in company profits, but by 1995–96 the difference would have been small.

The estimates however exclude the cashflow benefits to many small companies from the proposed abolition of advance corporation tax and their exclusion from instalment payments. The table assumes that the use of the suggested previous year criterion would include protection against manipulation of accounting periods aimed at lessening the impact of instalments.

Accounting periods ending in the years shown

Thousands

	1993–94	*1994–95*	*1995–96*
(a) companies benefiting	21	20	15
(b) companies disadvantaged	11	10	14

Tax Burden

Mr. Lilley: To ask the Chancellor of the Exchequer if he will estimate the tax burden as a percentage of gross domestic product in each year from 1997–98 to 2002–03 on current taxation plans. [29183]

Dawn Primarolo *[holding answer 12 February 1998]:* Projections of the tax burden, based on the usual assumption that there are no tax changes beyond those already announced in past Budgets, were published in Table B3 of the November 1997 Pre-Budget Report.

Disposable Income

Mr. Lilley: To ask the Chancellor of the Exchequer if he will estimate the impact of the tax changes announced in the July 1997 Budget on the annual disposable income of *(a)* an individual on average earnings and *(b)* a married couple on average earnings with a £50,000 mortgage. [29195]

Dawn Primarolo *[holding answer 12 February 1998]:* The only Budget 97 measure likely to have a direct effect on the disposable income of individuals aged under 60 is the reduction from 6 April 1998 in the rate at which mortgage interest relief is given from 15 per cent. to 10 per cent. Relief is limited to the interest on loans of £30,000. As a result an individual and a married couple on average earnings and a £50,000 mortgage will receive less relief. This assumes, by convention, no change to the latest available estimated average building society interest rate.

Theft and Fraud

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date. [27727]

Mrs. Liddell *[holding answer 5 February 1998]:* The current estimate is:

£000

Department/Agency	*1995–96*	*1996–97*	*1997–98 estimate to date*
Inland Revenue	2,043	210	38
of which:			
Valuation Office Agency	87	17	11
Customs & Excise	240	167	129
HM Treasury	40	25	18
National Savings[1]	351	459	363
Office for National Statistics	15	33	5
Royal Mint	nil	nil	nil

[1] Losses almost exclusively relate to external fraud.

Tobacco Smuggling

Mr. Fallon: To ask the Chancellor of the Exchequer what estimate he has made of revenue lost to HM Treasury from the illegal sale of tobacco products in the most recent period for which figures are available. [26539]

Dawn Primarolo: HM Customs and Excise estimate that the revenue (excise duty and VAT) lost to the Exchequer through cross-Channel smuggling of tobacco products in 1997 was about £690 million. There are no official estimates for the revenue lost on tobacco products involved in commercial fraud, smuggling in freight consignments or by air passengers.

Euro

Mr. Gill: To ask the Chancellor of the Exchequer, pursuant to his answer of 5 February 1998, *Official Report*, column *777*, if he will commission research on the effect of the sale of excess reserves of *(a)* gold and *(b)* foreign currency by central banks participating in the euro on (i) world gold prices and (ii) international exchanges. [29765]

Mrs. Liddell: No.

Inheritance Tax

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many landowners who received conditional exemption from inheritance tax in the last three years for *(a)* land and buildings and *(b)* works of art were peers. [24954]

Dawn Primarolo: I regret that the information requested is not available.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if local authorities are informed in every case of the land within their area to which the public has a right of access due to the owner receiving conditional exemption from inheritance tax. [24576]

Dawn Primarolo: When advising the Inland Revenue on matters relating to conditional exemption for land, the relevant Government heritage agencies consider each case on its own merits and they liaise with local authorities or national park authorities whenever it is appropriate to do so.

Fuel Tax

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what is his estimate of total income to the Treasury resulting from a three pence per litre increase in tax on vehicular fuel. [29491]

Dawn Primarolo: The full year revenue yield in 1998–99 from a 3 pence per litre tax increase (duty plus VAT) on road fuels is £1.1 billion.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the total income to the Treasury resulting from *(a)* a 6 per cent., *(b)* an 8 per cent. and *(c)* a 10 per cent. annual increase in tax on vehicular fuel per annum in each year for the next five years. [29490]

Dawn Primarolo: Revenue yields for the various options for road fuels described in the question are given in the following table:

£ million

	1998–99	*1999–2000*	*2000–01*
Increase road fuel duties by:			
6 per cent. per annum	1,075	2,200	3,420
8 per cent. per annum	1,425	2,935	4,580
10 per cent. annum	1,775	3,670	5,745

The estimates include consequential VAT and are for the additional revenue compared with leaving the existing duty rates unchanged in a full year. Detailed estimates for later years are not published.

Pensioners (Taxation)

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many pensioners, and what percentage, pay tax in each tax band; and how many, and what percentage, pay no tax. [29671]

Dawn Primarolo: Estimates for 1998–99 are given in the table. The estimates are based on information from the 1995–96 Survey of Personal Incomes and population estimates from the Government Actuary's Department; they are therefore provisional.

Individuals aged 65 and over	*Number (millions)*	*Percentage*
Not liable to income tax	5.9	64
Lower rate	2.0	22
Basic rate	1.1	12
Higher rate	0.2	2
Total	9.2	100

Far East (Economic Instability)

Mr. Cohen: To ask the Chancellor of the Exchequer, pursuant to his answer of 3 February 1998, *Official Report*, column *570*, how much the United Kingdom has made available for assistance to Asian countries through the international financial institutions to help them deal with economic instability; and what the extent of the United Kingdom's financial commitments is in this respect. [28116]

Mrs. Liddell: No additional funds have been made available to the international financial institutions for this purpose. The loans disbursed through these institutions have been funded from their existing resources which include contributions from all their members.

Working Families Tax Credit

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will estimate the redistribution of income between couples if family credit is replaced by the proposed working families tax credit paid to the principal earner. [28182]

Dawn Primarolo: Any redistributive effects of the Working Families Tax Credit will depend on its design and this is what my right hon. Friend the Chancellor of the Exchequer is considering currently.

Tax Avoidance Scheme

Mr. Timms: To ask the Chancellor of the Exchequer what plans he has to introduce legislation to counter tax avoidance schemes involving the sales of companies to avoid payment of corporation tax. [30277]

Dawn Primarolo: The Government announced at the time of the last Budget, in July, that legislation would be introduced in the next Finance Bill to counter these schemes, and the Inland Revenue have today published the legislation in draft for consultation.

The proposed legislation will strengthen measures introduced in 1994 to counter schemes which exploit the rules on company purchase and abandonment. The new legislation is designed to stop alternative schemes which have been developed since 1994. The Government are determined to curb tax avoidance, and will act to counter any further attempts to get round the rules on company purchase and abandonment, giving consideration to backdating to the commencement date for the current provisions any future measures which may be necessary to counter variants of these schemes.

Public Information

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer how frequently, after what delays, and with what precision he publishes information on changes in *(a)* inflation, *(b)* unemployment, *(c)* benefit claimants, *(d)* the balance of trade, *(e)* the numbers taking up smoking and *(f)* the numbers involved in conceptions that are terminated legally and deliberately. [29674]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Peter Bottomley, dated 17 February 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question on frequency, delay and precision in publishing various information.

The requested information is given in the attached table.

	Frequency	*Delays*	*Precision*
Inflation	M	Month	One decimal place
Unemployment (LFS)	Q[1]	6 weeks	Nearest 1000[5]
Benefit claimants (Claimant count)	M	5 weeks	Nearest 100
Balance of Trade	M	Within 8 weeks[3]	Nearest £ million
Taking up smoking	N/A[2]	N/A	N/A
Conceptions terminated	Q and A	5 months and 6 months[4]	100% count

[1] From April 1997 the LFS will be published monthly.
[2] Only adult and children prevalence figures are published.
[3] Published within eight weeks of the end of the reporting period for trade with EU member states, and within four weeks of the end of the reporting period for trade with other countries.
[4] From 1997. Prior to 1997 the delay was nine months and 7–24 months respectively.
[5] Estimates of less than 10,000 are not published. This is because the data are not robust.

VCT and EIS Schemes

Mr. Horam: To ask the Chancellor of the Exchequer what proposals he has to modify the VCT and EIS schemes. [20952]

Mr. Geoffrey Robinson: Decisions on whether or not to modify the VCT and EIS schemes are a matter for my right hon. Friend the Chancellor of the Exchequer's Budget statement. The hon. Gentleman would not expect me to anticipate it.

National Insurance (Upper Earnings Limit)

Mr. Martin Bell: To ask the Chancellor of the Exchequer if he will estimate the amount of additional revenue which would have been raised in 1997–98 if the upper earnings limit on national insurance contributions had been abolished. [25799]

Mr. Denham: I have been asked to reply.

Estimated additional revenue of some £3.7 billion would have been raised in respect of 1997–98 earnings if the Upper Earnings Limit on employees' Class 1 contributions had been removed for that year.

The figure assumes that the current 10 per cent. Class 1 contribution rate would apply to earnings above the present Upper Earnings Limit and that an Upper Earnings Limit would remain in place for the calculation of employee and employer contracted-out rebates.

Source:

Government Actuary's Department.

Mr. Fallon: To ask the Chancellor of the Exchequer (1) how many people would pay more tax if the upper earnings limit on employees' national insurance contributions were increased to £30,145; [26205]

(2) how much extra revenue would be raised by increasing the upper earnings limit on employees' national insurance contributions to £30,145. [26206]

Mr. Denham: I have been asked to reply.

Estimated additional revenue of some £1.5 billion would be raised in a full year if the Upper Earnings Limit on employees' Class 1 contributions was increased from its present level to £30,145, and about 3.5 million people would become liable to pay more contributions.

The figures assume that the current 10 per cent. Class 1 contribution rate would apply to earnings above the present Upper Earnings Limit and that the current Upper Earnings Limit would remain in place for the calculation of employee and employer contracted-out rebates.

Source:

Government Actuary's Department.

FOREIGN AND COMMONWEALTH AFFAIRS

Ambassadors (Languages)

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs how many ambassadors speak *(a)* one, *(b)* two, *(c)* three, *(d)* four and *(e)* more than four foreign languages. [29740]

Mr. Tony Lloyd: According to information held at February 1998:

(a) four Heads of Missions have competence in one language
(b) 27 Heads of Missions have competence in two languages
(c) 34 Heads of Missions have competence in three languages
(d) 33 Heads of Missions have competence in four languages
(e) 47 Heads of Missions have competence in more than four languages.

Twenty-six have competence in five, 13 have competence in six, three have competence in seven, two have competence in eight, one has competence in nine and one has competence in twelve.

This information is based on a combination of examination passes and self-declarations. During the course of 1998, procedures are being introduced which will make objective testing the only basis for recorded language competence in the FCO.

Entry Clearance Officers (Bombay)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the level of sickness among entry clearance officers in Bombay. [29564]

Mr. Fatchett: The level of sickness among Entry Clearance Officers in Bombay is low. During 1997, the 10 full time ECOs in Bombay took a total of 11 days sick leave. Seven temporary additional staff took a total of 11 days sick leave.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* allowances and *(b)* holidays entry clearance officers in Bombay receive. [29563]

Mr. Fatchett: Entry Clearance Officers in Bombay, as elsewhere, are drawn from both HM Diplomatic Service and the Home Office. Their conditions of service vary accordingly, although local Cost of Living and Difficult Post Allowances are paid on the same basis. Individual allowances also vary according to salary levels and family circumstances. Typically, a Home Office Immigration

Officer with spouse and one child in Bombay will receive an annual package of allowances worth between £9,937 and £11,221 depending on salary. A Diplomatic Service Officer in the same family circumstances will receive from £10,261 to £10,361 again dependent on salary.

The standard leave entitlement depending on length of service is 35 to 42 days plus seven to 14 days local leave and in Bombay, 14 days unhealthy leave addition. All leave while overseas is based on a seven day week, so that weekends and public holidays falling during leave count against that settlement. In Bombay staff are entitled to six fare paid journeys during a three year tour of duty.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the level of staffing of entry clearance officers in Bombay. [29561]

Mr. Fatchett: There are currently 10 Entry Clearance Officers (ECOs) working in the visa section in Bombay. The authorised establishment is 10 officers. The section is, therefore, fully staffed. During 1997, the number of ECOs in Bombay never fell below the authorised establishment.

In addition, in 1997, the visa section was reinforced with an extra seven ECOs, to cope with the increased number of applications during the busiest months. The additional staff provided 22.5 man months of support.

In 1998, an additional seven officers will again be provided, amounting to 24.5 man months of support during the busiest period.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current salary levels of entry clearance officers in Bombay. [29562]

Mr. Fatchett: Entry Clearance Officers in Bombay, as elsewhere, are drawn from both HM Diplomatic Service and the Home Office, usually the Immigration Service. Their respective annual salary ranges are:

£12,384 to £18,228 (HM Diplomatic Service)

£12,526 to £19,970 (Home Office).

Both groups receive a Recruitment and Retention Allowance of £1,776 per annum.

Settlement Applications (Waiting Times)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to reduce the waiting times in *(a)* Bombay and *(b)* New Delhi for applicants for settlement. [29574]

Mr. Fatchett: Waiting times for applicants for settlement entry clearance are constantly monitored by the Entry Clearance Managers in Bombay and New Delhi. Appointments are allocated at the maximum rate consistent with the maintenance of service standards to non-settlement applications. The current waiting times at both Posts are within the maxima laid down. In the case of Right of Abode claimants, dependent relatives over 65 and special compassionate cases there is no waiting time at either Post.

Venezuelan Ambassador

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to meet the Venezuelan ambassador to Britain. [29570]

Mr. Fatchett: None. The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), met the Venezuelan Ambassador, HE Sr Chaderton-Matos, on16 October 1997.

NATO

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the enlargement of NATO. [29577]

Mr. Fatchett: As my right hon. Friend the Prime Minister told the House on 9 July, Britain, together with our NATO Allies at the NATO Summit on 8 July invited Poland, Hungary and the Czech Republic to begin accession talks to join NATO. On 16 December, my right hon. Friend the Foreign Secretary, together with his NATO colleagues, signed the Accession Protocols. A debate on NATO enlargement will take place in the House before the Government ratify the Accession protocols.

India (UN Security Council)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the advantages of India becoming a permanent member of the UN Security Council. [29575]

Mr. Fatchett: We want to see an early enlargement of the Security Council and better representation on it for developing countries. It is widely expected that India, given its long and important contribution to the United Nations, would be a candidate for permanent membership of the Security Council if additional permanent seats were created.

United States (UN Debt)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the USA to repay its UN debt. [29576]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has made clear to Madeleine Albright on several occasions that we expect the US to pay their UN arrears and future contributions promptly and in full.

Visitor Visas

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to deal with problems arising in the issuing of visitors' visas. [29567]

Mr. Fatchett: Any problems arising from the issuing of visitors' visas are reviewed by the Entry Clearance Manager at the Post concerned. Where appropriate, the Entry Clearance Manager consults Migration and Visa Division of the Foreign and Commonwealth Office for policy advice on individual cases or assistance with operational difficulties.

Bahrain

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent meetings have been held at Ministerial level with Ministers in the Bahrain Government; and what was discussed. [29465]

Mr. Fatchett: My right hon. Friend the Foreign Secretary and my right hon. Friend the Secretary of State for Defence held separate meetings with the Bahraini Crown Prince and the Minister for Foreign Affairs on 28 January. They discussed many issues but focused mainly on the current crisis in the Gulf. My right hon. Friend the Foreign Secretary also raised the question of constitutional development and the recent request to the Bahraini authorities from the Committee for Popular Petition for political dialogue.

I also met the Bahraini Minister for Foreign Affairs on 28 January. We discussed regional security issues, including Algeria and the Middle East Peace Process. We also discussed this Government's continuing concerns about human rights in Bahrain.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings the British Ambassador to Bahrain has had with *(a)* the Government and *(b)* human rights groups to discuss human rights abuses; and if he will make a statement. [29467]

Mr. Fatchett: Our Ambassador in Bahrain has frequent meetings with Ministers and officials of the Bahraini Government. Their discussions cover many areas of mutual concern, including human rights issues. There are no human rights groups in Bahrain.

Iran and Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of recent reports of meetings between representatives of the Governments of Iran and Iraq. [29868]

Mr. Fatchett: I have read them with interest. The Iranians have more reason than most to appreciate the threat which Iraq poses to its neighbours.

UK Presidency

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of those aspects of his ethical foreign policy which will affect the conduct of the United Kingdom Presidency of the European Union. [29830]

Mr. Doug Henderson: During our Presidency of the EU, and beyond, we will continue to work with our European partners to ensure that human rights remains a central element in the EU's relations with the rest of the world.

European Culture Capital

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the policy of Her Majesty's Government towards an inquiry at European Union level on the financing of Thessalonika as European culture capital. [29827]

Mr. Doug Henderson: The financing of the annual European City of Culture programme is primarily a matter for the authorities of the city concerned. Cities raise funds from their own resources, normally with some support from their national Governments and, increasingly, from private sector sponsors.

The role of the EU is mostly limited to the process of designation. Each City of Culture receives only a nominal sum from the relevant Community cultural programme, Kaleidoscope, to help finance its operations, amounting to approximately 1 per cent. of the City's budget. In 1997, this sum was 400,000 ECU (£273,000).

As part of the overall programme, each City of Culture is also required to produce a report within six months of the end of the year. The report for 1997 by Thessalonika is due by the end of June 1998.

HOME DEPARTMENT

Circus Animals

Mr. Baker: To ask the Secretary of State for the Home Department how many *(a)* prosecutions and *(b)* convictions have been recorded for instances of cruelty to animals within circuses for each year since 1980; and if he will make a statement. [29130]

Mr. George Howarth *[holding answer 12 February 1998]:* The main legislation protecting the welfare of circus animals is the Protection of Animals Act 1911. However, court proceedings data do not identify the location of an offence. In 1996, there were 967 prosecutions under this Act of which 764 resulted in a conviction.

The table details prosecutions and convictions under the Performing Animals (Regulation) Act 1925 and the Protection of Animals Act 1934 which relate more specifically to performing animals.

Number of defendants prosecuted and convicted of offences under thePerforming Animals (Regulations) Act 1925 [1] and the Protection of Animals Act 1934 [2], 1980–1996

England and Wales

	Performing Animals (Regulations) Act 1925 [1]		*Protection of Animals Act 1934 [2]*	
Year	*Prosecutions*	*Convictions*	*Prosecutions*	*Convictions*
1980	—	—	4	2
1981	1	1	1	1
1982	1	—	5	4
1983	2	1	7	7
1984	1	1	1	1
1985	—	—	5	5
1986	2	2	5	5
1987	3	3	2	2
1988	2	2	4	4
1989	—	—	1	1
1990	1	1	1	1
1991	—	—	1	1
1992	—	—	1	1
1993	1	—	9	8
1994	—	—	4	3
1995	—	—	2	2
1996	—	—	3	2

[1] The exhibition and training of performing animals without being registered.
[2] The prohibition of certain public contests, performances and exhibitions with animals.

On-line Lotteries

Mr. Berry: To ask the Secretary of State for the Home Department what representations he received from *(a)* BACTA, *(b)* Littlewoods, *(c)* Camelot and *(d)* Scottish and Newcastle between 2 May 1997 and 17 November 1997 in respect of on-line lotteries. [29837]

Mr. George Howarth: During the period in question, I received letters from the British Amusement Catering Trade Association (BACTA), and Camelot and met them to discuss various gambling issues, including on-line lotteries.

BACTA expressed the view that it would be undesirable for rapid draw on-line lotteries to be played in liquor licensed premises. Camelot was concerned that such games should not be introduced without research into their likely effects.

We did not receive any representations from Littlewoods or Scottish and Newcastle on this subject. I met Scottish and Newcastle's trade association, the Brewers and Licensed Retailers Association.

Mr. Faber: To ask the Secretary of State for the Home Department (1) what advice he has received from the Gaming Board on *(a)* the legality and *(b)* the desirability of on-line lottery draws; and if he will place a copy of the advice in the Library; [29996]

(2) on what date he first received advice from the Gaming Board in respect of on-line lotteries. [29999]

Mr. George Howarth: The Chairman of the Gaming Board wrote to me on 16 May 1997.

The Board set out its concerns about on-line lottery games fully in its Annual Report for 1996–97, which was presented to Parliament on 11 July 1997.

Mr. Faber: To ask the Secretary of State for the Home Department (1) what research his Department has *(a)* undertaken and *(b)* commissioned in respect of on-line lottery draws; [29993]

(2) on what date his Department received advice from Dr. Sue Fisher on the possible impact of Pronto; [29997]

(3) on which date his Department received advice from Dr. Sue Fisher on the possible social impact of Pronto. [29836]

Mr. George Howarth: The Home Office has not commissioned or undertaken research on on-line lottery draws.

Following informal discussion, Dr. Sue Fisher was invited to submit a paper on the possible social impact of Pronto, which was received on 12 November 1997.

Mr. Faber: To ask the Secretary of State for the Home Department what representations he has received from *(a)* the Secretary of State for Culture, Media and Sport and *(b)* the Director General of Oflot concerning rapid on-line lottery draws. [29994]

Mr. George Howarth: In considering the policy implications of on-line lotteries, I consulted Ministerial colleagues, including an exchange of letters with my right hon. Friend the Secretary of State for Culture, Media and Sport.

We did not receive representations from the Director General of OFLOT.

Mr. Faber: To ask the Secretary of State for the Home Department if he will list those organisations consulted by the Gaming Board in respect of on-line lotteries who later advised him. [29998]

Mr. George Howarth: I understand that the Gaming Board's advice was based on its own assessment of the regulatory implications of on-line lotteries.

Hepatitis C (Prisons)

Mr. Flynn: To ask the Secretary of State for the Home Department how many cases of hepatitis C there were among prison inmates in each of the last 10 years in each prison in Britain. [29838]

Ms Quin: Figures on the number of cases of hepatitis C in each prison in England and Wales have been collected only since 1995. Prisoners are not routinely screened for hepatitis C and cases are recorded only when prisoners volunteer information about their hepatitis C status. The table records the number of such cases recorded in the financial years 1995–96 and 1996–97. I have asked for official advice on the implications of introducing routine screening.

Total number of hepatitis C cases reported in year.

Establishment	*1995–96*	*1996–97*
Acklington	0	0
Albany	0	3
Aldington	0	0
Ashwell	0	4
Askham Grange	2	8
Aylesbury	1	2
Bedford	1	4
Belmarsh	0	0
Birmingham	0	2
Blakenhurst	6	27
Blantyre House	0	0
Blundeston	7	13
Brinsford	0	0
Bristol	0	0
Brixton	0	8
Brockhill	2	19
Buckley Hall	0	6
Bullingdon	15	19
Bullwood Hall	1	0
Camp Hill	0	3
Canterbury	0	22
Cardiff	12	0
Castington	0	0
Channings Wood	12	7
Chelmsford	0	1
Coldingley	4	2
Cookham Wood	13	7
Dartmoor	10	16
Deerbolt	0	0
Doncaster	22	9
Dorchester	9	4
Dover	0	0
Downview	1	0
Drake Hall	5	17
Durham	1	0
East Sutton Park	0	2
Eastwood Park	2	10
Elmley	2	2
Erlestoke	3	2
Everthorpe	22	29
Exeter	10	16
Featherstone	1	1

Total number of hepatitis C cases reported in year.

Establishment	*1995–96*	*1996–97*
Feltham	3	0
Ford	1	1
Frankland	0	7
Full Sutton	0	4
Garth	0	3
Gartree	0	0
Glen Parva	0	3
Gloucester	1	4
Grendon	13	3
Guys Marsh	1	21
Haslar	0	0
Hatfield	0	0
Haverigg	5	10
Hewell Grange	0	0
Highdown	15	7
Highpoint	8	8
Hindley	0	2
Hollesley Bay	0	0
Holloway	0	49
Holme House	0	1
Hull	19	9
Huntercombe	0	0
Kingston	0	0
Kirkham	1	7
Kirklevington	0	0
Lancaster	0	3
Lancaster Farms	9	16
Latchmere House	1	0
Leeds	7	0
Leicester	1	4
Lewes	25	0
Leyhill	0	0
Lincoln	2	8
Lindholme	8	46
Littlehey	20	0
Liverpool	1	4
Long Lartin	3	3
Low Newton	8	5
Maidstone	4	3
Manchester	0	0
Moorland	23	25
Morton Hall	2	3
Mount, The	0	3
New Hall	10	28
North Sea Camp	1	3
Northallerton	0	0
Norwich	2	4
Nottingham	17	0
Onley	0	0
Parkhurst.	0	5
Pentonville	2	5
Portland	0	1
Prescoed	0	0
Preston	39	45
Ranby	28	4
Reading	0	0
Risley	22	19
Rochester	0	0
Send	0	0
Shepton Mallet	6	4
Shrewsbury	4	0
Spring Hill	5	0
Stafford	0	2
Standford Hill	1	2
Stocken	4	11
Stoke Heath	0	0
Styal	0	2
Sudbury	0	0
Swaleside	2	5
Swansea	1	11
Swinfen Hall	0	2
Thorn Cross	1	0
USK	0	0

Total number of hepatitis C cases reported in year.

Establishment	*1995–96*	*1996–97*
Verne, The	8	19
Wakefield	8	1
Wandsworth	6	30
Wayland	3	3
Wealstun	6	5
Wellingborough	0	2
Werrington	0	0
Wetherby	0	0
Whattton	0	0
Whitemoor	0	0
Winchester	0	0
Wolds	19	12
Woodhill	0	0
Wormwood Scrubs	3	3
Wymott	0	5
Total	543	760

Mr. Flynn: To ask the Secretary of State for the Home Department what plans he has to introduce needle exchanges in prisons to reduce the spread of hepatitis C. [29846]

Ms Quin: There are no plans at present to introduce a needle exchange scheme in prisons in England and Wales but I have commissioned advice on this subject.

Women Prisoners

Mrs. Brinton: To ask the Secretary of State for the Home Department what steps he is taking to implement the recommendations of "Women in Prison: A Thematic Review" by HM Chief Inspector of Prisons. [29199]

Ms Quin: The Prison Service welcomed the report "Women in Prison: A thematic review by Her Majesty's Chief Inspector of Prisons". The Prison Service is already progressing work in a number of areas highlighted by the Chief Inspector's report.

In his thematic review, the Chief Inspector recommended that there should be a Director of Women's Prisons. This was considered within the structural review of the Prison Service which was completed recently. The Director General accepted the recommendation of the review and has created a Directorate of Regimes within which there will be a number of Assistant Directors responsible for developing policy for specific groups of prisoners. An Assistant Director for Women and an Assistant Director for Young Offenders have been appointed.

Work to develop regimes for women encompasses the areas of concern highlighted by the Chief Inspector. The Prison Service in the coming year will be piloting new constructive regimes in two women's establishments. Initiatives also in hand at the moment include: re-examination of the policy on age mixing; the development of programmes to address offending behaviour specifically tailored to women's needs; training

programmes for those working with women in prison; and work on a protocol for dealing more effectively with disruptive women prisoners.

Mrs. Brinton: To ask the Secretary of State for the Home Department what assessment he has made of the appropriateness of custodial sentences for the majority of women offenders. [29200]

Mr. Michael: Prison is necessary for the most serious offenders, whether male or female, when the court considers such a sentence is necessary in order to protect the public or when other penalties are not appropriate. The Government wish to see full use of community sentences for women and we are seeking to increase the effectiveness of such sentences. Where prison is the sentence decided by the court, we want the time to be used constructively so that offenders are less likely to reoffend when released rather than more likely to offend or to offend more seriously. This principle applies to both men and women in prison. Last month, we announced a pilot programme of work with young prisoners before release to increase the likelihood that they will be able to succeed in the New Deal after release and go on to find work.

A number of new developments are taking place specifically in relation to Prison Service establishments for women. An Assistant Director for Women has recently been appointed. New regimes will be piloted in two women's establishments in the coming year. The Service is re-examining the policy on age mixing. Programmes for women to address offending behaviour are being designed. Work is in hand to deal more effectively with difficult and disruptive women prisoners. New training programmes are being brought in for staff. The Prison Service is working towards the standards set out in the Department of Health publication 'Changing Childbirth', revising policy on pregnant women in prison and mother and baby units; and medication levels in establishments for women are being reviewed.

Prison Secure Estate (Visits)

Mr. Clappison: To ask the Secretary of State for the Home Department if he will list the wings or units within the Prison Secure Estate containing 15 or 16-year-old young persons on remand which have been visited *(a)* by himself and *(b)* by other Ministers in his Department. [29121]

Ms Quin: No complete, central record is kept of which parts of a particular prison have been visited by a Minister. However, Ministers have visited the following establishments which may contain 15 or 16 year old young persons on remand:

My right hon. Friend the Home Secretary visited Brinsford Young Offender Institution (YOI) on 6 January and Feltham YOI on 13 February.

My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) visited Feltham YOI on 10 July 1997 and Lancaster Farms YOI on 13 October 1997.

My hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) visited Cardiff prison on 31 January 1998.

I visited Exeter prison on 11 July and Glen Parva YOI on 30 October. I am visiting Low Newton on 20 February.

Data Protection

Mr. Cohen: To ask the Secretary of State for the Home Department if Clause 27 of the Data Protection Bill [*Lords*] applies to those personal data processed by the Security Service which are intended to assist the police in relation to serious crime; and if he will make a statement. [29116]

Mr. George Howarth: Clause 27(1) provides that personal data are exempt from the data protection principles and from Parts II, III and V and clause 52 of the Bill if the exemption is required to safeguard national security. Clause 27(2) provides for Ministerial certification of the need for exemption and clause 27(4) allows appeals by people directly affected. The form of exemption in respect of personal data processed by the Security Service is under consideration.

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer of 29 January 1998, *Official Report*, column *342*, concerning the compliance costs questionnaire in relation to data protection, if he will publish aggregate statistics relating to responses made by *(a)* local authorities, *(b)* Government departments, *(c)* large manufacturers, *(d)* small manufacturers, *(e)* financial institutions, *(f)* charities, *(g)* marketing organisations and *(h)* retailers, for each of the questions Q2 to Q8, Q10 to Q12, Q15, Q18, Q20 to Q23 and Q27 to Q31, indicating the breakdown between manual data and computerised data. [29117]

Mr. George Howarth: I am afraid that the information is not readily available in the precise form requested. However, following is a table giving a percentage breakdown of the costs to non-Government organisations by reference to the main categories of additional spending.

The costs to Government Departments were assessed separately, not through the questionnaire.

Estimated compliance costs of the Data Protection Directive—covering the private sector, charities and local authorities. Costs are shown as percentages of total estimated start-up and recurring costs respectively.

Category	*Computer start-up*	*Manual start-up*	*Total start-up*	*Computer recurring*	*Manual recurring*	*Total recurring*
Obtaining Consent	17.8	0.7	18.5	0.3	0.23	0.5
Articles 10 & 11 (informing the data subject)	50	1.45	51.5	75.7	0.36	76.1
Subject access requests	1.4	1.05	2.5	1.2	0.69	1.9
Direct marketing	0.2	0.001	0.2	0.1	0.001	0.1
Data exports	4	0.006	4	5	0.007	5
Article 17.3 & 4 (use of processor)	6.6	—	6.6	3.6	—	3.6
Sensitive data	0.002	0.05	0.1	0.001	—	0.001
Other, training, forms etc.	16.6	0.08	16.7	12.8	0.02	12.82
Total	96.6	3.4	100	98.7	1.3	100

Mr. Cohen: To ask the Secretary of State for the Home Department what assessment he has made of the compliance of measures in the Data Protection Bill [*Lords*] with the requirement for a definition of consent set out in Article 2(h) of Directive 95/46/EC; and if he will make a statement. [29041]

Mr. George Howarth: The Directive does not require us to amplify the terms it uses. We consider that the Bill gives proper effect to the requirements of Community law.

Mr. Cohen: To ask the Secretary of State for the Home Department if he will list those cases, with respect to the lawful processing of sensitive personal data under Schedule 3 to the Data Protection Bill [*Lords*], where the Secretary of State has used Article 8(4) of Directive 95/46/EC to specify additional exemptions; if he will list the reason for each exemption; and if he will indicate the nature of the suitable safeguards which are intended to protect the data subject. [29115]

Mr. George Howarth: Article 8(4) of the Directive, relating to reasons of substantial public interest, is reflected in paragraph 7 of Schedule 3 to the Bill. The latter provides an exemption for processing which is necessary for the administration of justice, the exercise of functions conferred by any enactment or the exercise of any function of the Crown, Minister of the Crown or Government Department.

The exemption is necessary to enable the conduct of legitimate functions as authorised by Parliament. The safeguards are the legal constraints on the discharge of the functions in question and more specific provisions included in some of the relevant statutes.

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the protection afforded to the media in the Data Protection Bill [*Lords*]. [29044]

Mr. George Howarth: Clause 31 of the Bill exempts processing for special purposes (journalistic, literary or artistic purposes) from some provisions of the Data Protection Bill. The processing must take place with a view to publication and the data controller must reasonably believe both that publication, having particular regard to the special importance of freedom of expression, is in the public interest and that complying with the data protection rules is incompatible with the special purposes.

Clause 42 allows the Data Protection Commissioner to serve a special information notice on the data controller for the purpose of ascertaining whether the processing is being undertaken only for the special purposes and with a view to publication. Clause 44 restricts the ability of the Commissioner to serve an enforcement notice on a data controller in respect of processing for the special purposes unless it does not meet the necessary criteria and the court has granted leave for the notice to be served.

Challenges may be made after publication; but the exemption still applies if the conditions are satisfied.

In line with Article 9 of the European Communities Data Protection Directive (95/46/EC), these provisions are intended to reconcile the privacy protections in the main data protection regime with the needs of freedom of expression.

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to *(a)* Recital 10 of Directive 95/46/EC and *(b)* the exemptions in the Data Protection Act 1984 relating to crime and taxation, if he will make a statement on Clause 28(4) of the Data Protection Bill [*Lords*] in respect of *(a)* the UK's obligations towards Article 8 of the Human Rights Convention and *(b)* the lessening of protection afforded to data subjects. [29043]

Mr. George Howarth: Clause 28(4) provides a power for the Secretary of State, by order subject to affirmative resolution, to exempt from the first data protection principle, subject access rights and non-disclosure provisions any processing relating to the prevention or detection of crime, the apprehension or prosecution of offenders or the assessment or collection of taxes.

No decision has been taken on the precise use of this power. Before taking such a decision, we would have full regard to the European Convention on Human Rights and the 1995 European Communities Directive on Data Protection.

Standard List Offences

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department how frequently, after what delays, and with what precision, he publishes information on the number of people convicted for the first time of a standard list offence. [29672]

Mr. Michael: Information is published annually on people convicted of a standard list offence for the first time. The most recent figures are for 1995 and were published in November 1997. They appeared in Chapter 9 of "Criminal Statistics, England and Wales, 1996" (Cm. 3764). Information is based on a sample of those convicted of a standard list offence in three sample weeks and is presented as a percentage of the total sample.

In 1995, the sample size was 18,000 (out of an annual total of 353,000). In 1995, the estimated percentage of offenders with a first conviction was 35 per cent. The chance that the annual rate differs from this by more than one percentage point is about 1 in 200.

Correspondence

Mr. Wigley: To ask the Secretary of State for the Home Department on how many occasions during the past six months his Department has been unable to reply to letters from hon. Members within one month of receiving them; what assessment he has made of the adequacy of his departmental performance in replying to inquiries by hon. Members; and if he will make a statement. [29595]

Mr. Straw: Between 1 September 1997 and 13 February 1998, 5,681 of the 9,948 letters received from hon. Members were either replied to more than 30 days after receipt, or still await a reply after more than 30 days. I am not satisfied with my Department's performance in dealing with replies to hon. Members and I refer the right hon. Member to the reply I gave to the hon. Member for South Dorset (Mr. Bruce) on 3 February 1998, *Official Report*, column *587*.

Mr. Wigley: To ask the Secretary of State for the Home Department if it is his Department's policy always to answer either by way of an acknowledgement or a substantive reply every letter received from the general

public; and on how many occasions during the past six months his Department has found it necessary to reply to members of the general public that it has been unable to trace original letters about which follow-up inquiries are being made. [29552]

Mr. Straw: It is my Department's policy to acknowledge or reply to all correspondence received from the general public. I am not able to state how many times over the past six months a reply has been given that an original letter cannot be traced, since at present there are no systems in place to monitor the progress of general correspondence. However, a monitoring system is shortly to be installed as part of a project to improve the handling of correspondence.

Racial Incidents

Mr. Allan: To ask the Secretary of State for the Home Department, pursuant to his answer of 26 January 1998, *Official Report*, columns *38–40*, if he will list the number of racial incidents in 1996–97, by police force per head of population. [29489]

Mr. Michael: The number of racial incidents in 1996–97, by police force, per thousand population[1] is given in the table.

Forces	*Racial incidents per thousand population*
Avon and Somerset	0.21
Bedfordshire	0.14
Cambridgeshire	0.20
Cheshire	0.09
City of London	0.04
Cleveland	0.12
Cumbria	0.08
Derbyshire	0.22
Devon and Cornwall	0.05
Dorset	0.10
Durham	0.04
Dyfed-Powys	0.04
Essex	0.08
Gloucestershire	0.06
Greater Manchester	0.23
Gwent	0.11
Hampshire	0.10
Hertfordshire	0.34
Humberside	0.06
Kent	0.16
Lancashire	0.24
Leicestershire	0.32
Lincolnshire	0.01
Merseyside	0.11
Metropolitan Police	0.75
Norfolk	0.07
North Wales	0.01
North Yorkshire	0.06
Northamptonshire	0.33
Northumbria	0.34
Nottinghamshire	0.32
South Wales	0.29
South Yorkshire	0.13
Staffordshire	0.21
Suffolk	0.11
Surrey	0.07
Sussex	0.18
Thames Valley	0.11
Warwickshire	0.13
West Mercia	0.06
West Midlands	0.27
West Yorkshire	0.30
Wiltshire	0.06
Provincial total	0.17
England and Wales total	0.25

[1] The information was originally requested per head of population; however, the number of racial incidents relative to the population is too small to enable meaningful data to be presented on that basis.

Penal Lexicon Web Site

Mr. Beith: To ask the Secretary of State for the Home Department what assessment he has made of the benefits to the Prison Service of access to the web site, Penal Lexicon; and if he will make a statement. [29415]

Ms Quin: No assessment has been made of the benefits to the Prison Service of the Penal Lexicon or any other subscription service available on the Internet.

Young Remand Prisoners

Mr. Clappison: To ask the Secretary of State for the Home Department how many 15 and 16-year-olds remanded to adult prison accommodation on a subsequent court appearance were *(a)* found not guilty of all charges and *(b)* sentenced to a non-custodial sentence in the most recent years for which figures are available. [29258]

Mr. Michael: Information on the sentencing of juveniles held on remand in adult prison accommodation is not collected centrally. Information is available on the sentencing of juveniles remanded in custody by the court, although the place of remand is not collected.

Juveniles who are refused bail are usually remanded to local authority accommodation. Exceptionally, 15 or 16-year-old boys meeting certain conditions may be remanded to a remand centre or prison. These conditions are:

that the defendant is charged with a violent or sexual offence or one punishable in the case of an adult with imprisonment for a term of 14 years or more; or

that the defendant has a history of absconding while remanded in local authority accommodation and is charged with or has been convicted of an imprisonable offence alleged or found to have been committed while he was so remanded.

and in either case, that the court considers that only a remand to a remand centre or prison would be adequate to protect the public from serious harm from him.

In 1996, the most recent year for which information is available, some 840 male defendants aged 15 or 16 appeared in court having been remanded in custody and charged with a violent or sexual offence or one punishable in the case of an adult with imprisonment for a term of 14 years or more. Of these, 220 were acquitted, found not guilty, had the charge withdrawn or were not proceeded against; 280 were sentenced to immediate custody and a further 340 were sentenced to a non-custodial sentence. No information is available on either previous propensity to abscond or court deliberations.

Child Protection

Mr. Levitt: To ask the Secretary of State for the Home Department if he will allow those voluntary sector organisations which work with children but have no statutory obligation to obtain police vetting of potential employees and volunteers access to such vetting. [29804]

Mr. Michael: Part V of the Police Act 1997 contains provisions which will enable all organisations which work with children to obtain access to criminal record checks on their employees and volunteers. We are currently considering how to phase in implementation of Part V in the light of a review which took account of experience gained in implementing the Sex Offenders Act 1997 and proposals in the Crime and Disorder Bill.

Flunitrazepam

Mr. Greenway: To ask the Secretary of State for the Home Department if he will consult the Advisory Council on the Misuse of Drugs on a proposal to reschedule flunitrazepam as a class B drug. [29524]

Mr. George Howarth: The class (A, B or C) under which a controlled drug is listed under the Misuse of Drugs Act 1971 determines the maximum penalty for offences (essentially unlawful productions, supply or possession) involving that drug. The broad principle governing the classification of a drug is its harmfulness. The greater it is the higher the classification. The benzodiazepines, of which flunitrazepam is one, are used as hypnotic and anxiolytic medicines and are all in class C.

It is the Misuse of Drugs Regulations 1985 which determine the degree of regulation over a controlled drug and, following a decision by the United Nations Commission on Narcotic Drugs, we plan to lay before Parliament shortly amendments which will, subject to Parliamentary approval, impose tighter controls on flunitrazepam with effect from 1 May 1998 by moving it from Schedule 4 to Schedule 3 of the Regulations. The change was agreed by the Advisory Council on the Misuse of Drugs. As a result of the re-scheduling, it will become an offence to possess the drug without lawful authority; imports and exports will become controlled; and safe custody requirements will apply. We have no plans to consult the Council further at this stage.

Mr. Ricky Reel

Mr. Vaz: To ask the Secretary of State for the Home Department what steps he is taking to ensure a full investigation into circumstances surrounding the death of Mr. Ricky Reel. [29494]

Mr. Michael: This investigation, which is an operational matter for the Commissioner, is continuing. An investigation into the Metropolitan Police's handling of this case is being undertaken by Mr. Peter Fahy, an Assistant Chief Constable from Surrey Police, overseen by the independent Police Complaints Authority. My right hon. Friend has discussed the case with the Commissioner.

Mr. Vaz: To ask the Secretary of State for the Home Department what representations he has received concerning the death of Mr. Ricky Reel. [29492]

Mr. Michael: We have received a number of representations from the family's Member of Parliament, my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell).

Prison Population

Mr. Beith: To ask the Secretary of State for the Home Department if he will make a statement on the latest Prison Service prison population projections; and what financial plans have been made to meet those projections. [28847]

Ms Quin: The latest projection of long-term trends in the prison population was published on 29 January 1998. It estimates that the prison population will increase from the current level of around 64,000 to an average of 69,600 in 1999 and 72,200 in the year 2000. If trends in court sentencing practice continue as in recent years the population is expected to reach 82,800 by 2005. Alternative scenarios in the projection give a population for 2005 of between 64,400 and 92,600.

The projection does not take account of Home Detention Curfew which is expected to result in a fall of around 3,000 prisoners by the end of 1999. Nor does it take account of the measures in the Crime and Disorder Bill or possible changes in trends in community sentences.

To accommodate the rising population, my right hon. Friend has made an adjustment to the additional resources made available to the Prison Service last July. I refer the right hon. Member to the reply my right hon. Friend gave to my hon. Friend the Member for Broxtowe (Dr. Palmer) on 13 February 1998, *Official Report*, columns *402–03*.

The additions to capacity together with the implementation of Home Detention Curfew should contain the projected prison population below planned capacity until 2001. The building of new prison capacity beyond 2001 is under discussion as part of the Comprehensive Spending Review.

Prison Service Funding

Mr. Beith: To ask the Secretary of State for the Home Department what has been the annual expenditure on the Prison Service, in real terms, in each of the last five years for which figures are available; what is the planned annual expenditure for the next two years; and what is the marginal change in each year in real terms. [28844]

Ms Quin: The Prison Service annual net expenditure for the last five years and planned net expenditure for the next two years is:

	Real terms £ million	*Percentage change (real terms)*
1993–94	1,617.3	—
1994–95	1,687.3	4.3
1995–96	1,713.1	1.5
1996–97	1,608.6	–6.1
1997–98	1,709.7	6.3
1998–99	1,719.6	0.6
1999–00	—[1]	—

[1] Subject to Government comprehensive spending review

Note:

All figures are outturn, except 1997–98 which is forecast outturn and 1998–99 which is provisional.

Young Offender Units

Dr. Cable: To ask the Secretary of State for the Home Department what resources per head were allocated to young offender units for the education of 16 to 21 year-olds in *(a)* London and *(b)* the Home Counties in each of the last three years. [28785]

Ms Quin: Prison Service budgets are not allocated, nor can spend be meaningfully calculated, per head for education. Every prison governor is given a budget to manage their establishment. It is for the governor to decide, within the framework of guidance from the area manager and advice from in-service educational specialists, how to allocate resources between the various regime and other operational needs.

Governors buy educational provision, through a standard call-off contract according to need and available resources, from providers contracted to their own establishments.

Total education expenditure for discrete young offender establishments in London and the home counties (defined as counties which border on London boroughs) are given in the table. The current population of each of the establishments is also listed.

Establishment	*1995–96* £	*1996–97* £	*1997 to December* £	*Population*
Aylesbury[1]	375,517	304,971	301,997	310
Bullwood Hall[2]	190,014	212,484	147,064	68 young offenders: total population 135
Dover[1]	173,848	133,831	125,319	304
East Sutton Park[2]	122,134	97.326	64,278	5 young offenders: total population 94
Feltham[3]	366,453	398,875	234,838	913
Reading[3]	170,818	155,264	109,929	219

[1] Young offender institution
[2] Female young offender institution and prison
[3] Young offender institution and remand centre

HEALTH

Ambulance Services

Mrs. Ballard: To ask the Secretary of State for Health if he will list those health authorities which purchase ambulance services below the Orcon response standards for *(a)* 999 calls and *(b)* urgent calls. [28838]

Mr. Milburn: Information on ambulance service performance is published in the National Health Service Performance National Guide 1997–98 and Department of Health KA34. Copies are available in the Library.

Eye Tests

Mr. Peter Bottomley: To ask the Secretary of State for Health what plans he has to introduce free eye tests; and to what timescale. [28823]

Mr. Milburn: Free National Health Service sight tests are currently available to children, people on low incomes and people predisposed to, or suffering from, selected eye diseases. The criteria for these sight tests are covered by the Government's Comprehensive Spending Review, which should be completed by the summer.

Dental and Eye Checks

Mr. Peter Bottomley: To ask the Secretary of State for Health what assessment he has made of the extent to which *(a)* NHS dental checks and *(b)* eye tests are available for all seeking them. [28824]

Mr. Milburn: The Department has received no representations that people find it difficult to get their sight tested. We are aware that, although National Health Service dentistry is accessible for much of the population, there are areas where there are problems of access. We have introduced the Investing in Dentistry Scheme, for which we have made available £9 million this year and £10 million in 1998–99, to tackle these localised problems.

Hospital Services (South-west London)

Mr. Colman: To ask the Secretary of State for Health what assessment he has made of the long-term capacity of Kingston Hospital. [29055]

Mr. Milburn: Kingston Hospital National Health Service Trust will be working up a detailed business case for capital investment for the longer term. This will include a thorough assessment of longer term patient flows and will take account of the range of hospital services available to the population of south west London. The two Thames NHS Executive Regional Offices will be overseeing this process.

Mr. Colman: To ask the Secretary of State for Health if he will ensure that long-term fully-financed plans are in place for Queen Mary's Hospital, Roehampton before approving further reconfiguration of hospital services in South West London. [29058]

Mr. Milburn: Consultation has now closed on the proposed changes in South West London and Kingston and Richmond Health Authority and Merton, Sutton and Wandsworth Health Authority are considering all the comments and proposals put forward during the consultation process.

Mr. Colman: To ask the Secretary of State for Health what assessment he has made of the short-term capacity of *(a)* St. George's Hospital, Tooting and *(b)* Kingston Hospital, to take on extra in-patient work from Queen Mary's Hospital, Roehampton. [29054]

Mr. Milburn: Kingston and Richmond Health Authority, Merton, Sutton and Wandsworth Health Authority and local trusts have been working together to ensure that, subject to comments and proposals put forward during the consultation period, there will be sufficient capacity in neighbouring hospitals to take on work flowing from Queen Mary's Hospital, Roehampton.

Mr. Colman: To ask the Secretary of State for Health if he will ensure that no services are transferred from Queen Mary's Hospital, Roehampton until *(a)* alternatives have been put in place at neighbouring hospitals and *(b)* the necessary transitional finance is available. [29057]

Mr. Milburn: Public consultation on the future of Queen Mary's Hospital, Roehampton was completed only recently. Health authorities are yet to reach a decision following consultation. No services will be transferred from Queen Mary's Hospital Roehampton until adequate facilities are available in neighbouring hospitals.

North Essex Health Authority

Mr. Ivan Henderson: To ask the Secretary of State for Health (1) how many days the Chair and each of the non-executive members of North Essex Health Authority spent on health authority business during *(a)* the financial year 1996–97 and *(b)* the present financial year to date; [29125]

(2) who was responsible for nominating the Chair and each of the non-executive members currently serving on the Board of the North Essex Health Authority; [29124]

(3) if he will list the interests of the Chair and non-executive members of the North Essex Health Authority; [29123]

(4) if he will list the expenses incurred by the Chair and each of the non-executive members of the North Essex Health Authority during the financial year 1996–97; [29126]

(5) if he will list the amounts earned by the Chair and each of the non-executive members of North Essex Health Authority during the financial year 1996–97 for their duties on behalf of the Authority. [29122]

Mr. Milburn: The current Chairman and non-executive members were all appointed in 1996, after a recruitment exercise including local and national advertisements. The additional practice of seeking nominations for appointments to National Health Service Boards from hon. Members and local authorities was introduced in 1997. Information is not held centrally on the expenses incurred by board members, the interests they have declared or the days they have spent on board business. In 1996–97, the annual remuneration payable to the Chairman of the North Essex Health Authority was £19,285 and the non-executive board members were entitled to £5,000 each.

Consultants (Merit Payments)

Mr. Levitt: To ask the Secretary of State for Health if he will investigate the system of consultants' merit payments within the NHS to ensure that it is fair. [29165]

Mr. Milburn: We are deeply concerned about the possibility of unfairness in the distinction awards scheme and we are considering what further action might be taken.

NHS White Paper

Mr. Maples: To ask the Secretary of State for Health if he will make a statement on the budgetary structure of the primary care groups proposed in his recent White Paper on the NHS. [29063]

Mr. Milburn: The new financial arrangements will promote access to high quality care right across the country by fair distribution of resources through health authorities to inclusive Primary Care Groups. New unified budgets for Primary Care Groups will be established covering hospital and community services, general practitioner prescribing and the general practice infrastructure. This will allow clinicians to better influence the use of resources by aligning clinical and financial responsibilities.

NHS Employees (Remuneration)

Mr. Maples: To ask the Secretary of State for Health how many NHS employees are currently remunerated below *(a)* £4.26 per hour, *(b)* £4.00 per hour and *(c)* £3.75 per hour. [29011]

Mr. Milburn: I refer the right hon. Gentleman to the reply I gave to the right hon. Gentleman the Member for Wokingham (Mr. Redwood) on 13 January 1998, *Official Report*, column *153*.

Minimum Wage

Mr. Maples: To ask the Secretary of State for Health when he expects to be able to calculate the costs to the NHS of any given level of a minimum wage. [29052]

Mr. Milburn: Information about the earnings of National Health Service employees is currently being collected by the Department.

NHS Trusts

Mr. Maples: To ask the Secretary of State for Health if he will make a statement regarding the proposed statutory obligations of NHS trusts to work in partnership with other trusts. [29050]

Mr. Milburn: *The New NHS* White Paper sets out our plans to improve co-operation and partnership between National Health Service trusts. These include a new statutory duty on local NHS bodies to work together for the common good. Legislation will be brought forward as Parliamentary time allows.

Waiting Lists

Mr. Maples: To ask the Secretary of State for Health what forecast his Department has made of the numbers of patients waiting more than 12 months for treatment by July 1999. [29010]

Mr. Milburn: None.

Mr. Maples: To ask the Secretary of State for Health (1) what plans he has to change the current methodology for calculating NHS waiting lists; [29015]

(2) if he will make a statement on current methodology used in calculating health service waiting lists. [29012]

Mr. Milburn: We have no plans currently to change the methodology for calculating national health service waiting lists which shows the numbers of patients awaiting admission to hospital, on a trust and resident basis, at the end of each quarter.

General Practitioner Budgets

Mr. Maples: To ask the Secretary of State for Health what proportion of patients are currently served by general practitioner practices holding their own budgets. [29007]

Mr. Milburn: Fifty-seven per cent. of the registered population of England is currently served by a general practitioner fundholding practice.

Mr. Maples: To ask the Secretary of State for Health how many submissions he has received from doctors since 2 May requesting an end to general practitioner practice level budgets. [29006]

Mr. Milburn: Since 2 May 1997, we have consulted widely in the National Health Service and discussed with representatives of the professions proposals to abolish the internal market in the NHS. This culminated in the publication of the White Paper, *The New NHS*, containing our proposals for setting up Primary Care Groups. We have received a wide measure of support for these proposals.

Southampton Community NHS Trust

Mr. Swayne: To ask the Secretary of State for Health if he will make a statement on Southampton Community NHS Trust's arrangements for the disposal of three sites, currently occupied by the Lymington Hospital, to a preferred bidder and PFI partner. [29360]

Mr. Milburn: The value of surplus or redundant estate owned by National Health Service trusts can form part of the negotiations between the trust and its preferred private sector partner in a Private Finance Initiative deal, but any such assets must be sold or disposed of at open market value. In the case of Southampton Community NHS Trust, the valuations for the three redundant sites owned by the trust will be independently assessed by the District Valuer and the full business case setting out the final arrangements for the PFI scheme will have to be approved by the NHS Executive and Her Majesty's Treasury.

Passive Smoking

Mr. Wigley: To ask the Secretary of State for Health what steps he is taking to protect asthma sufferers from the effects of passive smoking *(a)* at work and *(b)* in public places. [29260]

Ms Jowell: The Department of Health is working closely with other Government Departments and agencies, including the Department of the Environment, Transport and the Regions and the Health and Safety Executive, on what measures might be included in the Tobacco Control White Paper, to be published later this year, to protect the public, including asthma sufferers, from the effects of passive smoking.

The White Paper will also take into account the conclusions of the Scientific Committee on Tobacco and Health (to be published shortly) on the scientific evidence on the health effects of exposure to environmental tobacco smoke.

Water Fluoridation

Mr. Gordon Prentice: To ask the Secretary of State for Health what statutory provisions govern the responsibility of health authorities for decisions on water fluoridation. [29399]

Mr. Milburn: The final decision on implementing fluoridation schemes rests with the water undertaker. The Water (Fluoridation) Act 1985 was consolidated in the Water Industry Act (1991) and Section 87 (i) of this states that

"Where a Health Authority have applied in writing to a water undertaker for the water supplied within an area specified in the application to be fluoridated, that undertaker may, while the application remains in force, increase the fluoride content of the water supplied by the undertaker within that area."

Hepatitis C

Mr. Flynn: To ask the Secretary of State for Health what assessment he has made of the effect of needle exchanges in the community on the incidence of hepatitis C in each of the past three years; and if he will make a statement. [29845]

Ms Jowell: We have not made any such assessment. Acquisition of hepatitis C is most often asymptomatic and new infections are usually not identified.

HIV may also be transmitted among drug misusers through the sharing of blood contaminated injecting equipment. Needle exchange schemes have contributed to the decline in the prevalence of HIV in this group.

The Department is currently seeking ways of improving the surveillance of hepatitis C prevalence among injecting drug misusers.

Mr. Flynn: To ask the Secretary of State for Health what is his estimate of the incidence of hepatitis C in each of the past 10 years *(a)* in prison and *(b)* nationally; and if he will make a statement. [29842]

Ms Jowell: The number of new infections nationally is not known. Hepatitis C infection rarely produces an acute symptomatic illness with jaundice and hence very few incident infections are identified.

Tests for antibodies to the virus will identify individuals who have been previously infected by the virus but do not distinguish between resolved infection and established chronic infection.

Laboratory reports of the presence of antibodies to hepatitis C in the general population received by the Public Health Laboratory Service's Communicable Diseases Surveillance Centre for England from 1991, the earliest year for which figures are available, to 1996 are shown in the table. The rise in laboratory reports is consistent with increased testing and reporting during that period:

Laboratory reports of hepatitis C infections, England 1991–1996

Year	*Number*
1991	26
1992	228
1993	410
1994	726
1995	1,291
1996	1,912

Prisoners in England are not routinely tested for hepatitis C. We understand from Her Majesty's Prison Service that information on the numbers of prisoners infected with hepatitis C is based on voluntary disclosure or testing. This information has been collected only since 1995. In the financial years 1995–96 and 1996–97, there were 543 and 760 reports of prisoners infected with hepatitis C respectively.

Radiotherapy Damage

Mr. Sanders: To ask the Secretary of State for Health if he will award ex gratia payments to women suffering permanent, progressive, disabling injuries after radiotherapy treatment for breast cancer; and if he will make a statement. [29867]

Mr. Boateng: We are aware of the often severe problems experienced by women who have been injured following radiotherapy treatment for breast cancer. Unfortunately, there are risks associated with most medical interventions and radiotherapy treatment for breast cancer is not the only area where patients may suffer health and other problems as a result of treatment they have received.

Following careful consideration of the issues we have no plans to introduce a general scheme of ex gratia payments for specific groups such as those who have suffered injury as a result of radiotherapy treatment for breast cancer.

National Health Service bodies already have the authority exceptionally to make ex gratia payments in individual cases. Decisions to do so for those suffering adverse side effects from medical treatment are a matter for the individual NHS trust, after careful appraisal of the facts.

Public Works Directive

Mr. Campbell-Savours: To ask the Secretary of State for Health what rules or arrangements exist to prevent collusion or the development of cartels amongst candidates expressing an interest and admitted to negotiate under Article 22 (3) of the Public Works Directive 93/37. [24686]

Mr. Milburn *[holding answer 26 January 1998]:* The National Health Service Estates Agency, an agency of the Department of Health, has issued policy and guidance on works procurement in *Concode*. When contracts are negotiated value for money must be demonstrated as with any open competition. Negotiations are also subject to European Community Regulations. It is also normal practice to include an anti-collusion clause in contracts.

Random Breath Tests

Mr. Peter Bottomley: To ask the Secretary of State for Health if he will estimate the *(a)* direct and *(b)* indirect effects of random breath testing on death and injury from drink driving. [28822]

Ms Glenda Jackson: I have been asked to reply.

It would not be possible to make such estimates since the effect of random breath testing would depend on the precise nature of the testing regime and the extent of enforcement.

The potential for improving enforcement to reduce deaths and injuries from drink driving is discussed in the consultation document *Combating Drink Driving: Next Steps* issued by my Department on 2 February.

WALES

Forestry Commission Land

Mr. Ruane: To ask the Secretary of State for Wales if he will list the locations and size of Forestry Commission land sold in Wales since 1 May 1997. [29231]

Mr. Win Griffiths: The subject of the question relates to matters undertaken by Forest Enterprise. I have asked its Chief Executive, Dr. Bob McIntosh, to arrange for a reply to be given.

Letter from Bob McIntosh to Mr. Chris Ruane, dated February 1998:

The Secretary of State for Wales has asked me to reply to your Question about Forestry Commission land sold in Wales.

I enclose a list of those areas of Forest Land that have been sold since 1 May 1997. These sales were all agreed before that date.

Forestry Commission forest land sold in Wales
1 May—10 February 1998

Name of property	*Area (hectares)*	*Grid reference*
Allt Cil Y Llyn Fawr	2.5	SN623334
Allt Hengeraint (road improvement)	0.7	SN473603
Allt Y Fron—Abermarlais	5.6	SN689290
Bodfuan (Garn Boduan)	101.0	SH315393
Bryn Hendre	10.0	SH315373
Brynffynnon Coed	6.0	SH471433
Caeau Bodfel	28.0	SH345374
Cathilas	51.4	SN595320
Cefn Derw Cil Owen	10.0	SO140805
Cefn Perfa Wood	3.4	SO127892
Cil Llwyn	15.0	SO009653
Coed Allt Ddu	3.0	SH956679
Coed Bryn Kenrick	8.0	SH947701
Coed Caeau Gwynion—Abermarlais	4.8	SN691298
Coed Glyn Aeron	57.0	SN105300
Coed Melin Y Moch	12.0	SJ070578
Coed Plas Isaf	5.0	SH963678
Coed Salisbury	4.0	SH911693
Curnia Bank	13.3	SO207839
Geufron	10.1	SO175932
Hendre Rhys	18.3	ST048928
Kinmel Estate	0.1	SH977761
Llan Llwyd	3.8	SO187825
Maesgwyn	20.0	SN088290
Nant Ffrwd	26.0	SN572328
Nant Merddyn	48.0	SH930616
Penycarreg East	3.0	SO062821
Penycarreg West	11.0	SO055815
Penycastle Wood	10.4	SO135880
Rosehill Wood—Abermarlais 3	3.9	SN693292
Sychpant and Penlan	70.0	SN040360
Ty Rhyg	120.0	SN050300
Tyn Y Cwm	3.5	SO153835
Ynys Galed	22.0	SH464440

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Correspondence

Mrs. Ewing: To ask the Secretary of State for Wales what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28059]

Mr. Ron Davies *[holding answer 10 February 1998]:* Letters received in Welsh are replied to in Welsh. Letters received in other languages, including Scottish Gaelic, Urdu, Hindi and Chinese, are replied to in the language of the original wherever practicable.

Sheep Dip

Mr. Charles Kennedy: To ask the Secretary of State for Wales what advice his Department gives to farmers on the disposal of synthetic pyrethroid sheep dip. [29734]

Mr. Win Griffiths *[holding answer 16 February 1998]:* Advice on the disposal of sheep dips is given on the label of every product and in the leaflet, *Sheep Dipping*, published jointly by the Ministry of Agriculture, Fisheries and Food, the Health and Safety Executive and the former Department of the Environment. A new edition of the leaflet is in preparation and, as before, it will be sent to all known sheep farmers in Great Britain. Advice is also contained in the Code of Good Agricultural Practice for the Protection of Water published by the Ministry of Agriculture, Fisheries and Food and the Welsh Office.

The National Proficiency Tests Council organises a test leading to the issue of a Certificate of Competence which includes the disposal of all types of sheep dip. A Certificate is currently required for the purchase of organophosphate (OP) dips but the government has accepted the advice of the Veterinary Products Committee that the requirement should be extended to cover the purchase of non-OP dips, including those containing synthetic pyrethroids. We are currently consulting on a change in legislation which would take effect on 1 August 1998.

Mr. Charles Kennedy: To ask the Secretary of State for Wales what monitoring of the impact of synthetic pyrethroid sheep dips on *(a)* the aquatic environment, *(b)* the soil environment and *(c)* fisheries (i) has been carried out and (ii) is planned by his Department; and if he will make a statement. [29735]

Mr. Win Griffiths *[holding answer 16 February 1998]:* The Environment Agency, which is responsible for monitoring the aquatic environment in Wales, has initiated monitoring programmes to assess the impact of sheep dip compounds, including synthetic pyrethroids, on the chemical quality of the aquatic environment, including any effects on fish populations. The monitoring has been targeted on the most intensive sheep rearing areas, including Wales. A full report of the findings is being prepared by the Agency. There is no specific monitoring of soil.

Last month, the Government published draft groundwater regulations relating to England, Wales and Scotland which specify additional monitoring requirements for groundwater, including of synthetic pyrethroids.

DEFENCE

Courts Martial

Mr. Kemp: To ask the Secretary of State for Defence what proposals he has made to allow senior non-commissioned officers to serve on courts martial. [30414]

Dr. Reid: The issue of membership of courts-martial was considered by the Select Committee on the Armed Forces Bill in 1996 although no firm proposals for change were made. I am pleased to announce that, following an extensive internal review initiated by the previous Administration, we have accepted the recommendation that membership of courts-martial be extended to Warrant Officers. This enhancement will make available to courts-martial the additional experience and judgment of Warrant Officers.

I welcome this recommendation as further evidence of the Services' willingness to embrace change while safeguarding the system of military justice which is essential to their effectiveness.

This change will require primary legislation and it is envisaged that the relevant amendments will be included in the 2001 Armed Forces Act. A decision in principle now will allow any necessary preparation and training to be set in hand by the Services.

Low Flying

Mr. Wigley: To ask the Secretary of State for Defence what plans he has to reassess the situation in respect of low flying aircraft in Wales following the recent accident in Italy. [29592]

Mr. Spellar: Low flying continues to be an effective means of penetrating hostile air defence systems. It require rigorous training and continuous practice in a realistic environment, subject to stringent regulation to ensure that it is carried out safely while minimising disturbance to those on the ground. The whole of the United Kingdom excluding built up areas is, in principle, open to low flying and Wales will continue to see a proportion of this activity.

Mr. Wigley: To ask the Secretary of State for Defence what are the Government's targets for reducing low flying by aircraft over Wales in the current year; and if his Department achieved its target for 1997. [29594]

Mr. Spellar: The amount of low flying training undertaken throughout the United Kingdom is limited to that strictly necessary for aircrews to achieve and maintain operational effectiveness. It is kept under continuous review and specific in-year targets are not set. Since 1988, low flying in Wales has reduced by about a half.

MOD Police

Mr. Ainger: To ask the Secretary of State for Defence if he will list those facilities in the *(a)* public and *(b)* private sector that have a current full-time requirement for MoD Police; and if he will list the current annual cost at each facility. [29179]

Dr. Reid *[holding answer 12 February 1998]:* This is a matter for the Chief Executive of the Ministry of Defence Police. I have asked the Chief Executive to write to my hon. Friend.

Letter from Michael Smallwood to Mr. Nick Ainger, dated 17 February 1998:

I am replying to your Question to the Secretary of State for Defence about the Ministry of Defence Police, on behalf of the Chief Constable/Chief Executive of the Ministry of Defence (MDP) Agency, as this falls into his area of responsibility. The Chief Constable/Chief Executive is away from the office at present.

The MDP are based at 109 locations, where there is a requirement for their services, costing a total of £149,256 million per annum. I am withholding the list of locations in accordance with exemption 1, 'information whose disclosure would harm national security or defence', of the Code of Practice on Access to Government Information. I am also withholding details of the annual cost of the MDP at each location under both exemptions 1 and 13, 'information including commercial confidences, trade secrets whose unwarranted disclosure would harm the competitive position of a third party', of the Code of Practice.

The budget and costs of the MDP are however included within the Annual Report of the Chief Constable. I attach a copy of the relevant pages from the 1996–97 report. A complete copy of the Annual Report is held in the Library of the House of Commons.

	1995–96 £000	*percentage*	*1996–97* £000	*percentage*
(a) Expenditure				
Gross Expenditure	156,115	—	149,256	—
Gross Income	21,846	—	18,871	—
Net expenditure subject to Vote	134,269	—	130,385	—
(b) Expenditure Analysis				
Staff costs (Note 1)	130,971	83.9	121,925	81.7
Overtime (Note 2)	10,260	6.6	13,163	8.8
Administrative costs (Note 3)	11,574	7.4	11,076	7.4
Accommodation costs (Note 4)	3,310	2.1	3,092	2.1
Total	156,115	100	149,256	100
(c) Income Analysis				
Other Government Departments/Agencies	12,381	56.7	10,198	54.1
Foreign Government customers	4,517	20.7	4,422	23.4
Defence contractors	3,913	17.9	2,509	13.3
Other receipts	1,035	4.7	1,742	9.0
Total	21,846	100	18,871	100
Note 1-Analysis of staff costs				
MDP pay	105,199	80.3	96,755	79.3
MDP ERNIC	9,124	7.0	9,149	7.5
MDP Pension contribution	13,569	10.4	12,287	10.1
Civilian/Service pay	3,079	2.4	3,734	3.1
Total	130,971	100	121,925	100
Note 2-Analysis of overtime costs				
MDP overtime	9,825	95.8	13,079	99.4
Civilian overtime	435	4.2	84	0.6
Total	10,260	100	13,163	100
Note 3-Analysis of administrative costs				
Permanent transfer	2,373	20.5	2,829	25.6
Travel and subsistence	1,282	11.1	1,821	16.4
Information technology	2,663	23.0	1,149	10.4
Vehicles/transport	2,842	24.6	3,254	29.4
Telecommunications	567	4.9	314	2.8
General administration expenses	1,754	15.2	1,550	14.0
Other contract services	93	0.8	159	1.4
Total	11,574	100	11,076	100
Note 4-Analysis of accommodation costs				
Works maintenance	1,927	58.2	1,658	53.6
Public utilities	577	17.4	624	20.2
Contract catering and cleaning	806	24.4	810	26.2
HQ relocation costs	0		0	
Total	3,310	100	3,092	100

Land Rovers

Mr. Gray: To ask the Secretary of State for Defence, pursuant to his answer of 18 December 1997, *Official Report*, column *280*, on Land Rovers, if he will list the planned changes in EU Regulations concerning exhaust emissions with which it would be difficult for the 110 series Army Landrover to comply; and what representations the Government have made to the EU about such exhaust emission regulations. [27195]

Mr. Spellar *[holding answer 3 February 1998]:* EU Directives to reduce vehicle emissions apply at the date of vehicle manufacture and are not retrospective. All Land Rover Defender 110 Series vehicles in service with the MOD complied with the emission regulations in force at their date of manufacture, and the Trucks Utility Medium (High Specification) vehicles now being delivered comply fully with current EU regulations. Future EU Directives will require the motor industry to comply with more stringent emission limits. As such, EU Directive 96/69/EC will set tighter limits for mass carbon monoxide, combined hydrocarbons and oxides of nitrogen, and particulates for this class of vehicle manufactured after 1 October 1998. Beyond that date, future legislation has not been fully defined. It is not MOD policy to seek exemption from EU Directives on emissions levels relating to these vehicles.

The Government are committed to reducing pollution by cutting emission levels. We are, therefore, exploring ways in which the emissions of all the in-service Land Rover vehicles, including the 110 Series vehicles, could be reduced.

Defence Expenditure

Mr. Key: To ask the Secretary of State for Defence if he will list the defence expenditure of NATO countries in 1996 *(a)* as a percentage of gross domestic product (market price), *(b)* as total national defence spending, (US $m) and *(c)* per capita defence expenditure, (US $). [29449]

Dr. Reid *[holding answer 16 February 1998]:* The information requested for calendar year 1996 is as follows:

Defence expenditure as a percentage of GDP

	Percentage
Greece	4.5
Turkey	4.1
United States	3.7
France	3.0
United Kingdom	3.0
Portugal	2.5
Norway	2.4
Netherlands	2.0
Italy	1.9
Denmark	1.8
Germany	1.7
Belgium	1.6
Spain	1.5
Canada	1.5
Luxembourg	0.8

Defence expenditure in US$ million

	US$ million
United States	271,802
France	46,402
Germany	38,990
United Kingdom	34,526
Italy	23,458
Spain	8,616
Canada	8,616
Netherlands	7,850
Turkey	7,424
Greece	5,582
Belgium	4,240
Norway	3,672
Denmark	3,086
Portugal	2,601
Luxembourg	141

Defence expenditure per capita (US$)

	US$
United States	1,023
Norway	838
France	794
Denmark	589
United Kingdom	587
Greece	531
Netherlands	504
Germany	475
Belgium	417
Italy	409
Luxembourg	338
Canada	287
Portugal	262
Spain	219
Turkey	118

The figures are our latest estimates and are based on information drawn from NATO sources. They update the provisional figures published in October 1997 in the MOD Performance Report 1996/97 (CM 3781).

The figures have been calculated using 1996 average market exchange rates, which do not necessarily reflect the relative purchasing power of individual currencies. They are therefore only a guide to comparative defence effort.

For the UK, the defence budget in the financial year 1996–97 amounted to 3.0 per cent. of GDP; and in 1997–98 and 1998–99 is estimated to amount to 2.7 per cent. of GDP in both years.

Nuclear Deterrence

Mrs. Ewing: To ask the Secretary of State for Defence what discussions he has had regarding the maintenance of the United Kingdom's nuclear deterrence capacity beyond the lifetime of the Trident programme; and if he will make a statement. [29463]

Mr. Spellar: I refer the hon. Member to the answer I gave on 23 June 1997, *Official Report*, column *357*, to my hon. Friend the Member for Islington, North (Mr. Corbyn).

Service Personnel (Cyprus)

Mr. Cox: To ask the Secretary of State for Defence how many service personnel stationed in Cyprus have been charged with disorderly conduct while off duty in *(a)* a civilian court or *(b)* a court martial, in each of the last three years. [18585]

Dr. Reid: Figures broken down as requested are not held centrally and could be provided only at disproportionate cost. Total figures for the number of offences of disorderly conduct committed by the members of the Resident Infantry Battalions and other permanent units in Cyprus in the last 3 years is set out in the table:

Offence	*1995*	*1996*	*1997*
Assault (or similar offences)	20	16	[1]17
Drunkenness	6	5	5
Criminal Damage	2	1	8
Total	[2]28	22	30

[1] Includes 10 cases still under investigation or yet to be heard in court.

[2] Includes 18 RGJ "Reported Incidents" which may not have led to charges.

Royal Haslar Hospital

Mr. Rapson: To ask the Secretary of State for Defence if he will make a statement on the timing of the privatisation of the Royal Haslar Hospital Laundry and Sterile Services. [28142]

Dr. Reid *[holding answer 10 February 1998]:* I have commissioned the Chief Executive of the Defence Secondary Care Agency to carry out a strategic review of the Agency and to report to me in the Spring 1998. The future of the laundry and sterile services at the Royal Hospital, Haslar, will be considered in the context of the outcome of this work.

Britannia

Mr. Bercow: To ask the Secretary of State for Defence if he will refit the former Royal Yacht 'Britannia' as a hospital ship for possible use in the Middle East. [29607]

Dr. Reid: No. Britannia was paid off on 11 December 1997.

Bahrain

Mr. Corbyn: To ask the Secretary of State for Defence how many United Kingdom military personnel have *(a)* visited in an official capacity, *(b)* been stationed in and *(c)* been seconded to Bahrain in each of the last five years. [29466]

Dr. Reid: Figures for the number of United Kingdom military personnel who have been stationed in Bahrain or visited in an official capacity over the last five years are not held centrally and could be provided only at disproportionate cost. No United Kingdom military personnel have been seconded to Bahrain in the last five years.

Mr. Corbyn: To ask the Secretary of State for Defence how many Bahrain service people have *(a)* visited and *(b)* attended training courses in Britain in each of the last five years. [29468]

Dr. Reid: Figures for the number of Bahraini Service personnel who have visited the United Kingdom are not held centrally and could be provided only at disproportionate cost.

It has been the practice of successive Administrations not to release details of military assistance provided to other countries on the grounds that this information has been considered confidential between Governments, and that disclosure would risk damaging our international relations. However, this practice is being reviewed against the background of the Government's commitment to openness. I will write to my hon. Friend once the review is complete and a copy of my letter will be placed in the Library of the House.

Mr. Corbyn: To ask the Secretary of State for Defence what recent meetings have been held at Ministerial level with ministers in the Bahrain Government; and what was discussed. [29609]

Dr. Reid: My right hon. Friend the Secretary of State for Defence and my right hon. Friend the Foreign Secretary held separate meetings with the Bahraini Crown Prince and the Minister of Foreign Affairs on 28 January. The main focus of these meetings was the current crisis in the Gulf. My noble Friend the Minister for Defence Procurement visited Bahrain on the 13–14 February and held discussions on Iraq with the Amir, Prime Minister and other ministers.

Trident

Mrs. Ewing: To ask the Secretary of State for Defence (1) when he plans to complete the loading of the first core into the reactor of the fourth Trident submarine; and if he will make a statement; [29461]

(2) what is the cost of the first fuel core for the reactor of the fourth Trident submarine; and if he will make a statement. [29462]

Mr. George Robertson: The loading of Vengeance's fuel core is scheduled to be completed during May 1998. I am withholding details of core costs under exemption 1 of the code of practice on access to Government Information relating to defence, security and international relations.

Foreign Policy Baseline

Mr. Mackinlay: To ask the Secretary of State for Defence what documents or speeches constitute the Foreign Policy Baseline against which the Strategic Defence Review can be assessed. [29750]

Mr. George Robertson: I outlined the emerging conclusions of the first phase of the Strategic Defence Review, which looked at the foreign and security policy framework, in my speeches to the House on 27 October 1997, Official Report, columns 609–20, and to the Royal United Services Institute on 18 September 1997. The results of this work will form an important part of the Review White Paper.

Enriched Uranium

Mrs. Ewing: To ask the Secretary of State for Defence how much his Department has spent on the enrichment of uranium for the nuclear-powered submarine programme in *(a)* the United States of America and *(b)* the United Kingdom in each year since 1982; and if he will make a statement. [29460]

Dr. Reid: I am withholding this information under exemption 1 of the Code of Practice on Access to Government Information relating to defence, security, and international relations.

TRADE AND INDUSTRY

National Minimum Wage

Mr. Redwood: To ask the President of the Board of Trade what plans she has to introduce additional sectoral or regional exemptions to the national minimum wage. [28618]

Mrs. Beckett *[holding answer 9 February 1998]:* I have no plans to introduce any sectoral or regional exemptions.

Mr. Redwood: To ask the President of the Board of Trade when the Ministry of Defence first informed her Department that it wished to exempt the armed forces from the national minimum wage. [28584]

Mrs. Beckett *[holding answer 9 February 1998]:* It has never been the policy of this or any other Government to disclose details of internal discussions between Ministers.

Millennium Compliance

Mr. David Atkinson: To ask the President of the Board of Trade if she will make a statement on progress in her Cabinet Group to ensure that computer systems are millennium compliant. [27873]

Mrs. Beckett: The Government attach major importance to tackling his problem effectively. However, in accordance with long-standing practice, information about proceedings of the Cabinet and Cabinet Committees is not made public.

Mr. David Atkinson: To ask the President of the Board of Trade what requests she has received from Action 2000 for more staff and an increase in budget; and if she will make a statement. [27875]

Mrs. Roche: I look forward to receiving from Don Cruickshank his proposals for a fully costed programme of collective activities over the next two years which will support businesses in the private sector in their efforts to tackle the problem.

Mrs. Gillan: To ask the President of the Board of Trade what steps she is taking to ensure that disinterested advice is available to the consumer of personal computing products about the changes that need to be made to their computer systems in order for them to be millennium compliant. [25650]

Mrs. Roche *[holding answer 27 January 1998]:* The consumer can get impartial advice from Action 2000, which operates a help line, 0845 601 2000, and a website, www.open.gov.uk/bug2000.htm.

The Chairman of Action 2000 is continuing to work with the Director of the Consumer Association to develop a collaborative approach to helping consumers understand and prepare for the Millennium Bug challenge.

Action 2000 has also appointed Karl Feilder to give it expert advice on the problems with personal computers.

Mrs. Gillan: To ask the President of the Board of Trade if Action 2000 is being set up as an independent company. [29508]

Mrs. Roche *[holding answer 13 February 1998]:* Yes.

Oil and Gas Industry

Mr. Beggs: To ask the President of the Board of Trade how she proposes to protect existing jobs and promote increased long-term investment in the United Kingdom oil and gas industry. [29798]

Mr. Battle: The Government are keen to ensure that the optimum level of exploration and development of the United Kingdom continental shelf is carried out. To that end, the UK's hydrocarbons licensing regime seeks to encourage continuing investment in oil and gas exploration and production in this country and its continental shelf.

Multilateral Agreement on Investment

Mr. Chaytor: To ask the President of the Board of Trade if she will list the exemptions tabled by the United Kingdom as part of the draft texts of the Multilateral Agreement on Investment and place in the Library copies of the exemptions tabled by other OECD countries. [29926]

Mrs. Roche: The UK's draft list of exceptions has already been placed in the Library. It includes exceptions for broadcasting, fishing, marine and air transport, and financial services. The draft lists from other countries have been tabled in confidence; it would not be appropriate for the UK to make them public.

Mr. Stunell: To ask the President of the Board of Trade what safeguards for local authorities and Government departments and agencies she has *(a)* sought and *(b)* achieved to date in relation to potential claims of discrimination arising under the Multilateral Agreement on Investment currently being negotiated. [28328]

Mrs. Roche: The UK, like other participants in the MAI negotiations, has submitted a list of exceptions where we are not willing to have the obligations of the Agreement apply. The list contains no exceptions specifically related to local authorities, since discrimination against investors on grounds of nationality is not a factor in their decisions. Any claims under the MAI would be made against the national government.

Coal (Emission Standards)

Mr. Boswell: To ask the President of the Board of Trade what estimate she has made of the increased costs of coal-fired power generation as a result of the accelerated imposition of emission standards recently announced. [25482]

Mr. Battle *[holding answer 26 January 1998]:* The Environment Agency has issued a Consultation Document setting out proposals for new sulphur dioxide targets. My Department is currently considering these.

Arms Sales

Mr. Cohen: To ask the President of the Board of Trade if she will list the arms deliveries, and their dates, to Iraq between January 1988 and the imposition of the arms embargo upon Iraq. [27060]

Mrs. Roche: The Department of Trade and Industry does not maintain records of arms deliveries to any destination. A list of Export Licence Applications for Iraq from the period 1984–90 formed Part A of Appendix A to Sir Richard Scott's Report of the Inquiry into the Export of Defence Equipment and Dual-Use Goods to Iraq and Related Prosecutions.

EU Structural Funds

Mr. Ennis: To ask the President of the Board of Trade what steps she is taking to extend the use of gross domestic product per capita as a key qualifying criteria for objective 2 of the EU structural funds. [26789]

Mrs. Roche: The Government, in discussions with the Commission and other Member States, have pushed strongly the idea that GDP per capita, measured at either a national or a local level, should be a factor in determining eligibility for the proposed new Objective 2 of the Structural Funds.

Mr. Watts: To ask the President of the Board of Trade if she will seek to reform the EU structural funds to provide that no member state shall receive more per head of eligible population in the 2000–06 period than in the 1994–99 period. [26757]

Mrs. Roche: The Government believe that all existing Member States should expect cuts in their Structural and Cohesion Fund allocations (when comparing 2006 with 1999) if costs are to be contained in preparation for EU enlargement.

We have suggested that the average per capita Structural Funds allocations of regions retaining eligibility for the same Objective should not increase, particularly if other regions lose eligibility.

Mr. Watts: To ask the President of the Board of Trade what steps she is taking to ensure that the United Kingdom share of the European structural funds in the 2000 to 2006 period reflects its current position in terms of per capita GDP. [26756]

Mrs. Roche: The Government, in discussions with the Commission and other Member States, have pushed strongly the idea that GDP per capita, measured at either a national or a local level, should be a factor in determining allocations and eligibility under the proposed new Structural Funds.

Market Research

Mr. Malcolm Bruce: To ask the President of the Board of Trade what expenditure has been incurred by her Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and (iii) other forms of market research; if she will list the surveys commissioned and the purpose of each; and if she will make a statement. [26592]

Mrs. Beckett *[holding answer 5 February 1998]:* The surveys commissioned by the Department of Trade and Industry and the agencies for which DTI is responsible are mainly small surveys for the purpose of programme evaluation or to assess customer satisfaction. There are very few surveys which entirely involve opinion polling or market research as such.

In 1996, those surveys which involved an element of opinion gathering cost a total of £0.8 million (Table 1). In the period from 1 May 1997, this expenditure has increased to £1.9 million (Table 2) due to the commissioning of a Workplace Industrial Relations Survey to assess state of industry at an estimated cost of £1.2 million.

No records are held centrally of surveys commissioned by the Department if out of the scope of Survey Control.

Table 1: Regular Surveys in 1996

Title	*Purpose*
National Weights and Measures Customer Survey	Customer satisfaction
Export Marketing Information Centre User Satisfaction Questionnaire	Customer satisfaction
Quality Management System for Export Services	Customer satisfaction
Business Links Baseline Tracking Study	Programme evaluation
Radiocommunications Agency Customer Survey	Citizen's charter
Patent Office Customer Survey	Citizen's charter
Biotechnology Means Business Evaluation	Programme evaluation
Subtotal (7 surveys)	
Ad Hoc Surveys in 1996	
Evaluation of the LINK Optoelectronics Programme	Programme evaluation
DTI France Desk—Private Label Clothing and Fabrics	Programme evaluation
Evaluation of the Manufacturing Planning and Implementation Programme	Programme evaluation
Evaluation of Consultancy Support for European Activities—Framework IV	Programme evaluation
Evaluation of the APAG Trade Review	Programme evaluation
Environmental Technology Best Practice Programme	Programme evaluation
Valid Analytical Measurement—Assessment and Understanding and Marketing Needs	Market research
Companies House Marketing Research	Market research
Survey of Firms: Evaluation of the Area Advisory Groups to the BOTB	Programme evaluation
Evaluation of the Export Promoters Initiative: Survey of Firms	Programme evaluation
Value for Money Survey of Export Intelligence Customers	Customer satisfaction
Loan Guarantee Scheme: Evaluation of the Advice and Counselling Pilot	Programme evaluation
Survey on the Influence of Workplace Disciplinary Procedures on Application to Industrial Tribunals	Assess state of industry
Business Link Evaluation June 1996	Programme evaluation
Regional Customer Supply Network Charging Study: Telephone Survey of Customers	Customer satisfaction
Evaluation of Improved Oil Recovery and Reservoir Simulation Programmes	Programme evaluation
The Impact of Sunday Trading Act on Employment Practices	Assess state of industry
Evaluation of Business Links	Programme evaluation
Overseas Trade Services Marketing and Brand Awareness Survey	Programme evaluation
Subtotal (20 surveys)	
Surveys to households and individuals	
Potential for Green Electricity Supply to UK Domestic Consumers	Market assessment
Consumer Packaging "Openability"	Opinions on packaging
Safety Instructions for Consumer Products	Opinions on product safety
Fireworks '96 Evaluation	Safety campaign awareness
Subtotal (4 surveys)	
Grand Total (31 surveys)	*Total cost: £816,000*

Table 2: Regular Surveys since 1 May 1997

Title	*Purpose*
National Weights and Measures Customer Survey	Customer satisfaction
Export Marketing Information Centre User Satisfaction Questionnaire	Customer satisfaction
Quality Management System for Export Services	Customer satisfaction
Business Links Baseline Tracking Study	Programme evaluation
Radiocommunications Agency Customer Survey	Citizen's charter
Patent Office Customer Survey	Citizen's charter
Biotechnology Means Business Evaluation	Programme evaluation
Design Council Evaluation and Tracking Study	Programme evaluation
Workplace Industrial Relations Survey	Assess state of industry
Companies House Customer Satisfaction Survey	Customer satisfaction
Subtotal (10 surveys)	
DTI Ad-Hoc Surveys conducted since 1 May 1997	
Environmental Technology Best Practice Programme	Programme evaluation
Survey of UKAEA Contractors	Programme evaluation
Evaluation of the Regional Supply Network	Programme evaluation
Support for Overseas Trade Fairs and Seminars Study	Programme evaluation
Engineering, Automotive and Metals Customer Survey	Customer satisfaction
Future Market Potential for Photovoltaic Products	Assess state of the industry
Business Link Campaign Evaluation (Benchmark)	Advertising campaign evaluation
Business Link Campaign Evaluation (Follow-up 1)	Advertising campaign evaluation

Table 2: Regular Surveys since 1 May 1997

Title	*Purpose*
Insolvency Service User Survey 1997	Customer satisfaction
Study of the Effectiveness of New Approach Directives	Programme evaluation
Evaluation of Export Market Research Scheme	Programme evaluation
Evaluation of Retex Initiative	Programme evaluation
Evaluation of Konver Initiative	Programme evaluation
British National Space Corporation Customer Survey	Customer satisfaction
Evaluation of Industry '96	Programme evaluation
Evaluation of Design of High Speed Machinery Programme	Programme evaluation
Mid-Term review of British National Space Corporation Applications	Programme evaluation
Demonstration Programme Review of European Supply Network	Programme evaluation
Subtotal (19 surveys)	
Surveys to households and individuals	
Redundancy Payments Service Customer Survey	Customer satisfaction
Consumer Product Recalls	Consumer attitudes
Insolvency Service Communications Review	Customer awareness
Subtotal (3 surveys)	
Grand total (32 surveys)	*Total cost: £1,858,000*

British Geological Survey

Ms Roseanna Cunningham: To ask the President of the Board of Trade how many people are employed by the British Geological Survey in Scotland, broken down by job category; what facilities for map making the British Geological Survey maintains in Scotland; and if she will provide a breakdown of British Geological Survey spending in Scotland as a ratio of overall spending in each year since 1990. [28552]

Mr. Battle *[holding answer 5 February 1998]:* The British Geological Survey currently employs 201 people in Scotland as shown in the table.

Job Categories	*Scientists*	*Scientific Support*	*Administration*	*Total*
Petroleum Geology, Geophysics and Offshore Surveys	89	—	1	90
Geological and Hydrogeological Survey	47	—	—	47
Minerals, Environment and Geochemical Surveys	5	—	—	5
Corporate Services and Business Development	12	21	5	38
Local Administration, Facilities Management, Computer Support	—	—	21	21
Total	153	21	27	201

Map-making facilities exist locally at BGS in Edinburgh. Of the 19 people involved in these cartographic services, 14 are responsible for producing Scottish geological maps.

BGS spending in Scotland as a percentage of overall BGS spending in each year since 1990 is set out below:

Year	*Percentage*
1990–91	18
1991–92	17
1992–93	18
1993–94	19
1994–95	19
1995–96	18
1996–97	18
1997–98	18

Civil Servants

Mr. Duncan: To ask the President of the Board of Trade if she will list by grade the number of officials in her Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27453]

Mr. Nigel Griffiths *[holding answer 5 February 1998]:* Since 1 May, the Regional Director for the North East has taken early retirement. Most Senior Civil Servants have taken leave during that period, but we do not keep central records. None has been dismissed. There have been ten staff moves within the department involving posts at or above a level equivalent to what was formerly Grade 3. These have all been routine moves for career development or operational reasons (for example because a post has been abolished or a new one created). There have also been two loans and one permanent transfer at that level to other Government Departments; one case was because of Machinery of Government changes; the others involved progression to more senior levels in the Senior Civil Service. Moves at this level are the subject of discussion with individuals and their line managers during which it is normal for a number of options to be considered.

Japan and Taiwan (Spirits Taxes)

Mrs. Ewing: To ask the President of the Board of Trade what representations she has made to the Government of Japan concerning the tax regime for whisky in that country and on the need for adequate regulations on the definition and labelling of whisky. [27902]

Mrs. Roche *[holding answer 9 February 1998]:* The long-standing dispute with Japan over discriminatory taxation of imported spirits, including Scotch Whisky, was resolved during December 1997. An agreement has been negotiated with Japan, building on the interim settlement reached in January 1997. Letters were exchanged between the European Commission and the Japanese Government on 24 December 1997. The new agreement now guarantees a level playing field on taxation for our spirits exports to Japan. In addition to accelerated equalisation of tax rates, exports of whisky and brandy will also benefit from the total elimination of import tariffs by 2002. These significant new tariff concessions will also apply for the very first time to gin, vodka, rum and liqueurs. DTI officials were closely

involved in negotiations with the Japanese Government and the final agreement was concluded with the full support and endorsement of the Scotch Whisky Association and the Gin and Vodka Association.

Whisky exports to Japan were worth £129 million in 1996, and have already seen a 33 per cent. rise since 1 October 1997, when the first tranche of tax cuts were introduced. This new agreement presents even greater opportunities for the growth of British spirits exports, which this Government will continue to help the industry to pursue as appropriate. This case also shows the effectiveness of the WTO in dealing with trade disputes and sends an important signal to other countries which continue to tax foreign spirits at a higher rate than those produced domestically.

Mrs. Ewing: To ask the President of the Board of Trade what discussions she has had with her European counterparts regarding action to ensure Japan and Taiwan introduce non-discriminatory taxation for (i) EU spirits and (ii) Scotch whisky. [27903]

Mrs. Roche *[holding answer 9 February 1998]:* In the case of Japan, I refer the hon. Member to my earlier answer.

In the case of Taiwan, officials in this Department continue to work closely with their colleagues in the European Commission and in fellow EU Member States to press Taiwan to put an end to its discriminatory taxation of imported spirits. The current discrimination particularly affects the UK's Scotch whisky and the Irish whiskey industries, but France has concerns over brandy, as do other Member States on white spirits. As a result of such consensus between the UK and other Member States, the European Commission has maintained a strong line with Taiwan during its bilateral market access negotiations over Taiwan's accession to the World Trade Organisation (WTO).

In November last year, the Head of the British Trade & Cultural Office in Taipei and his French counterpart wrote a joint letter to Taiwanese President Vincent Siew urging immediate equalisation of taxation on all spirits. Disappointingly, this request was rejected. Nevertheless, the UK, other Member States and the Commission are continuing to keep up the pressure.

UK officials both in London and Taipei have conveyed their disappointment to Taiwan over this response and their expectation of a speedy end to the tax discrimination, as has Sir Leon Brittan, Vice-President, European Commission, in a recent letter to the Taiwanese Minister of Finance, Paul Chiu.

The discriminatory taxation on imported spirits, along with other concerns—notably on the lack of Taiwanese legislation on spirits definitions—is one of the key issues holding back an EU-Taiwan market access agreement in relation to Taiwan's accession to the WTO. Officials in this Department will, therefore, remain in close contact with the European Commission to ensure that it continues to reflect the UK's and other Member States' concerns on spirits in negotiations with Taiwan on WTO accession, the next round of which takes place in Taipei from 23–25 February.

Bad Debts (Asia)

Mr. Redwood: To ask the President of the Board of Trade what provision ECGD has made for bad debts on its Asian risks. [28587]

Mrs. Beckett *[holding answer 9 February 1998]:* Records readily available indicate that the provisions on outstanding Claims Balances of £36.1m on Asian Markets as at 5 February 1998 were £28.3m.

EU Funding

Mr. Rhodri Morgan: To ask the President of the Board of Trade if she will make a statement on European Commission proposals to reduce the maximum coverage of structural funds eligibility to 40 per cent. of European Union population. [27310]

Mrs. Roche *[holding answer 3 February 1998]:* In the Commission's communication "Agenda 2000" published on 16 July 1997, it was suggested that the proportion of EU population covered by the geographically targeted Objectives of the Structural Funds should be reduced from 51 per cent. to between 35 per cent. and 40 per cent. The Government are still considering this proposal. While geographic concentration of some kind may be one way of containing the overall cost of the Funds and thus assist EU enlargement, the Government have suggested that this should not increase the average per capita Structural Funds allocations of regions retaining eligibility for the same Objective, particularly if other regions lose eligibility.

Overseas Visits

Mr. Redwood: To ask the President of the Board of Trade if she will list visits abroad by her Department's Ministers since 18 November 1997. [29526]

Mrs. Beckett *[holding answer 13 February 1998]:* Since 18 November 1997, my Ministerial colleagues at the DTI and I have undertaken the following visits abroad.

President of the Board of Trade

17–22 November—India and Australia

10–21 January—China, Hong Kong and Pakistan

3–4 February—Paris

Minister for Trade

15–24 November—Quatar, UAE and Yemen

1–2 December—Barcelona and Madrid

7–11 December—Poland, Czech Republic and Hungary

12–13 December—Geneva

17–18 December—Paris and Rome

15–16 January—Prague

30 January—Hungary

2 February—Brussels

3–7 February—Zimbabwe

Minister for Science, Energy and Industry

16–18 November—Angola

24 November—Geneva

5–7 December—Canada

8 December—Brussels

20 January—Bonn

3 February—Brussels

4 February—Madrid and Lisbon

8–9 February—Athens

11–13 February—Brussels

Minister of State

8 December—Bonn

15 December—Brussels

17 December—Strasbourg

Minister for Trade and Competitiveness in Europe

20–21 November—Frankfurt

26–27 November—Brussels

27–29 November—Italy

21 January—Brussels

Parliamentary Under Secretary of State for Competition and Consumer Affairs

23–28 November—Washington and Boston, USA

14–16 December—Vienna, Austria

11–13 January—Maastricht and Amsterdam

1–3 February—Stockholm

11–12 February—Brussels

Parliamentary Under Secretary of State for Small Firms, Trade and Industry

17–18 November—Paris

30 November-1 December—Brussels

14 January—Stockholm

19 January—Brussels

7–11 February—Egypt

Dounreay

Mr. Llew Smith: To ask the President of the Board of Trade what progress has been made in developing a waste management and disposal strategy for the sodium in the heat exchange systems at the fast reactors at Dounreay; which consultants have been used; and what estimates have been made of the likely final costs. [29281]

Mr. Battle: The UKAEA has developed a strategy for the safe management and disposal of the sodium contained within the Prototype Fast Reactor and the Sodium/Potassium in the Dounreay Fast Reactor. These strategies, and the resultant programmes of work, are agreed with the DTI and the independent Regulators (the Nuclear Installation Inspectorate and the Scottish Environment Protection Agency) and are currently being implemented. The UKAEA have used a large number of external advisers in the formulation and implementation of their strategies and plans for the two reactors. The choice, selection and record of which advisers have been used is an operational matter for the UKAEA. As it is Government policy to ensure good value for money by tendering for the work, the cost estimates for this work and the contract value which will be subject to tender are commercially confidential.

Mr. Llew Smith: To ask the President of the Board of Trade concerning how many underground shafts in which radioactive materials have been disposed of the Government has been provided with information by the management of the nuclear power development establishment at Dounreay; and when the information was provided. [29297]

Mr. Battle: There is only one nuclear waste shaft at Dounreay, known as the Intermediate Level Waste Shaft. In answer to my hon. Friend's question of 16 December 1997, *Official Report*, columns *119–20*, I have already informed the House that I am considering the UKAEA's recommendations for environmental remediation of the shaft. The waste management issues arising from the use of the shaft as a disposal facility are already in the public domain as part of the process of strict independent regulation. These plans also include the packaging of material in the Wet Silo storage facility ready for its ultimate disposal. The Wet Silo is a fully engineered facility licensed for the storage of radioactive material.

Mr. Llew Smith: To ask the President of the Board of Trade what plans exist for the decontamination and restoration of the second nuclear waste shaft at Dounreay; and what estimate the Atomic Energy Authority has made of the costs. [29283]

Mr. Battle: There is only one nuclear waste shaft at Dounreay, known as the Intermediate Level Waste Shaft. I have already informed the House that I am considering the UKAEA's recommendations for environmental remediation of the shaft in my answer to my hon. Friend's related question of 16 December 1997, *Official Report*, columns *119–20*.

Packaging Waste Regulations

Mr. Stunell: To ask the President of the Board of Trade what progress has been made with the review of the Producer Responsibility Obligations (Packaging Waste) Regulations; when she intends to table amendments; and if she will make a statement on the factors she will take into account when doing so. [28661]

Angela Eagle: I have been asked to reply.

I refer the hon. Member to the answer given to my hon. Friend the Member for Normanton (Mr. O'Brien) by my right hon. Friend the Minister for the Environment on 17 December 1997, *Official Report*, columns *193–94*.

The Advisory Committee has made a good start on its work and held hearings with representatives of small retailers, wholesalers and the waste industry. Representations on the matters to be covered by the review may be made either to the Advisory Committee or to my Department.

NORTHERN IRELAND

Children (Northern Ireland) Order

Mr. Mallon: To ask the Secretary of State for Northern Ireland what steps are taken to provide professional training and guidance to (i) social workers, (ii) youth workers, (iii) teachers and (iv) others in the requirements of the Children (Northern Ireland) Order 1995. [29028]

Mr. Worthington *[holding answer 16 February 1998]:* In 1995, a multi-disciplinary Children (Northern Ireland) Order training strategy was implemented ranging from basic awareness training for a wide range of staff to advanced level training for staff in specialist roles. The strategy was delivered by Health and Social Services Boards and voluntary organisations in partnership, working closely with education and the courts. The Boards and the voluntary organisations are being funded to continue to deliver training to meet staff needs as services under the Children Order develop.

In 1996, the Department of Health and Social Services issued guidance on the Children Order to Health and Social Services Boards and Trusts.

The Department of Education, Northern Ireland has issued guidance on the implications of the Order for schools and on child protection. Further guidance is planned on parental responsibility and court reporting for the 1998–99 school year.

Additional resources have been made available to provide general awareness training for all education and library boards' staff and more specialists training for officers regularly in contact with children such as Education Welfare Officers, Educational Psychologists and Youth Workers. Each education and library board is engaged in implementing a programme of training for key personnel in schools on child protection and other related Children Order matters and has developed Child Protection Procedures.

In April 1995, the Youth Council for Northern Ireland published a guide to the Children Order for youth workers. The Council has also issued draft Child Protection Procedures for consultation. The Certificate for Part-time Youth Workers/RSA involves consideration of the Children Order.

Mr. Mallon: To ask the Secretary of State for Northern Ireland what resources were made available to each health and social services trust, and each education and library board, for the implementation of the Children (Northern Ireland) Order 1995, in each year since the Order was enacted. [29029]

Mr. Worthington *[holding answer 16 February 1998]:* Health and Social Services Trusts are not directly funded by the Department of Health and Social Services. However, the allocations of additional resources to the Health and Social Services Boards for the implementation of the Children (Northern Ireland) Order 1995 in each of the financial years from 1995–96 were as follows:

£

Year	*Eastern Board*	*Northern Board*	*Southern Board*	*Western Board*
1995–96	455,000	263,000	199,000	183,000
1996–97	1,058,000	611,000	462,000	424,000
1997–98	2,337,000	1,349,000	1,021,000	936,000

The additional resources to the Education and Library Boards specifically for implementation were as follows:

£

Year	*Belfast ELB*	*North Eastern ELB*	*South Eastern ELB*	*Southern ELB*	*Western ELB*
1996–97	118,000	118,000	118,000	118,000	118,000
1997–98	409,000	401,000	372,000	417,000	419,000

Social Fund

Mr. Mallon: To ask the Secretary of State for Northern Ireland (1) what assessment she made of the advantages of centralising Social Fund activity in the Southern Region in the Newry Social Security office, *(a)* exclusively and *(b)* in conjunction with one or more other offices; [29030]

(2) what are the projected costs for the administration of the Social Fund in the Southern Region, under the plans to centralise on two sites; [29031]

(3) what were the administration costs of the Social Fund in each Social Security Agency office in the Southern Region in the last available year; [29032]

(4) which social security offices in the Southern Region were subjected to a PAFT analysis, as part of the current assessment of delivery of Social Fund services in the region; [29033]

(5) how many applications to the Social Fund were dealt with by each office of the Social Security Agency in the Southern Region in each financial year since the Fund was established; [29035]

(6) how many people are employed by the Social Security Agency on the Social Fund, in each office in the Southern Region. [29036]

Mr. Worthington *[holding answer 16 February 1998]:* Responsibility for the subjects has been delegated to the Social Security Agency under it's Chief Executive, Mr. Chris Thompson, and I have asked him to arrange for a response to be given.

Letter from Chris Thompson to Mr. Seamus Mallon, dated 13 February 1998:

I have been asked to reply to your recent Parliamentary Questions about the administration of the Social Fund in the Social Security Agency's South District.

Ref: 29030

The main advantages of centralising Social Fund include reducing managerial overheads while maximising staffing, training and support, leading to improved efficiency, accuracy and quality of service. This would have applied equally to Newry exclusively and/or in conjunction with one or more other office. Newry Social Security Office was considered as one of the potential central processing sites prior to its destruction in July 1997. The temporary site at Canal Street has insufficient space to accommodate a Social Fund processing unit.

Ref: 29031

The main costs associated with the administration of Social Fund relate to salaries which are projected to be £763,704 a year when Social Fund is centralised on the two sites.

Ref: 29032

Information on the administration costs (salaries) for each office within the District is set out on the attached table.

Ref: 29033

While PAFT considerations were given to all seven Social Security Offices in South District, a full PAFT analysis was carried out in the Armagh and Portadown offices only, as these were the only offices with sufficient accommodation to house centralised units.

Ref: 29035

Statistical returns are destroyed 18 months after the period to which they relate which means that the information you have requested is only available for the 1996/97 and 1997/98 financial years. This is also set out on the attached table.

Ref: 29036

The number of people employed in each office in South District for Social Fund is listed on the attached table.

I hope this information is helpful.

Social Security office	Projected full year salary costs 1997–98 (£)	Number of social fund applications 1996–97	1997–98	Number of social fund staff
Armagh	100,840	4,851	3,983	6 (includes 2 part-time)
Banbridge	56,006	2,502	2,004	3 (includes 1 part-time)
Dungannon	138,497	6,833	5,840	8 (includes 2 part-time)
Kilkeel	0	Processed in Newry SSO	Processed in Newry SSO	0
Lurgan	186,989	9,387	8,000	12 (includes 3 part-time)
Newry	248,222	13,757	12,049	14 (includes 4 part-time plus 1 existing vacancy)
Portadown	106,757	5,890	4,944	6 (includes 2 part-time)
Total	837,311	—	—	—

[1] 1997–98 figures represent the period from April 1997 to January 1998.

SCOTLAND

Farm Incomes

12. **Mr. Laurence Robertson:** To ask the Secretary of State for Scotland if he will make a statement on the current average income of cereal farmers in Scotland and on the change which this represents from the previous year. [28079]

14. **Mr. Prior:** To ask the Secretary of State for Scotland if he will make a statement on the current average income of pig farmers and the change which this represents from the previous year. [28081]

Mr. Macdonald: The Scottish Office does not collect any information on the income levels of pig farmers. In the cereal sector, we do not hold figures on the average income of farmers. However, net farm income, which is a measure of the farm business, had declined sharply over this year from last.

25. **Mr. Swayne:** To ask the Secretary of State for Scotland if he will estimate the effect on farm incomes in Scotland of parity between the green pound and sterling. [28093]

Mr. Macdonald: It is not possible to isolate the impact of currency fluctuations from other factors that determine farm incomes. However, the freeze in the conversion rates used to calculate the sterling value of most subsidy payments has protected farming from the full effect of sterling appreciation. This is estimated to benefit Scottish farmers by around £60 million over 1997 and 1998.

Agricultural Imports

13. **Mr. Paterson:** To ask the Secretary of State for Scotland how many inspections of imports of agricultural produce there have been in Scotland in the last year; and how many consignments were refused entry to Scotland. [28080]

Mr. Macdonald: The question covers a wide range of agricultural products and much of the information requested is not held centrally. As regards controls over Specified Risk Materials and imported meat, inspection procedures are now in operation. It has not been necessary to refuse entry to any consignments in Scotland.

Integrated Transport Policy

15. **Dr. Moonie:** To ask the Secretary of State for Scotland what progress has been made in the development of an integrated transport policy in Scotland. [28082]

Mr. McLeish: My right hon. Friend will publish a White Paper later this year. This paper will set out measures to achieve the Government's aims for an integrated transport system that is appropriate to the needs of the people, economy and environment of Scotland.

Health Inequalities

16. **Mr. Roy:** To ask the Secretary of State for Scotland what representations he has received on the green paper on tackling the inequalities in health in Scotland. [28083]

Mr. Galbraith: The Green Paper "Working Together For a Healthier Scotland" was published on 5 February 1998. It sets out our proposals for improving health in Scotland and for tackling inequalities. Comments on the Paper have been invited by 30 April 1998. None have yet been received.

Lockerbie

17. **Mr. Dalyell:** To ask the Secretary of State for Scotland what action he has taken to follow up the visit to Scotland by the United Nations team to study the Scottish legal system in respect of the Lockerbie bombing. [28084]

Mr. McLeish: The report of the United Nations legal experts was circulated as an official document of the Security Council. The report concluded that the two Libyan accused would receive a fair trial under the Scottish judicial system. The text of the conclusions of the report was transmitted by the Foreign and Commonwealth Office to Diplomatic Missions around the world in order that they might bring these conclusions to the attention of their host governments.

Further and Higher Education

18. **Mr. Welsh:** To ask the Secretary of State for Scotland when he last met representatives from Scotland's *(a)* universities and *(b)* further education colleges to discuss funding arrangements; and if he will make a statement. [28085]

Mr. Wilson: My right hon. Friend and I meet the Principals of Scottish universities, Colleges and further education colleges regularly. Our discussions are always constructive and invariably touch on funding.

Students (Tuition Fees)

19. **Mrs. Laing:** To ask the Secretary of State for Scotland if he will make a statement on the administrative arrangements for the introduction of tuition fees for students. [28086]

Mr. Wilson: The Students Award Agency for Scotland will be responsible for assessing applications from Scottish domiciled students for the payment of tuition fees. It will also continue to deal with applications from existing students.

Dairy Farmers

20. **Dr. Julian Lewis:** To ask the Secretary of State for Scotland if he will make a statement on the current average incomes of dairy farmers and the change which this represents from the previous year. [28088]

Mr. Macdonald: Forecasts based on the Annual Survey of Farm Accounts in Scotland indicate that the Net Farm Income of dairy farms is expected to fall from an average of £30,000 per farm in 1996–97 to £14,400 per farm in 1997–98.

National Health Service Trusts

21. **Mr. Home Robertson:** To ask the Secretary of State for Scotland what progress has been made towards achieving greater co-operation between NHS trusts. [28089]

Mr. Galbraith: Substantial progress is being made. The White Paper, "Designed To Care" set out our plans to abolish the internal market, replacing competition with an efficient system of co-operation and collaboration within the Health Service in Scotland.

Abortion

22. **Mr. Amess:** To ask the Secretary of State for Scotland what recent representations he has received on changing the abortion law in Scotland. [28090]

Mr. Galbraith: Since the Government took office in May 1997, we have received six letters seeking changes in the law on abortion.

Road Traffic

23. **Mr. Chope:** To ask the Secretary of State for Scotland what is his latest estimate of road traffic growth in Scotland in 1998. [28091]

Mr. McLeish: Forecasts of road traffic growth for Scotland are not produced separately from the National Road Traffic Forecasts for Great Britain published by the Department of the Environment, Transport and the Regions. The latest forecasts, published in October 1997, take no account of our developing transport policies. On the central estimate, the forecast shows an increase in road traffic of 38 per cent. between 1996 and 2016 and 60 per cent. from 1996 to 2031.

Live Animal Transport

24. **Mr. Gerald Howarth:** To ask the Secretary of State for Scotland if he will meet representatives from the NFU in the Western Isles to discuss the transportation of livestock to the mainland. [28092]

Mr. Macdonald: The Minister responsible for agriculture at the Scottish Office my noble Friend Lord Sewel, would be pleased to meet representatives of the Scottish NFU at a mutually convenient date should they consider this necessary to discuss transport of livestock.

Crown Office

26. **Miss Kirkbride:** To ask the Secretary of State for Scotland if he will make a statement on the budget of the Crown Office in the last year. [28094]

Mr. Dewar: The budget for the Crown Office and Lord Advocate's Department is provided by Parliament under separate vote arrangements: Class VIII, Vote 7, 1997–98. The current authorised cash limit for that year is £45,337,000. Details were published in the Supply Estimates, a copy of which is in the House Library.

Local Government Services

27. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland if he will make a statement on the future administration of local government services. [28095]

Mr. Macdonald: Local authorities are best placed to decide how to administer their services. Best Value gives councils a chance to create a climate of continuous improvement in service quality and costs. It will require a radical rethink of the way council activities are organised and delivered.

Social Exclusion

28. **Mrs. Fyfe:** To ask the Secretary of State for Scotland what action he plans to take to ensure that there is a strategic approach within the Scottish Office to tackling social exclusion. [28096]

Mr. Macdonald: On 8 December, my right hon. Friend announced that he was setting up a Social Exclusion Network to co-ordinate Government action on social exclusion in Scotland. The Network consists of senior officials from Scottish Office Departments, the Employment Service and the Benefits Agency. Its work will be steered by my noble Friend the Minister with responsibility for agriculture, the environment and fisheries, who will report regularly and directly to my right hon. Friend on progress.

On 2 February we issued a consultation paper, "Social Exclusion in Scotland", the responses to which will inform our approach to tackling exclusion.

Tourism Grants

29. **Mr. Hoyle:** To ask the Secretary of State for Scotland if he will make a statement on the impact of section 4 tourism grants in Scotland. [28097]

Mr. Wilson: The section 4 scheme was suspended in Scotland in 1993. From that date, support for business development in the tourism sector has been provided by Scottish Enterprise, Highlands and Islands Enterprise and their networks of Local Enterprise Companies. While the section 4 scheme was successful in raising standards throughout the tourism industry, I believe that the present arrangements for assistance to the industry are simpler and more relevant to its present day needs. These give the

industry access to the agencies responsible for delivering a wider range of support including business advice and training as well as direct assistance for capital projects.

Cromarty Firth Port

Mr. Maclennan: To ask the Secretary of State for Scotland if he will take steps to protect the residents of Invergordon from environmental pollution by operators at the Cromarty Firth Port; and if he will make a statement. [29225]

Mr. Macdonald: Primary responsibility for pollution issues within the confines of the port lies with the Cromarty Firth Port Authority. Highland Council have the power and responsibility to address problems in so far as there may be any effect on health or damage to property. The Scottish Environment Protection Agency have nevertheless had discussion with the Council in an effort to help them identify ways of resolving the situation.

Scottish Parliament Building

Mr. Jenkin: To ask the Secretary of State for Scotland what assessment has been made of the likely cost of *(a)* clearing the site and *(b)* clearing asbestos from the site at Holyrood before construction can commence on the new Parliament building. [29499]

Mr. Dewar: Clearing the site at Holyrood is estimated to cost in the region of £500,000. The only known asbestos which presents a hazard is to be removed by Scottish and Newcastle plc before vacating the site. Any unforeseen asbestos hazard which is subsequently encountered will be dealt with through a general contingency provision in the missives under which the company will bear a substantial share of the cost of removal.

Forestry

Mr. Hoyle: To ask the Secretary of State for Scotland what targets he has set for lowland forestry; and to what extent these targets are being met. [29253]

Mr. Dewar: We are committed to increasing the area of woodland in Britain, both in the lowlands and in the uplands, but we have not set any specific targets.

Sheep Dips

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what monitoring of the impact of synthetic pyrethroid sheep dips on *(a)* the aquatic environment, *(b)* the soil environment and *(c)* fisheries (i) has been carried out and (ii) is planned by his Department; and if he will make a statement. [29733]

Mr. Macdonald *[holding answer 16 February 1998]:* The Scottish Environment Protection Agency, which is responsible for monitoring the aquatic environment in Scotland, carry out targeted monitoring to assess the impact of sheep-dip compounds, including synthetic pyrethroids on the chemical quality of the aquatic environment. No monitoring is carried out in respect of the soil environment. The effect on fisheries is covered by the monitoring of the aquatic environment.

The draft Groundwater regulations, published for consultation in liaison with the Department of the Environment, Transport and the Regions on 12 January 1998 specify additional monitoring requirements for groundwater.

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what advice his Department gives to farmers on the disposal of synthetic pyrethroid sheep dips. [29731]

Mr. Macdonald *[holding answer 16 February 1998]:* Advice on the handling of sheep dips, including their safe disposal, must be given on the label of every product. Comprehensive advice is also provided in the Government leaflet, "Sheep dipping". A new edition of the leaflet is in preparation and will be sent to all known sheep farmers. Advice is also contained in the Department's Code of Good Practice for the Prevention of Environmental Pollution from Agricultural Activity.

In addition, a Certificate of Competence is required by all purchasers of OP dips. This is organised by the National Proficiency Tests Council and includes confirmation of competence in disposal. While currently required only for the purchase of OP dips, the Government have accepted the advice of the Veterinary Products Committee that certification should be extended to cover the purchase of non-OP dips including those containing synthetic pyrethroids. We are currently consulting on the change in legislation necessary to achieve this.

Student Awards Agency

Mr. Welsh: To ask the Secretary of State for Scotland what plans he has to *(a)* increase the number of staff employed by, and *(b)* improve staff training in the Student Awards Agency for Scotland. [29715]

Mr. Wilson *[holding answer 16 February 1998]:* The Review of the Student Awards Agency for Scotland which I have ordered will consider the lessons to be learned from the unacceptable delays experienced by many students in the processing of their awards in 1997 including the possible need for more staff. Training of staff is an important component in improving the Agency's efficiency and this will be taken account of in the Review.

Beef on the Bone

Mr. Swinney: To ask the Secretary of State for Scotland, pursuant to the answer to the hon. Member for Pendle (Mr. Prentice) of 11 February 1998, *Official Report*, column *271*, if he will list by district the number of butchers who have been *(a)* cautioned and *(b)* prosecuted for selling beef on the bone; how many cases have been referred to procurators fiscal in each district; what advice he has issued to procurators fiscal concerning the public interest in pursuing prosecution for selling beef on the bone; and if he will make a statement. [30051]

Mr. McLeish: My noble and learned Friend the Lord Advocate is responsible for the prosecution of crime in Scotland. Although the Beef Bones Regulations 1997 have been brought to the attention of Procurators Fiscal,

I understand from the Lord Advocate that no specific guidance has been issued. Although no central record is kept of prosecutions under these regulations, I am aware that criminal proceedings have been initiated in one such case, which is due to call at Selkirk Sheriff Court on 10 March 1998.

Procurators Fiscal exercise discretion as to whether proceedings should be taken in the public interest, making use of the range of prosecution options and alternatives to prosecution, including the issue of written or personal warnings.

CULTURE, MEDIA AND SPORT

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27753]

Mr. Tom Clarke *[holding answer 5 February 1998]:* Since 1 May 1997, my Department has lost a pager valued at £179, an answering machine valued at £30 and foreign currency worth approximately £347.

Millennium Commission

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport (1) when Commissioner Patricia Scotland first met representatives of *(a)* the Asha Project, *(b)* the Swamanarayan Hindu Mission Project and *(c)* the Belgrave Bhaeno Project; [29800]

(2) if he will list the Millennium Commission projects which Commissioner Patricia Scotland has visited which were led by the Asian communities and the date of each visit. [29799]

Mr. Chris Smith: These are matters for the Millennium Commission. I shall write to my hon. Friend in my capacity as Chairman of the Commission, and place copies of my reply in the Libraries of the House.

Mr. Paice: To ask the Secretary of State for Culture, Media and Sport if he will ask the Millennium Commission to increase the resources allocated to the 21st Century Halls for England Project. [30036]

Mr. Chris Smith: This is a matter for the Millennium Commission. I shall write to the hon. Member in my capacity as Chairman of the Commission, and place copies of my reply in the Libraries of the House.

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27752]

Mr. Tom Clarke *[holding answer 5 February 1998]:*

The available information is given in the table:

£000

	1995–96	1996–97	1997–1998 to date
Department for Culture, Media and Sport	[1]0	0	656
Historic Royal Palaces Agency	[2]4,523	[1]2,688	15,160
Royal Parks Agency	0	0	0
Non-Departmental Public Bodies	333,972	144,949	15,160

[1] Figures shown take account of amounts recovered.
[2] Updated from information given in the annual fraud return to Treasury to take account of additional information about the value of losses.
Data on non-departmental public bodies is not include in the annual fraud return to the Treasury.

Digital Television

Mr. Wigley: To ask the Secretary of State for Culture, Media and Sport what steps he is taking to ensure people living in Wales will be able to receive digital terrestrial television. [29683]

Mr. Fisher: Digital terrestrial television will be able to deliver digital services to the majority of the population. The Independent Television Commission estimates that 74 per cent. of the Welsh population will be in the reception area of digital terrestrial services once the launch phase comprising 81 transmitters across the UK is complete. The coverage of digital services beyond the 81 sites is one of the issues looked at in the Government's consultation paper "Television: the Digital Future" published on 12 February. We are seeking views on the extension of digital transmissions beyond the initial planned 81 sites, and examining the possibility of extending access to digital services by using other broadcasting technologies.

Film Industry

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport what has been the total revenue earned by the film industry from exports in each of the last 10 years. [29410]

Mr. Tom Clarke: The revenue received from overseas film companies in the UK in respect of film production and performance in cinemas or on television for 1987 to 1996 is as follows. These are the latest 10 years for which figures are available from the Office for National Statistics:

Receipts from overseas by UK film companies in respect of film production and performance in cinemas or on television

Year	£ million (current prices)
1987	264
1988	230
1989	263
1990	334
1991	290
1992	282
1993	336

Receipts from overseas by UK film companies in respect of film production and performance in cinemas or on television

Year	£ million (current prices)
1994	425
1995	495
1996	522

Source:
Office for National Statistics, News Release, Overseas transactions of the film and television industry 1996, 10 October 1997.

These figures understate the total revenue received from overseas. There are earnings from other kinds of transactions measured only in aggregate, so that the film industry component is not separately identifiable. For example, profits due to UK parent companies from subsidiaries and branches overseas are included under investment income in the Balance of Payments. The figures shown above also exclude receipts by film companies for items such as management fees, merchandising and agency fees. ONS estimates are available for 1991 onwards for these "other overseas service transactions" but only for the total of such earnings by film and television companies. These figures are as follows:

Receipts by UK film and television companies for "other overseas service transactions"

Year	£ million (current prices)
1991	108
1992	126
1993	162
1994	143
1995	168
1996	192

Source:
Office for National Statistics, News Release, Overseas transactions of the film and television industry 1996, 10 October 1997.

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport (1) how many films have been filmed in the United Kingdom in each of the last 10 years; [29354]

(2) how many films have been produced in the United Kingdom in each of the last 10 years; [29424]

(3) how many films have been financed in the United Kingdom in each of the past 10 years. [29426]

Mr. Tom Clarke: There are no aggregate figures on the financing of films. The aggregate figures for films produced or made in the United Kingdom in each of the past 10 years are as follows:

Year	Films produced in UK
1988	48
1989	30
1990	60
1991	59
1992	47
1993	67
1994	84
1995	78
1996	128
1997	115

A breakdown of figures for the whole 10-year period is not available. However, in 1997, the breakdown was as follows:

British productions shot mainly or wholly in the UK: 60

British productions shot partly in the UK and partly abroad: 6

British productions shot mainly or wholly abroad: 8

Majority UK international co-productions shot partly in the UK and partly abroad: 4

Majority UK international co-productions shot mainly or wholly in the UK: 6

Majority UK international co-productions shot mainly or wholly abroad: 10

Minority UK international co-production shot mainly or wholly in the UK: 1

Minority UK international co-production shot mainly or wholly abroad: 8

Foreign films shot partly or wholly in the UK: 12.

NESTA Board

Dr. Gibson: To ask the Secretary of State for Culture, Media and Sport if he will list the scientific organisations which have been consulted about the composition of the NESTA Board. [29048]

Mr. Chris Smith: The National Lottery Bill would require me, before appointing NESTA's Trustees, to consult representatives of bodies active in science, technology and the arts. In preparation for the establishment of NESTA, my Department is seeking the views of a wide range of bodies and individuals, many of which are active in more than one of these fields. It is not, therefore, possible accurately to identify scientific organisations alone. The complete list of bodies being consulted is given. In addition, all those who responded to the proposals for NESTA in our consultation paper "The People's Lottery" have been informed of the process for identifying candidates for these posts and their views are welcomed. The posts of Chair and Trustees of NESTA are also being advertised in the national press.

3i

AEA Technology plc

Amaze Ltd.

Armagh Observatory

Armargh Planetarium

Art of Change

Artec

Artificial Life

Artimedia Centre

Arts Catalyst

Arts Council of England

Arts Council of Northern Ireland

Arts Council of Scotland

Arts Council of Wales

Association of British Healthcare Industries

Association of Art Historians

Association of British Orchestras

Association of British Picture Restorers

Association of Business Sponsorship in the Arts

Association of Composer Organisations

Association of Independent Research and Technology Organisations (AIRTO)

Association of London Government

Association of the British Pharmaceutical Industry
Autograph
BAFTA
BBC
BBC Education
BioIndustry Association
Black Dog Publishing
Board for the Engineering Profession
Brighton Media Centre
British Academy
British Actors' Equity Association
British Association for the Advancement of Science
British Copyright Council
British Film Commission
British Film Institute
British In Vitro Diagnostic Association
British Library
British Music Publishers Association
British Music Rights Limited
British Pharma Group
British Phonographic Industry
British Screen Advisory Council
British Screen Finance
British Technology Group
British Tourist Authority
British Venture Capital Association
BT Laboratories
Calouste Gulbenkian Foundation
Cambridge Consultants Ltd.
Carnegie UK Trust
Catalyst
Cavendish Management Resources
CBI Scotland
Centre for Alternative Technology
CERAM Research
Channel 4
Chemical Industries Association
Commission for Racial Equality
Committee of Scottish Higher Education Principals
Committee of Vice-Chancellors and Principals
Confederation of British Industry
Conference of Drama Schools
Contemporary Art Society
Council for Dance Education and Training
Council for the Central Laboratory of the Research Councils
Council of Europe
Council of Science and Technology Institutes
Craft Development Agency
Crafts Council
Cultural Partnerships
Design Council
Design Directorate
Development Board for Rural Wales
ENGAGE (Gallery Education Association)
Engineering and Physical Sciences Research Council
Engineering Council
Engineering Employers' Federation
English Heritage
Equal Opportunities Commission
Federation of Small Businesses
Focus Central London
Foundation for Art and Creative Technology
Foundation for Science and Technology
Foundation for Sport and the Arts
Haringey Arts Council
Highlands and Islands Enterprise
Hull Time Based Arts Ltd.
Hyperjam
Illuminations Interactive
Illuminations Television
Incorporated Society of Musicians
Independent Television Commission
Independent Theatre Council
Industrial Research and Technology Unit
Inside Cable and Telecoms Europe
Institute of Biology
Institute of Directors
Institute of Engineering Designers
Institute of Patentees and Inventors
Institute of Physics
Intellectual Property Awareness Working Party
Intellectual Property Development Confederation
Intellectual Property Institute
International Media Consultants
Islington Council
Jerwood Foundation
Jubilee
Kirklees Media Centre
Laboratory of the Government Chemists
Library and Information Commission
Light House Media Centre
Lighthouse Arts and Training Ltd.
Local Government Association
London Film and Video Development Agency
London Institute
LUTCHI Research Centre
Manchester Institute for Popular Culture
METIER
Modern Recordings
Mondial Television
Museums and Galleries Commission
Museums Association
Music Education Council
Musicians' Union
National Association for the Teaching of Drama
National Association for the Teaching of English
National Association of Decorative and Fine Arts Societies
National Association of Teachers in Further and Higher Education
National Campaign for the Arts
National Council for Drama Training
National Council on Archives
National Dance Teachers Association
National Education Business Partnership Network
National Engineering Laboratory
National Federation of Music Societies

National Film and Television School
National Foundation for Educational Research
National Literacy Trust
National Museum of Science and Industry
National Music Council
National Physical Laboratory
National Society for Education in Arts and Design
National Trust
National Weights and Measures Laboratory
Natural History Museum
North East Wales Institute of Higher Education
Northern Ireland Business Education Partnership
Northern Ireland Film Commission
Northern Ireland Growth Challenge
Northern Ireland Science and Technology Regional Organisation
Office of Science and Technology
Oxford Trust
Paul Hamlyn Foundation
Performing Arts Labs
Photographers' Gallery
Prevista
Prince's Trust
Producers Alliance for Cinema and Television
Publishers Association
Queen's University
Radio Academy
Radio Authority
Royal Academy of Engineering
Royal Academy of Music
Royal College of Music
Royal Institute for British Architects (RIBA)
Royal Institute for Chartered Surveyors (RICS)
Royal Institute of Great Britain
Royal Northern College of Music
Royal Society of Arts
Royal Society of Chemistry
Royal Society of Edinburgh
Royal Society of Literature
Royal Television Society
Ruskin School of Drawing and Fine Art
S4C
Salford University Business Services Ltd.
Save British Science Society
Science and Technology Regional Organisation (SATRO) North Scotland
Scottish Agricultural College
Scottish Council for Educational Technology
Scottish Electronic Forum
Scottish Engineering
Scottish Enterprise
Scottish Financial Enterprise
Scottish Higher Education Funding Council
Scottish Media Group
Scottish Oil and Gas Innovation Forum
Scottish Science Trust
Seeing The Light Ltd.
Shaping the Future of Science and Technology
Signals—Essex Media Centre
SIRA Ltd.
Skillset
Snowdonia Business Innovation Centre
Society of Archivists
Society of London Theatre
Soda Creative Technologies
Sonic Arts Network
South Bank University
South East Wales Business Innovation Centre (SEWBIC)
Sseyo
Studio Fish
Tate Gallery
Teaching Company Scheme
TEC National Council
Techniquest
Technology Colleges Trust
Telepolis—Magazine of NetCulture
Thames Gateway Technology Centre
The British Council
The Media Trust
The Patent Office
The Royal Society
The Salters Institute of Industrial Chemistry
The Science Engineering Technology Mathematics Network
The Ulster Museum
The Welding Institute (TWI)
Theatrical Management Association (TMA)
UK Sports Council
United Kingdom Institute for Conservation
University of Glamorgan
University of Portsmouth
University of Ulster at Jordanstown
University of Wales
Urban Regeneration Committee
Visual Arts and Galleries Association
Voluntary Arts Network
Welsh Design Advisory Service
Welsh Development Agency
Welsh Funding Councils
Welsh Local Government Association
Year of Engineering Success
Yorkshire and Humberside Arts
Youth Arts Network.

Women's Sport

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what initiatives he has undertaken to encourage more female participation in sport; and what meetings he has had with *(a)* women's groups and *(b)* the Minister for Women in this respect. [29556]

Mr. Tom Clarke: We are determined to improve opportunities for women of all ages and at all levels in sport. That goes for participants, competitors, coaches and administrators.

The UK and Home Country Sports Councils actively encourage women to get involved in all sports. They are underlining the significant achievement of women in sport and helping improve levels of participation. The National

Lottery is having a big impact in this area. Organisations must demonstrate ways in which they are helping to increase the participation of women in order to secure funding. This is proving very successful in encouraging more women into sport, including those sports traditionally regarded as male-dominated. We shall continue to work with the Sports Councils to examine further ways to help women in sport.

I met Ms Kamlesh Bhal, Chairperson of the Equal Opportunities Commission, on 29 July 1997 to discuss a number of issues, including women in sport. Although my hon. Friend the Minister for Sport has not met any women's group in particular, he has met a number of women who are involved in women's sport and will continue to do so.

My hon. Friend hopes to meet the Minister for Women to discuss women's sport in due course.

Mr. Peter Davis

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what restrictions on public statements on his resignation were agreed to by Mr. Peter Davis as part of his resignation settlement. [28600]

Mr. Chris Smith: I issued a statement agreed with the Director-General, Peter Davis, on Tuesday 3 February. No further statement will be issued which is inconsistent with this without Mr. Davis' prior written consent.

Under the terms of his letter of appointment, Mr. Davis is required to seek the approval of the Head of the Home Civil Service to the proposed text of any memoirs relating to his responsibilities as Director-General.

Appointments

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport (1) what vacancies currently exist for appointments to be made by the Secretary of State to non-departmental public bodies; [28850]

(2) how many *(a)* notified vacancies and *(b)* vacancies arising through appointments expiring, currently exist for appointments to be made by him. [28882]

Mr. Chris Smith *[holding answer 10 February 1998]:* Vacancies exist or current terms of appointment come to an end during 1998 on the bodies listed below. It is not possible to state how many expiring appointments will result in vacancies since some board members may be invited to serve a further term. This list does not include those bodies where appointments are for Her Majesty the Queen or my right hon. Friend the Prime Minister and where my role is to advise.

Advisory Committee on the Government Art Collection
Advisory Committee on Historic Wreck Sites
Advisory Committee on the Public Lending Right
Advisory Council on Libraries
Arts Council of England
British Film Institute
British Library
British Tourist Authority
Broadcasting Standards Commission
Crafts Council
English Heritage
Horniman Museum
Independent Television Commission
Imperial War Museum
Library and Information Commission
Museum of Science and Industry in Manchester
National Film and Television School
National Lottery Charities Board
Reviewing Committee on the Export of Works of Art
Royal Armouries
S4C.

It is also my expectation to make appointments to three new public bodies—the New Opportunities Fund; the National Endowment for Science, Technology and Arts; and the Historic Royal Palaces Trust.

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what consultation takes place between the Secretary of State and the current trustees of non-departmental public bodies prior to the announcement of appointments by the Secretary of State. [28831]

Mr. Chris Smith *[holding answer 10 February 1998]:* Chairmen are invited to make their own suggestions on appointments and are consulted before appointments are announced.

South Bank Centre

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport when he expects to make a decision on the South Bank Centre redevelopment project referred to him by the Arts Council of England. [28832]

Mr. Chris Smith *[holding answer 10 February 1998]:* The South Bank Centre has applied to the Arts Council of England for Lottery funding for its proposed redevelopment scheme. Decisions on the award of Lottery funds are a matter for the Arts Council, as an independent lottery distributing body.

Arts Council

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport when he expects to publish the results of the current review of the Arts Council structure. [28870]

Mr. Chris Smith *[holding answer 10 February 1998]:* My Department, in common with all others, is currently undertaking a fundamental review of expenditure involving a re-evaluation of all the activities in the sectors covered by the department and its sponsored bodies. I expect to publish the outcome of the review in the summer.

Devolution

Mr. Dalyell: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Scottish Office on the impact of the Government's devolution proposals on his Department's responsibilities. [27983]

Mr. Chris Smith *[holding answer 16 February 1998]:* I have not yet had any bilateral discussions. However, they will take place as necessary in due course. I am a member of the DSWR Cabinet Committee which discusses devolution issues, and there is close liaison at official level on all relevant subjects.

Physical Education

Mr. Truswell: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact on sport development of the removal of physical education from the core curriculum. [29408]

Mr. Tom Clarke: Physical education has not been removed from the curriculum, it must still be taught by schools. The Government have suspended some detailed requirements as part of our initiative to raise levels of numeracy and literacy in particular, but good PE and sport still has a vital part to play in developing the skills of our young people.

Victoria and Albert Museum

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport when he expects to make a decision on the Victoria and Albert Museum extension. [28869]

Mr. Chris Smith *[holding answer 10 February 1998]:* The Victoria and Albert Museum submitted a revised economic appraisal for its British Galleries project in January. This involves the refurbishment of the fifteen galleries documenting the evolution of art and design in the UK from 1500 to 1900. The appraisal will be scrutinised by my Department and the Treasury before approval can be granted. I understand that an application for funding has been made to the Heritage Lottery Fund.

The Museum also has plans to build the "Boilerhouse" extension in Exhibition Road, South Kensington as designed by the architect Daniel Libeskind. However, an application to the Millennium Commission has been refused and we understand that the Museum has applied to the Arts Council for funds for a feasibility study. No decision is required from my Department at this stage.

National Lottery Licence

Mr. Berry: To ask the Secretary of State for Culture, Media and Sport when he proposes to request bids to run the National Lottery; and what meetings he has held with prospective National Lottery licencees other than Camelot. [29835]

Mr. Chris Smith: The current operating licence expires in September 2001. The Director-General of the National Lottery will announce in good time before then when bids should be sent to him. I have had no meetings with any prospective bidders on the subject of the next licence.

Mr. Berry: To ask the Secretary of State for Culture, Media and Sport if he will list the criteria by which he will assess proposals to run the National Lottery when the current licence expires. [29834]

Mr. Chris Smith: Under the National Lottery etc. Act 1993 responsibility for considering applications to run the National Lottery lies with the Director-General of the National Lottery. The key criteria on which the Director-General will assess proposals are set out in the relevant legislation; that the Lottery is run with propriety, that the interests of participants are protected and, subject to these, that the good cause proceeds are maximised. The National Lottery Bill currently before Parliament contains provision for a panel to advise the Director-General on the selection of the operator.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

35. **Mr. Yeo:** To ask the Parliamentary Secretary, Lord Chancellor's Department what discussions he has had with the insurance industry about the introduction of contingency fee arrangements. [28103]

Mr. Hoon: I have set out these details in previous answers to questions from the hon. and learned Member for Harborough (Mr. Garnier) on the 15 of December 1997, *Official Report*, columns *43–44*, and 30 of January 1998, *Official Report*, column *393*. Since then, the working group looking at conditional fees insurance has met on the 6 of February. At this, the second meeting, my officials, representatives of the Association of British Insurers, and the insurance industry, were joined by representatives of the British Banking Association, clearing, and other banks.

41. **Mrs. Spelman:** To ask the Parliamentary Secretary, Lord Chancellor's Department what progress he is making with the introduction of his legal aid reforms. [28109]

Mr. Hoon: A consultation paper will be published in the next few weeks setting out the Government's proposals for the extension of the conditional fee scheme and changes to the scope of civil legal aid. Decisions will not be made about the reforms to be introduced until the responses to the consultation paper have been considered.

44. **Mr. Keith Simpson:** To ask the Parliamentary Secretary, Lord Chancellor's Department what progress he is making with the introduction of his legal aid reforms. [28112]

Mr. Hoon: A consultation paper will be published in the next few weeks setting out the Government's proposals for the extension of the conditional fee scheme and changes to the scope of civil legal aid. Decisions will not be made about the reforms to be introduced until the responses to the consultation paper have been considered.

Civil Aid Certificates

40. **Mr. Llwyd:** To ask the Parliamentary Secretary, Lord Chancellor's Department when he plans to announce the results of the consultation process on the proposed changes to the issue of civil aid certificates in certain types of action; and if he will make a statement. [28108]

Mr. Hoon: The consultation paper setting out the proposals for the extension of the conditional fee scheme and removal of most claims for monetary recompense from the scope of civil legal aid will be published in the next few weeks, inviting responses during a specified consultation period. Decisions will be announced after the responses have been considered.

Magistrates Courts

42. **Mr. Greenway:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement about the North Yorkshire magistrates courts committee's proposals for the future of the magistrates courts service in the county. [28110]

Mr. Hoon: Decisions concerning the future of the magistrates' courts service in a given area are for the relevant magistrates' courts committee (MCC) to determine. Each MCC has a statutory responsibility to provide an efficient and effective service to court users. This would, of course, include deciding, in consultation with its local providing authority, whether its existing resources meet the MCC's needs both current and future.

However, should proposals for change be made by the MCC, certain applications will arise that require the Lord Chancellor's attention. My Department currently holds two such applications for North Yorkshire, (i) for the reorganisation of petty sessional divisions and (ii) an appeal against the proposed closure of Ripon Magistrates' Court later this year.

It would, of course, be inappropriate for me to comment on either of those matters as they have yet to be considered by the Lord Chancellor.

Immigration Adjudicators

43. **Mr. Malins:** To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to increase the training given to immigration adjudicators. [28111]

Mr. Hoon: I refer the hon. Member to the answer I gave on 10 November 1997, *Official Report*, column 572. Training is a matter for the Chief Adjudicator. All adjudicators receive appropriate training. In particular, all adjudicators will receive training on the Human Rights Bill before it is implemented.

Legal Profession (Tax Treatment)

31. **Mr. Nicholls:** To ask the Parliamentary Secretary, Lord Chancellor's Department what representations his Department has made to Her Majesty's Treasury concerning its proposals to change the tax treatment of the legal profession. [28099]

Mr. Hoon: It would not be appropriate for me to comment on any discussions that may have taken place within Government.

Overseas Visits

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many times the wives of Ministers in his Department have accompanied Ministers on overseas visits; and in each case what was the cost of their travel and other expenses. [25143]

Mr. Hoon *[holding answer 23 January 1998]:* As I indicated in my answer to the hon. Member for Spelthorne (Mr. Wilshire) of 15 January 1998, *Official Report*, column *278*, my noble and learned Friend the Lord Chancellor was accompanied by Lady Irvine at the 14th Conference of Commonwealth Speakers and Presiding Officers, held in Trinidad and Tobago on 4–11 January 1998. It has since come to light that the total cost of the trip from public funds for the Lord Chancellor, Lady Irvine and an official was, in fact, approximately £9,200, as I explained to the hon. Member for Spelthorne in my letter of 21 January, a copy of which was placed in the Library.

Fixed Costs Regime

Mr. Corbett: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will publish the results of research by the Institute of Advanced Legal Studies into the fixed costs regime. [29995]

Mr. Hoon: I anticipate publishing the research in conjunction with a consultation paper on costs in the fast track after Easter.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Departmental Publicity

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions what has been the cost of media presentations and press conferences which he has given, other than those held at his Department. [25157]

Angela Eagle *[holding answer 23 January 1998]:* Since 2 May 1997, direct expense has been incurred in mounting media presentations and press conferences involving Ministers held outside my Department or its Agencies as follows:

£

Event	*Place*	*Date*	*Cost*
Climate Change Seminar	London	5 June 1997	569.95
London Referendum Green Paper Launch	London	29 July 1997	704.00
Integrated Transport Consultation Launch	London	18 August 1997	357.20
Millennium Riverbank Experience	London	18 August 1997	1,427.50
Integrated Transport Consultation Launch	Regions	12 September 1997	188.00
New Driver Act Launch	London	12 September 1997	274.95
Heathrow Bus Lane Launch	London	25 September 1997	770.00
Construction Task Force Conference	London	22 October 1997	422.41
World Squares Launch	London	5 November 1997	1,697.88
Opening of New Puffin Crossing	London	3 December 1997	347.21
Transport Operators Forum	London	22 January 1998	4,650.00
Child Road Safety Campaign Launch	London	28 January 1998	1,199.15
Total			12,608.17

Funding (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what additional funds have been allocated to Shrewsbury and Atcham and Shropshire since 1 May out of his Department's budgets. [27106]

Mr. Raynsford: The following tables provide details for those programmes where additional funds have been allocated to Shrewsbury and Atcham District Council and Shropshire County Council in 1997–98 since May 1997.

£000

	Original Allocation	*Revised Allocation*	*Change*
Shropshire County Council			
Local Government Reorganisation SCAs	2,700	5,100	+2,400

£000

	Original Allocation	*Revised Allocation*	*Change*
Shrewsbury and Atcham District Council			
Capital Receipts Initiative	0	221	+221
Cash Incentive Scheme	50	83	+33
Total	50	304	+254

The following table provides details of those programmes where additional funds have been allocated to Shrewsbury and Atcham District Council. These figures are based on budget allocations known at this time. No additional allocations have been made to Shropshire County Council in 1998–99.

£000

	1997–98	*1998–99*	*Change*
Shrewsbury and Atcham District Council			
Capital Receipts Initiative	221	757	+536
Revenue Support Grant	2,191	2,268	+77
Redistributed Non-Domestic Rates	3,041	3,114	+73
Total	5,453	6,139	+686

Ashley Heath

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions (1) what additional cost has been incurred compared with budget forecasts as a result of errors made in the calculation of noise predictions in respect of the A31 road improvement at Ashley Heath; [28479]

(2) what were the noise predictions made before construction started on the A31 Ashley Heath improvement in respect of the impact upon properties in St. Ives Wood; and what were the noise levels recorded after construction was complete; [28524]

(3) how many claims for purchase or compensation have been made by householders in respect of the impact of the A31 Ashley Heath improvement; and how many have so far been settled, and at what cost; [28525]

(4) what forecast was made prior to construction of the cost of claims for purchase or compensation for landholders affected by the A31 Ashley Heath improvements. [28526]

Ms Glenda Jackson: I have asked the Chief Executive, of the Highways Agency, to write to the hon. Member.

Letter from David York to Mr. Christopher Chope, dated 17 February 1998:

The Transport Minister, Glenda Jackson, has asked the Chief Executive of the Highways Agency to reply to your recent Parliamentary Questions about the A31 Ashley Heath junction improvement. In his absence I am writing on his behalf.

Estimates provided by the District Valuer before construction began for the cost of acquisition of property and compensation arising from construction of the scheme amounted to £130,000. This did not cover the cost of buying under discretionary purchase rules property which was considered to be seriously affected by traffic using the new scheme.

To date 9 interests in property needed for construction have been acquired at a cost of approx £125,000 and 95 claims for compensation for loss in value of property have been received which could cost £150,000. Property to the value of £2.6m has been acquired because it was considered to be seriously affected but will be resold and it is expected that a large part of that sum will be recouped.

Revisiting calculations of predicted noise levels from traffic using the junction improvement led to applications for purchase of property which had previously been refused being accepted. Additional costs of about £100,000 resulted.

In accordance with the Noise Insulation Regulations, predictions of future noise levels in the vicinity of the junction were published in 1991. I will arrange for a copy of this report to be placed in the House of Commons library. No comprehensive measurement of noise levels has been made since the junction improvement has been completed although the local authority has taken several spot readings.

Tachograph Interference

Mr. Öpik: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will make a statement on the penalties for tachograph interference; and how many incidences of such interference have been recorded in each of the last three years; [28955]

(2) what Government publicity has been issued on the subject of tachograph interference; and if he will make a statement. [28956]

Ms Glenda Jackson: The maximum penalties for producing a false tachograph chart by tampering with the device are, on summary conviction, a fine of £5,000 and, on conviction on indictment, two years imprisonment. Convictions are also taken into account by the local Traffic Commissioner when reviewing an operator's compliance with the conditions of his licence. Offenders can be called to a public inquiry, and their licences can be curtailed, suspended or revoked.

The Vehicle Inspectorate's Annual Effectiveness Report[1] includes statistics on tachograph and other drivers' hours offences that are reported for prosecution by the Inspectorate. For 1995–96, it is not possible to differentiate tachograph interference offences from other

tachograph and drivers' hours offences. The best available figures for the subsequent two years for offences concerning interference with the tachograph and its records are:

1996–97: 681 (England and Wales only)

1997–98 (April to December): 775 (England, Wales and Scotland only).

The figures do not include offences detected by the police.

It would not be appropriate to publish information abut the nature of tachograph interference because of the risk that methods might be imitated.

[1] Vehicle Inspectorate: *Traffic Safety and a cleaner environment*: A Report on the Vehicle Inspectorate's Effectiveness as an Enforcement Agency 1996/97.

Environmental Appraisals

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions how many civil servants in *(a)* his Department and *(b)* other Government departments have been trained in environmental appraisal techniques since 1 May. [29021]

Mr. Meacher: Environmental appraisal, whether for policies, projects or programmes, covers a range of skills which are acquired by staff across Government through various routes, including formal training, learning on-the-job and reading guidance documents. Figures are not collected centrally for the numbers of staff, in the Department of the Environment, Transport and the Regions or in other Government departments, trained in these various ways. I understand, however, that the Civil Service College gives formal training on environmental appraisal in courses on Option Appraisal for economists and on "Spending Public Money Wisely" for fast-stream administrators; both of these normally run twice annually with an attendance of about a dozen each time, and each has run once since 1 May 1997.

Children (Road Accidents)

Ms Shipley: To ask the Secretary of State for the Environment, Transport and the Regions how many children were *(a)* killed and *(b)* injured in road accidents (i) during school hours and (ii) while travelling to and from school in the latest period for which figures are available. [29164]

Ms Glenda Jackson: In 1996, there were 35 children killed while travelling to and from school and 8,941 injured, of which 1,377 were injured seriously. These figures include some pupils who are aged 16 years old. In 1996 there were 270 children (aged 0–15) killed and (in the same age group) 44,835 children were injured, of which 6,519 were seriously injured. However, because of differing school hours and days, it is not possible to determine how many occurred during school hours.

Ms Shipley: To ask the Secretary of State for the Environment, Transport and the Regions how many children were killed in road traffic accidents *(a)* in total, *(b)* by drivers while speeding and *(c)* by drivers under the influence of (i) alcohol and (ii) drugs in the latest period for which figures are available. [29163]

Ms Glenda Jackson: In 1996, there were 270 children (aged 0–15) killed in road accidents in Great Britain. In 1995, the most recent year in which sufficiently detailed data is available to analyse drink drive casualties by age, it is estimated that 15 children were killed in accidents involving a driver with an illegal level of blood alcohol. No figures are available for children killed in accidents involving a speeding driver or a driver under the influence of drugs although research suggests that around one third of all accidents involve excessive speed. Recent research is also beginning to indicate a greater presence of drugs in drivers killed in road accidents, although we have no evidence as to the causative effect of drugs in such accidents and no information is available regarding child casualties in such accidents.

English Nature

Mr. Alan Campbell: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to carry out a review of the work of English Nature. [29409]

Angela Eagle: The work of English Nature is under regular scrutiny. The annual Corporate Planning round provides an opportunity to assess performance, identify priorities and assist the allocation of resources.

English Nature was brought into existence in 1991 as a result of the re-organisation of the former Nature Conservancy Council. Its work was reviewed in 1994 when a study was carried out into the possibility of merging English Nature with the Countryside Commission. The Joint Nature Conservation Committee, through which English Nature in conjunction with Scottish Natural Heritage and the Countryside Council for Wales, carries out some of its functions assigned to it by the Environmental Protection Act 1990, has also recently undergone a strategic review. In common with Government Departments and the other Countryside Agencies, the role of English Nature is being examined as part of the Comprehensive Spending Review.

An important aspect of English Nature's work is the notification and management of the network of Sites of Special Scientific Interest. The Department is preparing a consultation paper seeking views on how these sites can be better managed. We expected to be able to issue the paper to the public in the late Spring.

Dog Registration

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to make provisions for the establishment of a dog registration scheme by local authorities. [29247]

Angela Eagle: My Department is considering the issues surrounding the establishment of a dog registration scheme. A decision on the appropriate way forward will be taken in due course.

Gas Storage

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of safety risks of gas bullets stored near Gloucester Road in Cheltenham; [29396]

(2) if he will make a statement on the safety record of the range gas storage methods; [29397]

(3) what measures he expects to take to remove gas bullets from residential areas; and if he will make a statement. [29398]

Angela Eagle: I have no proposals to remove gas bullets from residential areas. Gas bullets are used to store gas at high pressure and currently there are twelve such notifiable hazardous installations in Great Britain. All are subject to health and safety legislation requiring operators to submit a safety report which sets out the measures taken to ensure safety at the installation to the Health and Safety Executive (HSE). Assessment of these reports takes into account predictive, technical and operational elements, and consideration of the causes and consequences of major accidents on the site. An assessment of on-site and off-site risks and details of control measures on the site are also made.

HSE also sets a "consultation distance" around these installations. The Local Planning Authority (LPA) is required to consult HSE on planning applications within the consultation distance, to give HSE the opportunity to provide advice on safety issues affecting the proposed development. However, the ultimate responsibility for deciding on planning permission rests with the LPA.

HSE's advice is based on residual risks posed by an installation of this type, after the overall risks have been reduced to a level which is as low as reasonably practicable. The basis for the advice and the criteria used by HSE in formulating such advice are set out in "Risk criteria for land-use planning in the vicinity of major industrial hazards", published in 1989 by HMSO.

HSE has set a consultation distance around the notifiable hazardous installation operated by BG Transco, Gloucester Road, Cheltenham. In 1997 HSE was asked to advise the LPA in Cheltenham on two planning applications within the consultation distance of the Gloucester Road site. Both cases were passed to HSE's Major Hazards Assessment Unit (MHAU).

The first case involved the conversion of land adjacent to the BG Transco site into a play area for Gloucester Road Primary School. MHAU's assessment led HSE to advise against granting planning permission. The assessment was based on developed policy which is to advise against developments involving vulnerable populations (such as school children) in the consultation zone.

The second case also involved the provision of a play area for the same school; it required the demolition of a house and social club and conversion of a small area of land adjacent to the school. This was further away from the BG Transco site than the first case, but still within the consultation zone. MHAU's assessment took account of the overall reduction in the population at risk and the small increase in area of the school. It was felt that this development would not put children at greater risk and in this case HSE did not advise against granting planning permission.

Formal assessments of the safety risks at the Gloucester Road site were undertaken during 1992 and 1995. A further safety report is due shortly.

Natural gas in Great Britain is normally stored in the following ways:

(a) in low pressure gas holders;

(b) in high pressure storage bullets;

(c) as liquefied natural gas;

(d) in underground caverns.

These storage methods have a good safety record and in recent years there have been few incidents and no injuries.

Repossessions

Mrs. Ballard: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of repossession orders which have been made in the last six months because of arrears caused by the difference between the standard mortgage interest rate and the actual interest rate levied by building societies. [29723]

Mr. Raynsford: My Department does not make estimates relating to possession orders. The Lord Chancellor's Department publishes quarterly figures for mortgage possession orders in the county courts. These give no information on the reasons for the action.

Peat Working Group

Mr. Randall: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 22 December 1997, *Official Report*, columns *433–34* on the Peat Working Group, for what reasons no non-governmental conservation organisation is a member of the group. [29670]

Mr. Raynsford: The purpose of the Peat Working Group has been to collate factual information and to advise my Department on the relevant issues. Its membership comprised organisations with a statutory responsibility for either conservation or planning control over peatlands together with the peat industry, who have property and working rights on a number of the bogs. Nature conservation interests were covered by the statutory countryside conservation agencies. The conservation non-governmental organisations (NGOs) together with other interested parties were invited to provide the Group with factual information. Meetings were held between these and officials from my Department on a number of occasions. These organisations were also consulted on the contents of the draft Mineral Planning Guidance Note No. 13 issued in 1995. However, at a recent meeting between officials and representatives of the conservation NGOs, an invitation was extended to them to be represented on the Group when it next meets. I understand that the invitation has been accepted.

Bathing Water Standards

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what steps he proposes to make beaches cleaner. [29544]

Angela Eagle: Following the answer my right hon. Friend the Minister for the Environment gave to my hon. Friend the Member for Shipley (Mr. Leslie) on 4 December 1997, *Official Report*, columns *289–91*, the Environment Agency is preparing a report on the prospects for compliance with EU bathing water quality

standards and the action needed on bathing waters which persistently fail. The report will take into account improvements resulting from completion of the remaining schemes in the bathing water improvement programme, implementation of the Urban Waste Water Treatment Directive and the Agency's new policy on consents for discharges close to bathing waters. As part of the current review of water company prices, options for more investment to improve bathing water standards are being addressed and initial decisions will be taken this summer.

Diesel Hotline

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many calls the Vehicle Inspectorate dirty diesel telephone hotline received between *(a)* November 1996 and January 1997 and *(b)* November 1997 and January 1998 [29774]

Ms Glenda Jackson: I have asked the Chief Executive of the vehicle Inspectorate, Mr. Ron Oliver, to write to the hon. Member.

Letter from Ron Oliver to Mr. Tom Brake, dated 17 February 1998:

The Secretary of State has asked me to reply to your question about the number of calls received by the Vehicle Inspectorate's smoky vehicle telephone hotline between (a) November 1996 and January 1997 and (b) November 1997 and January 1998.

Details for the two periods are as follows:

November 1996-January 1997 1,954 calls

November 1997-January 1998 2,294 calls.

There was a noticeable increase in the number of calls received in January 1998 and this has been attributed to the publicity campaign promoting the service launched by the Royal Automobile Club (RAC) on 23 December 1997.

Bonn Convention

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government have taken to fulfil their obligations under the Bonn Convention on the Conservation of Migratory Species of Wild Animals; what areas are outstanding; and if he will make a statement. [28156]

Angela Eagle: The United Kingdom's obligations to conserve migratory species in accordance with this important Convention are reflected in existing national legislation, especially the Wildlife and Countryside Act 1981, and the programmes of my Department and the statutory conservation agencies.

The most recent summary of progress was published in March last year, entitled *Report of the United Kingdom Government to the Fifth Meeting of the Conference of the Parties, Geneva 10–16 April 1997.* A copy has been placed in the Library of the House.

The report details conservation activities relating to the species listed in the Appendices to the Convention and other migratory species, and gives information on research projects. It also provides information on the implementation of the Convention in the United Kingdom's Dependent Territories. The report also covers the United Kingdom's implementation of two regional agreements concluded under the Convention, the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) and the Agreement on the Conservation of Bats in Europe. Both Agreements have been ratified by the United Kingdom. The United Kingdom has also signed, subject to ratification, the African-Eurasian Migratory Waterbird Agreement (AEWA).

Bern Convention

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government have taken to fulfil their obligations under the Bern Convention on the Conservation of European Wildlife and Natural Habitats; what areas are outstanding; and if he will make a statement. [28157]

Angela Eagle: The Government's obligations under the Bern Convention have been fulfilled by the enactment of the Wildlife and Countryside Act 1981, as amended, and the Conservation (Natural Habitats, etc.) Regulations 1994 (SI 1994/2716).

Ramsar Convention

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government have taken to fulfil their obligations under the Ramsar Convention on Wetlands of International Importance; what areas remain outstanding; and if he will make a statement. [28158]

Angela Eagle: The Government are making excellent progress in designating Ramsar sites. Since the UK acceded to the Convention in 1976, we have listed 120 sites covering 491,646 hectares, including two in the Dependent Territories.

On 2 February, at an event to mark the 27th Anniversary of the Convention, the Government launched the UK Targets for the Ramsar Strategic Plan. The strategy sets targets for the UK to achieve further progress, towards the wise use of wetlands, and identifies specific goals, for the period to 2002. I have arranged for a copy to be deposited in the Library of the House.

European Union Habitats Directive

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government have taken to fulfil their obligations under the European Union Habitats Directive; what areas remain outstanding; and if he will make a statement. [28159]

Angela Eagle: The European Union Habitats Directive was transposed into UK law through The Conservation (Natural Habitats, &c.) Regulations 1994 and The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995. We have submitted 262 areas covering 1,526,817.62 hectares to the European Commission as part of our obligation to put forward a list of candidate Special Areas of Conservation. We have recently consulted on further areas and will be submitting additional sites in the coming weeks.

Drugs (Driving)

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the number of prescriptions issued for medicinal

drugs whose side-effects include performance impairment comparable to that of 80mg of alcohol per 100ml of blood. [29843]

Ms Glenda Jackson: This information is not available.

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what drugs can be detected by the *(a)* Cozart and *(b)* Drugwipe tests; and how many and what percentage of the total of medicinal drugs which if taken in accordance with directions can reduce drivers' performance to a level comparable to that of 80mg of alcohol per 100 ml of blood can be detected. [29839]

Ms Glenda Jackson: The Cozart test can separately identify five drug groups; cannabis, amphetamines (including ecstasy), cocaine, opiates and benzodiazepines. The Drugwipe test also detects drugs from the first four of these groups i.e. cannabis, amphetamines (including ecstasy), cocaine and opiates, but does not detect benzodiazepines. The information sought for medicinal drugs is not available.

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he made of simulator and epidemiological studies on links between illegal drugs and driving ability undertaken in *(a)* America, *(b)* Australia, *(c)* Canada and *(d)* Holland in reaching his decision on drug driving tests; and if he will make a statement. [29847]

Ms Glenda Jackson: The Department considered in detail the evidence available from both simulator and epidemiological studies, worldwide, before undertaking its own epidemiological study of drugs in road fatalities and announcing its plans to assess the roadside practicability of two drug screening devices.

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the percentage of the population who take cannabis at least once every 30 days; and what was the percentage of road fatalities who were found to have traces of cannabis in their bodies in his Department's recent test. [29841]

Ms Glenda Jackson: According to the British Crime Survey 1996, cannabis had been taken by 12 per cent. of the 16–29 year age group in the previous month; figures for other age groups are not available. The percentage of road fatalities who were found to have traces of cannabis in their bodies was also 12 per cent.

Driving Licence Design

Mr. Hayes: To ask the Secretary of State for the Environment, Transport and the Regions what criteria were used in deciding on the design of the new United Kingdom driving licence. [29826]

Ms Glenda Jackson: The content and format of the photocard follow the requirements laid down in the relevant EU legislation, which was aimed at ensuring that licences are easily recognisable throughout the EU.

Poll Tax

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's latest estimate of outstanding poll tax payments to each local authority in England and Wales. [29832]

Mr. Raynsford: Information on uncollected community charge and council tax for each local authority is not available centrally. However, the Chartered Institute of Public Finance and Accountancy regularly publish estimates for individual authorities: figures for 31 March 1996 are available in their Revenue Collection Statistics 1995–96 publications, a copy of which is in the Library of the House.

Housing (Hampshire)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing waiting list of East Hampshire District Council; and what were the equivalent figures at the same time in each of the last five years. [27566]

Mr. Raynsford *[pursuant to his reply, 10 February 1998, c.125]:* Local authorities in England report the numbers of households on their housing register/waiting list (excluding existing tenants awaiting a transfer) at 1 April each year in their annual Housing Investment Programme (HIP1) returns. The data reported by East Hampshire District Council for 1997 and the previous five years are as follows:

1992: 1,607

1993: 1,528

1994: 2,045

1995: 1,555

1996: 1,206

1997: 1,683.

Local authorities have different practices for compiling and managing their housing register/waiting lists which mean that simple comparisons between authorities can be misleading. Authorities practices may change which can also affect comparisons over time.

AGRICULTURE, FISHERIES AND FOOD

Farm Values

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the average value of farm buildings and land in England and Wales; and what evaluation he has made of the correlation between the value of land and the level of farm subsidies over the past 20 years. [29458]

Mr. Morley: The average price of all agricultural property sales notified to the Inland Revenue in the three months ended June 1997 (the latest period available) was £4,515 per hectare in England and £4,303 per hectare in Wales. These averages will be affected by the prevailing market conditions and the location and quality of the land sold in the period.

There is evidence to suggest that support for agriculture has, to some degree, been capitalised into the value of land.

Quota Hopping

Mr. Hayes: To ask the Minister of Agriculture, Fisheries and Food if he will consult *(a)* representatives of the fishing industry and *(b)* Spanish officials to co-ordinate informal repurchase of quota-hopping fishing vessels or their licences. [29823]

Mr. Morley: There have been opportunities over successive years for vessel owners to withdraw from the UK fleet under the decommissioning schemes which have been operated by the Fisheries Departments. There has also been an active market in vessels and vessel licences. So far as I am aware, these arrangements have been operated to the satisfaction of the parties to the transactions without the need for co-ordination by Government. However, if I received a request from those in the industry to promote co-ordination, I would be ready to consider it.

BSE (Compensation)

Mrs. Dean: To ask the Minister of Agriculture, Fisheries and Food what percentage of total BSE compensation payments has gone directly to producers. [29229]

Mr. Rooker *[holding answer 16 February 1998]:* More than 90 per cent. of the BSE-related compensation paid during 1996–97 and 1997–98 has gone to producers. About 20 per cent. has been paid directly to them; the rest has reached them via livestock markets, slaughterhouses and abattoirs.

Meat Imports

Mrs. Dean: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that imported meat has been slaughtered under the same hygiene standards as those in the United Kingdom. [29237]

Mr. Rooker *[holding answer 16 February 1998]:* The slaughter of animals in all EU Member States must comply with Community rules governing the protection of animals at the time of slaughter and killing (Directive 93/119/EC). It is a requirement of these rules that meat imported from Third Countries must be from animals slaughtered or killed in accordance with conditions equivalent to those applying in the Community. Common rules on meat hygiene standards, applicable in all Member States, are similarly laid down in Directive 64/433/EEC for fresh meat and Directive 71/118/EEC for poultry meat. For imports from third countries, Directive 72/462/EEC requires compliance with equivalent conditions to those in Directive 64/433/EEC for the hygienic production of fresh meat, and Directive 71/118/EEC for poultry meat. It is for the European Commission to ensure that Member States and third countries are complying with their legal obligations.

Dietary Supplements

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food for what reasons he intends to restrict the availability of vitamin B6. [29383]

Mr. Rooker *[holding answer 13 February 1998]:* The Government's decision to limit the level of vitamin B6 in dietary supplements sold under food law was taken in the light of advice from the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment and from the Food Advisory Committee, that prolonged intake of high doses of vitamin B6 may be harmful.

Cow's Milk

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what guidance he offers to farmers on altering the butterfat content of cow's milk by adjusting the feed content. [29738]

Mr. Rooker: The butterfat content of milk is largely determined by the breed and genetic merit of the cow, but it can also be affected by the composition of the cow's diet. Individual milk producers can obtain advice on feeding through their normal farming advisers. The results of the Department's and other sponsors' research in this area are disseminated through their respective technology transfer programmes.

Integrated Administration and Control System

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food what is the proportion of IACS forms received by his Department which contain initial errors and inaccuracies requiring further contact by his Department's officials. [29197]

Mr. Rooker: This information is not available.

Moorland Scheme

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food how many farms, having how many sheep, are eligible to participate in the Moorland Scheme; and how many farms having how many sheep have joined the Moorland Scheme. [29155]

Mr. Rooker: The Moorland Scheme applies within the Less Favoured Areas, but excludes land in Environmentally Sensitive Areas. The total area in which the Scheme may apply is about 400,000 hectares. It is not possible to state how many farms are eligible to join the Scheme as this depends on meeting the specific eligibility rules. The Scheme is based on payment for the removal of ewes from eligible heather moorland to meet stocking limits. To date, scheme agreements are in place on 23 farms, involving a reduction of 6,361 sheep from moorland grazing units totalling some 9,300 hectares.

Environmentally Sensitive Areas

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food how many farms, having how many sheep, in *(a)* the Lake District, *(b)* the Pennine Dales, *(c)* the North Peak, *(d)* the South West Peak, *(e)* the Shropshire Hills and *(f)* Dartmoor are eligible for ESA payments; and how many farms in each locality, having how many sheep, have joined the ESA schemes. [29156]

Mr. Morley: The information requested on numbers of holdings and numbers of sheep is not readily available and could be obtained only at disproportionate cost.

The following table shows the current number of ESA management agreements and the percentage of eligible land under agreement:

ESA	Number of ESA agreements[1]	Percentage of land eligible for the scheme which is under agreement
Lake District	1,129	55
Pennine Dales	862	70
North Peak	98	80
South West Peak	582	80
Shropshire Hills	318	25
Dartmoor	547	40

Note:
[1] Some agreements are joint agreements covering more than one holding.

Varroa

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the potential evolution of a drug-resistant form of varroa; and if he will make a statement. [28969]

Mr. Rooker: There is evidence of a strain of varroa on the Continent which is resistant to the drug Bayvarol but we are not aware of any incidence of it in the United Kingdom. The position is kept under close review.

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the extent of the varroa outbreak among bees in the UK; what steps he has taken to combat its spread; and if he will make a statement. [28967]

Mr. Rooker: The Statutory Infected Area (SIA) for varroa now includes the whole of England and Wales and affected areas in Dumfries and Galloway. The most northerly occurrence to date has been in Golspie, Scotland.

Control measures are based on varroa being statutorily notifiable disease. Upon first finding evidence of varroa infestation in Devon in 1992, a SIA was declared with movements across the boundary being strictly controlled. Information on the geographical distribution of the mite was collected via a number of sources, including searches. Now that the SIA covers the whole of England and Wales, the need for formal searches there has been removed. In Scotland and Northern Ireland, random Spring and Autumn searches continue to be carried out. Where isolated incidents have occurred in Scotland these have been dealt with by destruction of hives and bees.

British Meat

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food what discussions *(a)* he, *(b)* his Ministers and *(c)* his Department have had with the Ministry of Defence about the supply of British (i) beef and (ii) lamb to HM Forces; and if he will make a statement. [28260]

Mr. Rooker *[holding answer 6 February 1998]:* My right hon. Friend the Minister of Agriculture, Fisheries and Food spoke to the Secretary of State for Defence late last year about the purchases of British beef by the armed forces. This conversation has been followed up in correspondence and in discussions between my noble Friend Lord Donoughue and the Under-Secretary of State for Defence, my learned Friend the Member for Warley (Mr. Spellar). Since this Government took office, there have been no discussions between the two Departments at official level on this issue. Since the primary requirement of the Ministry of Defence is for frozen beef and we have significant stocks in UK intervention stores, discussion has focused on the supply of intervention beef rather than that of beef from the open market. As yet we have not discussed the purchase of lamb.

We all have to recognise, however, that Public Bodies are generally required to look for best value for money in making their procurement decisions. Furthermore, we are required to note that it would contravene the Treaty of Rome to operate a "Buy British" policy. Nevertheless we shall continue to explore ways in which the volume of British beef purchased might be increased.

Agriculture Council

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will publish the full details of the United Kingdom presidency's work programme which were discussed at the EU Agriculture Council on 20 January. [25250]

Dr. John Cunningham *[holding answer 26 January 1998]:* A copy of the text of my statement to the 20 January Agriculture Council has been placed in the Library of the House.

INTERNATIONAL DEVELOPMENT

Montserrat

Mr. Chope: To ask the Secretary of State for International Development which firm is managing the provision of prefabricated units for Montserrat. [29992]

Clare Short: Brown and Root Ltd. are currently managing provision of prefabricated units, on Montserrat.

Multilateral Agreement on Investment

Ms Drown: To ask the Secretary of State for International Development what assessment she has made of the impact of the Multilateral Agreement on Investment on the ability of developing countries to pursue policies to *(a)* diversify their economy and *(b)* promote domestic industries. [29954]

Clare Short: Foreign investment can make a substantial contribution to development and the elimination of poverty. Many developing countries, particularly the least developed, are currently marginalised from global investment flows. The Government believe that a better international framework for investment has an important part to play in helping to meet the objective of eliminating poverty. My Department is commissioning a study of the development implications of the Multilateral Agreement on Investment (MAI) which will be ready in good time to present to our negotiating partners before the agreement is concluded.

Mr. Chaytor: To ask the Secretary of State for International Development what assessment she has made of the benefits for non-OECD countries of the proposals in the current draft text of the Multilateral Agreement on Investment. [29917]

Clare Short: The Government support the aim of providing a better international framework for investment, increased investment in developing countries, we believe has an important part to play in helping to meet the objective of eliminating poverty. My Department is commissioning a study to look at any implications the Multilateral Agreement on Investment (MAI) may have for developing countries, which we will share with our negotiating partners. The UK is also pressing for "special and differential treatment" in the accession process, which would allow some flexibility for the needs of developing countries to be taken into account, if they seek to accede to the MAI.

Ms Drown: To ask the Secretary of State for International Development what steps her Department will take to include the views of government and non-governmental organisation experts from developing countries in its assessment of the impact of the MAI on developing countries. [29933]

Clare Short: Officials from my Department have already taken part in consultations organised by the Organisation for Economic Cooperation Development (OECD) with governments and NGOs of developing countries on the Multilateral Agreement on Investment (MAI). My Department has also consulted NGOs on the study we are undertaking of the development implications of the MAI which will also consider discussions on international investment rules in the World Trade Organisation and UNCTAD.

DUCHY OF LANCASTER

Ministerial Travel

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28931]

Dr. David Clark: Details of the engagements I have undertaken in the United Kingdom during January 1998, and the mode of transport used, are set out in the following table.

Date	*Destination of journey*	*Mode of transport*
Tuesday 6 January	Visit to Wansbeck Business Park (Northumberland)	Car
Thursday 8 January	Cabinet Meeting (London) Visit by EU Commissioners to mark the start of the UK Presidency (London)	Train and Car
Monday 12 January	'Better Government' speech to Association of British Insurers Trade Executives Group (London)	Car
Tuesday 13 January	'Better Government' speech at Coopers & Lybrand Event (London)	Car
	Interview: 'Westminster Live' (London)	Car
Wednesday 14 January	Millennium Commissioners Meeting (London)	Car
Monday 19 January	Speech to Local Business Partnership Seminar (Newcastle)	Car
Tuesday 20 January	Launch of the 'Citizens First' Initiative in the UK with Commissioner Monti & Lord Simon (London)	Car
Monday 26 January	Meeting with Austrian Ambassador (London)	Car
Tuesday 27 January	Speech to the British Retail Consortium (London)	Car

EDUCATION AND EMPLOYMENT

Standard Assessment Tests

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to reduce the cost of Key Stage 1 and Key Stage 2 SATs. [29981]

Ms Estelle Morris: The Key Stage 1 and Key Stage 2 National Curriculum tests provide valid and reliable assessments of pupils' progress, and contribute towards the raising of school standards and effectiveness. The cost of these tests, and associated administrative arrangements, are kept under constant review by the Qualifications and Curriculum Authority to ensure that they are conducted as efficiently and economically as possible, while maintaining the quality of information they provide.

Hotel and Catering Training

Mr. Sheerman: To ask the Secretary of State for Education and Employment what is the percentage drop-out rate by students on full and part-time courses in *(a)* NVQ level 2 and 3 Food Preparation and Cooking, *(b)* BTEC National Diploma in Hotel, Catering and Institutional Operations and *(c)* advanced GNVQ Hospitality and Catering. [27090]

Dr. Howells: The drop out rates from National Vocational Qualifications are not measurable because these qualifications are not timebound; the position is the same for the BTEC National Diploma in Hotel, Catering and Institutional Operations.

The latest figure on drop out rates for the Advanced GNVQ in Hospitality and Training (1995/96), for full time students, is 14 per cent.

School Partnerships

Mr. Dalyell: To ask the Secretary of State for Education and Employment, pursuant to the letter from the Minister for School Standards of 23 December, when he expects to receive the first recommendations of the Committee under the Chairmanship of Chris Parker on co-operation between various sectors of education; and if he will make a statement. [27969]

Mr. Byers: The Advisory Group on Independent/State School Partnerships is due to present to me its initial findings by the end of March 1998 and its final recommendations by the end of July 1998.

Class Sizes

Mr. Webb: To ask the Secretary of State for Education and Employment if the information about which local authorities had received financial support for reducing infant class sizes was made available to any hon. Members before the public announcement on 12 February. [29829]

Mr. Byers: My right hon. Friend the Secretary of State and I signed letters on 11 February containing this information to hon. Members whose constituencies lie within the areas of the successful local authorities.

New Deal (Allowances)

Mr. Duncan Smith: To ask the Secretary of State for Education and Employment what description is used by his Department to identify the allowance to those aged under-25 years who participate in an education, an environment task force or a voluntary sector option of the New Deal; and what statutory basis governs this allowance. [30042]

Mr. Andrew Smith: Young people participating in the Full-Time Education and Training option of the New Deal for 18–24 year olds will receive a training allowance; those in the Voluntary Sector or Environment Task Force option may receive either a training allowance or a wage paid by the organisation for which they are working. Training Allowances are payable under Section 2 of the Employment and Training Act 1973.

Mr. Duncan Smith: To ask the Secretary of State for Education and Employment what is the source of funding for the allowance for the under-26 year olds participating in an education, an environment task force or a voluntary sector option of the New Deal. [30044]

Mr. Andrew Smith: The New Deal for 18–24 year olds will be financed from the Windfall Levy on the excess profits of the private utilities.

National Minimum Wage

Mr. Duncan Smith: To ask the Secretary of State for Education and Employment if those who are disabled who take part in the Welfare to Work scheme will be guaranteed the national minimum wage. [30050]

Mr. Andrew Smith: The Government have set out in their evidence to the Low Pay Commission the argument that disabled people should not be treated any differently from non-disabled people. The Commission will be making recommendations on the initial level and application of the National Minimum Wage to the Government by the end of May.

New Deal

Mr. Dorrell: To ask the Secretary of State for Education and Employment if he will list the companies which have announced their support for the New Deal. [29693]

Mr. Andrew Smith: Over 1,000 companies have signed Employer Agreements to date including the 34 large employers listed below.

Allied Domeq
Allied Leisure
Anglian Water
Arriva PLC
British Aerospace PLC
British Airports Authority PLC
British Airways
British Steel plc
Brown and Jackson
BT
Clydesdale Bank
Dixons Group PLC
Granada Group
Kwik Save Stores Ltd
Manpower
National Express
Northern Foods
Nycomed Amersham
Our Price
Pertemps
Prudential Corporation
Rolls-Royce
Rover Group
Rugby Group
Sainsbury's
Savacentre Ltd
Securicor Guarding
Somerfield
Tate & Lyle
Tesco
Unipart Group
Vaux
Whitbreads
W. H. Smith Group.

School Software

Mr. Dorrell: To ask the Secretary of State for Education and Employment when he expects to publish the details of the agreement announced by the Prime Minister last year between the Government and Microsoft Inc. for the provision of software to schools. [29488]

Dr. Howells: Microsoft is one of a number of companies preparing educational material and services as a potential contribution to the National Grid for Learning and the strategy outlined in the consultation document "Connecting the Learning Society". However, no formal agreement with the company to supply software to schools is in place.

New Deal (Employer Agreements)

Mr. Dorrell: To ask the Secretary of State for Education and Employment how many work places will be provided in 1998–99 under the employer agreements signed to date under the New Deal arrangements. [29692]

Mr. Andrew Smith: Signing an Employer Agreement expresses an employer's commitment to New Deal and enables them to offer jobs under the programme. It does not commit them to providing a specific number of jobs.

Policy Reviews

Mr. Dorrell: To ask the Secretary of State for Education and Employment what policy reviews are currently underway within his Department. [29530]

Mr. Blunkett: My Department continuously reviews its policies. The following reviews are currently being undertaken:

Departmental Spending Review. As part of the Government's Comprehensive Spending Review my department is currently undertaking a review of all its programmes and its running costs expenditure. I will be reporting its conclusions to the Ministerial Committee on Public Expenditure in the late Spring.

Review of the threshold exempting employers with fewer than 20 employees from the Employment provisions of the Disability Discrimination Act 1995. A review of the effects of the threshold exempting small employers from the employment provisions of the Disability Discrimination Act. The review includes a consultation exercise ending on 2 March. Launch date was 3 December 1997. The intended date of report will be in late Spring 1998.

Review of Qualifications Appeals Systems. Announced on 16 December 1997. Preliminary conclusions are expected in May 1998.

SOCIAL SECURITY

Family Credit

Mr. Willetts: To ask the Secretary of State for Social Security what is the average value of a weekly family credit payment; and what is the average estimated value of weekly family credit payments to which people are entitled but which they do not claim. [30038]

Mr. Keith Bradley: The latest available information on the take-up of Family Credit is for 1995–96. The average estimated value of weekly Family Credit payments to which people were entitled but did not claim was £24.30[1]. At that time, the average award of Family Credit was £54.82[2].

The most recent estimate of the average weekly award of Family Credit of £59.01[3] was for August 1997.

Sources:

[1] Income Related Benefits Estimates of Take-up 1995–96.

[2] Family Credit 5 per cent. sample of awards.

[3] Family Credit Statistical Inquiry, August 1997. 5 per cent. sample of awards.

Mr. Willetts: To ask the Secretary of State for Social Security how many people claimed family credit; how many people are estimated to be entitled to family credit but have not claimed it; what was the total amount of family credit payments paid; and what was the estimated value of unclaimed family credit in the last year for which reliable data are available. [30037]

Mr. Keith Bradley: The latest available information on the take-up of Family Credit is for 1995–96. It is estimated that 240,000[1] families were entitled to Family Credit but did not claim it. At that time, there were 676,000[2] families receiving Family Credit. Expenditure was £1,740[3] million and the estimated value of unclaimed Family Credit was £300[4] million.

The most recent estimate of caseload is for August 1997 when 757,000[5] families were receiving Family Credit.

Sources:

[1] Income Related Benefits Estimates of Take-up 1995–96.

[2] Family Credit 5 per cent. sample of awards. Figures rounded to the nearest thousand.

[3] The 1997 DSS Departmental Report (Cm 3613).

[4] Income Related Benefits Estimates of Take-up 1995–96.

[5] Family Credit Statistical Inquiry, August 1997. 5 per cent. sample of awards. Figures rounded to the nearest thousand.

Mr. Willetts: To ask the Secretary of State for Social Security how many men receive family credit payments; and if he will express this figure as a proportion of all family credit payments. [30039]

Mr. Keith Bradley: 757,000[1] families receive Family Credit of which 351,000[1] are lone parents. 336,400 of those lone parents are female and 14,300 (4 per cent.) are male. Information on the gender of the claimant in couple families is not available.

However, the vast majority of couple families have a female recipient as there is a requirement for the female member of a couple to be the claimant. There are occasional exceptions to this rule, for example, to cover mental incapacity.

[1] All figures have been rounded to the nearest thousand.

Source:

Family Credit 5 per cent. sample of all awards.

Child Support Agency

Mr. Duncan Smith: To ask the Secretary of State for Social Security how many payment accounts at the Child Support Agency collection service were *(a)* pre-CSA arrangements, and *(b)* CSA assessments, at the end of each month since April 1994. [30041]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is set out in the table.

Number of accounts from April 1995

Month	*1995–96*	*1996–97*	*1997–98*
April	175,113	209,134	258,126
May	177,048	211,670	262,151
June	179,893	213,744	266,451
July	182,058	215,736	271,467
August	188,477	219,979	277,079
September	192,528	222,104	278,722
October	196,670	224,913	—
November	201,142	227,373	—
December	202,762	230,316	—
January	205,193	233,707	—
February	207,640	236,460	—
March	207,465	239,284	—

Note:

The Child Support Agency's collection service holds accounts for cases where there is a child support assessment, there are no accounts for pre-CSA arrangements.

Mr. Duncan Smith: To ask the Secretary of State for Social Security in what proportion of cases where a parent with care is on income support a benefit saving arises due to *(a)* a pre-CSA child maintenance agreement, and *(b)* a CSA assessment. [30040]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is that 80,000 people in receipt of Income Support[1] also receive maintenance from liable relatives.

[1] This figure does not include those parents with care who have arrangements whereby their maintenance is retained by the Secretary of State and they receive full Income Support.

Source:

Income Support Statistics Quarterly August 1996.

Appeals System

Mr. Alasdair Morgan: To ask the Secretary of State for Social Security if she will review the current arrangements for the suspension of benefits during the

period in which a government agency is appealing against a decision to award benefit to a claimant; how many claimants currently have their benefits suspended pending an appeal; how many claimants have had their benefits *(a)* upheld and *(b)* rejected following appeal by a government agency in each of the last five years; and if she will make a statement. [29464]

Mr. Keith Bradley: Provision for suspending payment of benefit pending resolution of a factual or legal doubt as to entitlement has existed since 1946. We are committed to the principle that benefit should go only to those entitled to it. It would be irresponsible to allow irrecoverable overpayments to accumulate during periods when entitlement is in doubt. This principle is safeguarded by the power to suspend payment in certain circumstances—a power which is being carried forward in the Social Security Bill currently before Parliament.

Regular statistics are not kept on the numbers of suspensions imposed. However, a scan of the Income Support computer system in July 1997, found that, of all those entitled to Income Support at any one time, less than 0.5 per cent. had payment of benefit suspended or withheld. Estimated numbers are significantly less for most other benefits.

TV Advertising

Mr. Swinney: To ask the Secretary of State for Social Security if she will list the amount spent on television advertising in 1998 for *(a)* benefits which require a claim to be registered, *(b)* the automatic winter fuel payment to pensioners and *(c)* other automatic benefits; how many television slots for advertisements for each of the above categories of benefits were purchased for broadcast in the periods (i) 9.00 a.m. to 5.00 p.m., (ii) 5.00 p.m., to 11.00 p.m., and (iii) 11.00 p.m. to 9.00 a.m.; for what reasons benefits were advertised which claimants receive automatically; and if she will make a statement. [30158]

Mr. Denham: The Winter Payments scheme will help all pensioner households with fuel bills to pay, and give the most help to the poorest. It is an unprecedented initiative, which dwarfs any action taken by any previous Government to tackle winter cold.

It is important that pensioners know as soon as possible how much they will receive, as well as how and when the payment will be paid so that they can plan with confidence and turn up their heating if there is a spell of cold weather. The simplest and most cost-effective way to let them know that a payment will be made is through publicity. Therefore, a multi-media campaign, including television advertising was launched in conjunction with Help the Aged, Age Concern and the National Association of Citizens Advice Bureaux.

Approximately £850,000 is being spent on television advertising, in 1998, to inform pensioners about Winter Fuel Payments.

Television slots are purchased regionally according to the audience profile of programmes. On average, approximately 82 per cent. of the slots fall between 9am-5pm and 18 per cent. between 5pm and 11pm. No slots have been purchased between 11pm and 9am.

The television campaign, which is still running, has been designed to reach over 70 per cent. of the target audience with at least five opportunities to see the advertisement.

There has been no expenditure, in 1998, on television advertising on other benefits.

Social Security Expenditure

Mr. Kirkwood: To ask the Secretary of State for Social Security (1) if she will list the growth rate in expenditure by her Department in real terms and the underlying growth rate for each year since 1979; [30157]

(2) if she will list the total expenditure by her Department on *(a)* benefits and *(b)* administration as a proportion of general government expenditure and as a proportion of gross domestic product for each year since 1979. [30156]

Mr. Field: The information is set out in the table.

Year	*Grand Total Expenditure Annual Real Growth %*	*Benefit Expenditure as % of GDP*	*Benefit Expenditure as % of GGE(X)*	*Admin Expenditure as % of GDP*	*Admin Expenditure as % of GGE(X)*
1978–79	—	9.3	22.0	0.4	1.0
1979–80	1.2	9.2	21.6	0.4	1.0
1980–81	2.3	9.7	21.6	0.5	1.0
1981–82	11.3	10.8	23.8	0.5	1.1
1982–83	6.4	11.3	24.7	0.5	1.1
1983–84	6.8	11.6	25.9	0.5	1.1
1984–85	3.1	11.7	25.8	0.5	1.1
1985–86	3.1	11.6	26.9	0.5	1.1
1986–87	4.7	11.6	27.5	0.5	1.2
1987–88	–0.4	10.9	27.0	0.6	1.4
1988–89	–4.7	10.0	26.2	0.6	1.5
1989–90	–0.7	9.7	25.3	0.6	1.5
1990–91	3.4	10.2	26.0	0.5	1.3
1991–92	10.1	11.4	27.8	0.5	1.3
1992–93	8.8	12.4	28.6	0.6	1.3
1993–94	6.3	12.9	29.8	0.6	1.3

Year	Grand Total Expenditure Annual Real Growth %	Benefit Expenditure as % of GDP	Benefit Expenditure as % of GGE(X)	Admin Expenditure as % of GDP	Admin Expenditure as % of GGE(X)
1994–95	1.2	12.5	29.4	0.5	1.2
1995–96	1.6	12.4	29.6	0.5	1.2
1996–97	1.9	12.3	30.1	0.5	1.3

Notes:
1. Average real growth pa (growth rate) 3.6%.
2. The "Grand Total Expenditure" expenditure figure includes additional local authority expenditure on Housing and Council Tax Benefits.
3. The figures for GDP are consistent with those published in Pre Budget Report. They include adjustments to remove distortion caused by the abolition of domestic rates.
4. The figures for GGE(X) are consistent with those published July 1997 FSBR and earlier equivalents. They exclude privatisation proceeds, expenditure out of the proceeds of the National Lottery, and receipts of interests and dividends from public corporations and the private sector are netted off.

Mr. Kirkwood: To ask the Secretary of State for Social Security (1) what estimates her Department has made of *(a)* future social security expenditure and *(b)* future underlying rates of growth; [30052]

(2) what estimates her Department has made of future social security expenditure on benefit payments to the *(a)* elderly, *(b)* sick and disabled, *(c)* family, *(d)* lone parents, *(e)* unemployed, and *(f)* widows and others. [30053]

Mr. Field: The information is set out in the table.

£ million

	1997–98	1998–99	1999–2000
Elderly	42,426	44,152	45,792
Sick and Disabled	25,156	26,621	28,179
Family	18,740	19,302	19,929
Unemployed	7,160	6,832	6,713
Widows and Others	2,244	2,282	2,318
Total Benefit Expenditure	95,727	99,189	102,932
Grand Total DSS Spending	99,314	102,727	106,492
Annual real growth	—	0.6%	1.0%

Source:
The figures are taken from the March 1997 Social Security Departmental Report.

Working Mothers

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to her answer of 21 January 1998, *Official Report*, columns *565–66*, what are the latest estimates she is collating for labour market participation by lone parents in the United Kingdom; and if she will list the prevailing unemployment rates in each of the counties listed in the years referred to in the answer. [26947]

Mr. Field: The information is not available in the format requested.

The latest estimate from the Spring 1997 Labour Force Survey suggests that the labour market participation rate of lone parents in Great Britain is around 44 per cent.

The prevailing unemployment rates in each of the countries listed in the years referred to in the written answer, 21 January 1998, *Official Report*, columns *565–66* are given in the table.

Unemployment rates in European countries

Country	Year	Unemployment rate
Belgium	1992	6.7
Denmark	[1]1993	8.1
Germany	1992	6.3
Greece	[2]1992	7.8
Spain	1991	15.9
France	1992	10.2
Ireland	1993	15.6
Italy	1993	10.3
Luxembourg	1992	2.0
Netherlands	1994	7.2
Austria	1993	4.3
Portugal	1991	3.9
Finland	1993	17.9
Sweden	1994	7.8
United Kingdom	1991	8.6

[1] Date not provided for Denmark in the previous answer. The date is taken to match the source data used to compile the table replicated in that answer.
[2] Date not provided for Greece in the previous answer. The date is again taken to match the source data used to compile the table replicated in that answer.
Note:
ILO definition of unemployment used throughout—i.e. unemployment and actively seeking work within the last four weeks.
Source:
Eurostat Yearbook 1996.

Lone Parent Benefits (Newcastle)

Mr. Cousins: To ask the Secretary of State for Social Security how many claimants of *(a)* lone parent benefit and *(b)* lone parent premium there have been in the Newcastle Benefits Agency district since 1992. [26941]

Mr. Field: I refer my hon. Friend to the written answer I gave him on 21 January 1998, *Official Report*, columns *672–73*.

Civil Servants

Mr. Forth: To ask the Secretary of State for Social Security how many civil servants in her Department at each grade for grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the department since 1 May 1997; if she will indicate the Minister to whom each was responsible; and if she will make a statement. [26927]

Mr. Field: From 1 April 1996, the Department moved away from grades for staff previously at grade 5 and above, to a system based on nine overlapping pay bands. Posts were scored in a range of 7 to 22, using Job Evaluation of Senior posts (JESP) methodology. Posts with a JESP score of 13 or above are considered to be equivalent to grade 3 or above.

Since 1 May 1997, no civil servants have resigned; no civil servants have retired before pensionable age and one civil servant in a post with a JESP score of 16 has moved to different responsibilities within the Department. The officer was responsible to the Secretary of State.

In addition three such civil servants have transferred to other Government Departments on either a temporary or permanent basis.

Pensioners (Income Support)

Mr. Sayeed: To ask the Secretary of State for Social Security how many pensioner claimants of income support there are broken down by *(a)* sex, *(b)* marital status and *(c)* socio-economic group; and what estimate he has made of future trends in these figures and on what assumptions. [27318]

Mr. Denham: Information is not available in the format requested. Such information as is available is set out in the tables.

Numbers of pensioners receiving Income Support as at May 1997

	All cases	*Single claimants*	*Couples*
All cases	1,720,000	1,454,000	266,000
Male	542,000	300,000	242,000
Female	1,178,000	1,154,000	24,000

Notes:

1. Figures are not collected by socio-economic group.
2. Numbers are rounded to the nearest thousand. Due to rounding, totals may not tally.
3. Pensioners are defined where the claimant or partner is aged 60 or over.
4. Sample size 5 per cent.
5. Numbers exclude claimants who transferred to Income-based Jobseeker's Allowance with effect from October 1996.

Source:

Income Support Quarterly Statistical Enquiry, May 1997.

Forecast numbers of pensioner benefit units that will receive Income Support in the future

	Number of pensioner benefit units on Income Support
1998–1999	1,805,000
1999–2000	1,808,000

Notes:

1. Figures in the table are average caseloads which underlie the expenditure forecasts given in the 1997 DSS Departmental Report.
2. The forecasts are based on assumptions about the future numbers of pensioners in the population, the proportion of such pensioners that would receive Income Support, and the numbers of such pensioners that would be in residential care or nursing home accommodation. Forecasts of this type are not split by sex, marital status or socio-economic group.

Benefits (Wales)

Mr. Wigley: To ask the Secretary of State for Social Security how much *(a)* attendance allowance remained unclaimed by disabled people, *(b)* income support remained unclaimed by pensioners and *(c)* social security payments remained unclaimed in Wales in the last year for which figures are available. [27146]

Mr. Denham: Information is not available in the format requested. Such information as is available is as follows:

An estimate of take-up of Attendance Allowance for Great Britain, based on the disability follow-up to the 1996–97 Family Resources Survey, should be published later in the year. It may be possible to estimate take-up separately for Wales if sample sizes allow.

It is estimated that, in 1995–96, the amount of Income Support unclaimed by pensioners in Wales was between £60 million and £90 million. In the same year, the total amount of Income Support, Housing Benefit, Council Tax Benefit and Family Credit unclaimed in Wales is estimated to be between £170 million and £260 million.

Notes:

1. All take-up estimates exclude the self-employed as their entitlement to income-related benefits cannot readily be established from survey data.
2. Estimates for Wales should be regarded as indicative only, as they are based on modest sample sizes.

Mr. Wigley: To ask the Secretary of State for Social Security what measures he will take to increase the level of take up of social security benefits in Wales. [27145]

Mr. Keith Bradley: We would encourage anyone who thinks that they may be entitled to a benefit to make a claim, wherever they live in Britain. We are particularly concerned about the million pensioners not claiming Income Support. We have commissioned research to find out why they do not make a claim, and from April we will be spending £15 million on a number of pilot projects to find the best way of encouraging them to claim. We will take into account any factors which may effect their reluctance to make a claim, including the type of area in which they live.

Drug Addicts

Mr. Woolas: To ask the Secretary of State for Social Security what plans she has to ensure access to disability benefit for sufferers of benzodiazipene drug addiction. [26536]

Mr. Denham: Normal entitlement rules apply to people with benzodiazipene drug addiction claiming a disability benefit.

Benefit Increases

Mr. Flynn: To ask the Secretary of State for Social Security what estimate she has made of the cost of increasing the basic pension, widows' benefits and long-term incapacity benefit in April 1998 in line with prices; and what would be the additional cost of increasing them in line with average earnings. [26467]

Mr. Denham: The information requested is set out in the table. The estimated gross additional cost for uprating basic pension and all linked benefits by earnings would be £200 million, rounded to the nearest £10 million.

Cost of the April 1998 RPI uprating

£ million

Benefit	*Cost 1998–99*
Retirement pension: basic	1:1
Widows' benefit: basic	30
Incapacity benefit long term: basic	200

Notes:

1. The table shows the costs of uprating for the three contributory benefits only and does not show any associated costs or savings on means-tested benefits.

2. Figures are rounded to the nearest £10 million.

Source:

DSS forecasting models based on benefit rates announced in the 1977 Uprating Statement.

Staff Travel

Mr. Stunell: To ask the Secretary of State for Social Security what was the total real terms value of *(a)* staff car mileage claims paid and *(b)* staff rail fares paid by his Department; for what amount of staff car mileage reimbursement was made; and what was the percentage change on the previous year for each year since 1989–90. [25797]

Mr. Field: The information is not available in the format requested. Such information as is available is in the table.

The amounts shown are composite figures covering motor mileage, rail and air travel and cannot be broken down into specific totals.

Year	*Amount of UK travel (£)*	*Percentage adjustment*
1989–90	20,220,472	—
1990–91	24,716,711	+22.2
1991–92	24,739,188	+0.1
1992–93	20,632,745	−19.9
1993–94	22,915,580	+10.0
1994–95	24,500,782	+6.5
1995–96	24,158,110	−1.4
1996–97	21,147,786	−14.2

Mr. Stunell: To ask the Secretary of State for Social Security how many staff were employed by her Department; and what percentage of these were eligible to claim a car mileage allowance on 31 March in each year since 1990. [25794]

Mr. Field: The information is not available in the format requested. Such information as is available is set out in the table.

Number of staff employed by the department since 1989

1 April	*Staff*
1989	83,426
1990	80,890
1991	78,945
1992	78,277
1993	84,824
1994	89,960
1995	89,248
1996	92,114
1997	93,465

Notes:

1. The numbers of staff are expressed as full time equivalents.

2. The information requested on the percentage of staff eligible to claim a car mileage allowance is not available. Detailed records of staff mileage claims are kept and controlled locally across the Department.

Disability Living Allowance

Audrey Wise: To ask the Secretary of State for Social Security how many people are currently receiving any element of disability living allowance; and how many are receiving *(a)* the care component and mobility component at any level, *(b)* the care component only and *(c)* the mobility component only. [26405]

Mr. Denham: The information requested is set out in the table.

Recipients of disability living allowance by care and mobility components[1]

	Number
Total:	1,955,500
Highest rate care and higher rate mobility	264,900
Highest rate care and lower rate mobility	65,600
Highest rate care only	38,100
Middle rate care and higher rate mobility	282,800
Middle rate care and lower rate mobility	182,500
Middle rate care only	88,900
Lower rate care and higher rate mobility	239,200
Lower rate care and lower rate mobility	63,000
Lower rate care only	119,000
Higher rate mobility only	532,300
Lower rate mobility only	79,100

[1] Figures relate to 30 November 1997.

Note:

Due to rounding to the nearest 100 the samples do not sum.

Source:

Analytical Services Division: 5 per cent. sample data.

Mr. Fitzpatrick: To ask the Secretary of State for Social Security what is the average duration of claims for disability living allowance broken down by mobility component and care component. [26160]

Mr. Denham: The average duration for Disability Living Allowance awards of care component is 157 weeks and the average duration for awards of mobility component is 163 weeks.

Notes:

1. The source for these figures is a five per cent. sample of claimant cases and the figures relate to claimants with entitlement to the benefit at 30 November 1997.

2. Disability Living Allowance (DLA) was introduced in April 1992.

3. These figures do not include those in receipt of Attendance Allowance or Mobility Allowance in April 1992 and who were transferred to DLA at that date.

4. No allowance has been made for suspensions in the payment of either DLA component, because data on these is incomplete.

Mr. Fitzpatrick: To ask the Secretary of State for Social Security how many people receiving incapacity benefit also receive disability living allowance, broken down by care and mobility component. [26161]

Mr. Denham: The information requested is set out in the table.

People in receipt of incapacity benefit and disability living allowance

	000s
All awards	585
Awards of care component only	49
Awards of mobility component	193
Awards of both components	342

Notes:

1. Figures related to 31 August 1997.

2. Due to rounding to the nearest 1,000 the figures do not sum.

Source:

Analytical Services Division : 5 per cent. data.

Mr. Fitzpatrick: To ask the Secretary of State for Social Security how many people receive disability living allowance; and how many of these *(a)* also have earnings from employment, *(b)* also receive incapacity benefit, *(c)* also receive income support and *(d)* also receive severe disablement allowance. [26159]

Mr. Denham: The information requested is set out in the table.

	Numbers
All recipients[1,2]	1,956,000
Recipients also in receipt of:[7]	
Incapacity Benefit[2,3]	585,000
Severe Disablement Allowance[2,3]	292,000
Income Support[2,4]	610,000
Proportion of all recipients with earnings from employment[5,6]	7 per cent.

Notes:

[1] Figures relate to 30 November 1997.

[2] Analytical Services Division : 5 per cent. sample data.

[3] Figures relate to 31 August 1997.

[4] Figures related to 31 May 1997.

[5] Analytical Services Division : 1995–96 Family Resources Survey.

[6] The figures are based on sample counts which have been adjusted for non response. They are subject to sampling error.

[7] Could be receiving more than one of the other benefits mentioned.

Figures rounded to the nearest 1,000.

Ms Walley: To ask the Secretary of State for Social Security what the average residual income of disability living allowance claimants would be if disability living allowance were removed. [27662]

Mr. Denham: The information requested is set out in the tables.

It is not possible to allow for any consequential effects on income related benefit entitlement. Information on net incomes excluding Disability Living Allowance (DLA) is shown in the tables, for income measures as used in Households Below Average Income statistics. These take the income of the households to which DLA recipients belong and adjusts for household size and composition; this gives "equivalised" incomes.

Estimated average value in equivalent £ per week of household income going to DLA claimants with and without DLA, income before housing costs (BHC)

	Average value in £ per week of income with benefit	*Average value in £ per week of income without benefit*
Average equivalised value	249	203
Corresponding cash values for		
Single person	152	124
Couple no children	249	203
Couple 2 children aged 3 and 6	346	282

Estimated average value in equivalent £ per week of household income going to DLA claimants with and without DLA, income after housing costs (AHC)

	Average value in £ per week of income with benefit	*Average value in £ per week of income without benefit*
Average equivalised value	218	172
Corresponding cash values for		
Single person	120	95
Couple no children	218	172
Couple 2 children aged 3 and 6	303	239

Notes:

1. By way of comparison average equivalised incomes for the whole population were £289 per week BHC and £250 per week AHC.

2. Figures are rounded to the nearest pound and are in June 1997 prices. The measure of DLA used is combined measure of both the care and mobility elements.

3. Average figures given show equivalent £ per week where income has been adjusted for household size and composition. The table also show the money values this average represents for different household types.

4. This answer draws on the departments Households Below Average Income series based on the Family Resources Survey (FRS) for the 1995–96 financial year and covering Great Britain, and as such the following points should be noted:

(i) Recipients in institutions are not covered by the Family Resources Survey.

(ii) The FRS is a sample survey and all estimates must be treated as approximate.

Source:

Households Below Average Income.

Mr. Wyatt: To ask the Secretary of State for Social Security what has been the change in the number of children claiming disability living allowance since 1983. [27099]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

Disability Living Allowance was introduced in 1992. Any child in receipt of Attendance Allowance or Mobility Allowance on this date were transferred to this benefit.

Children claiming Attendance Allowance, Mobility Allowance or Disability Living Allowance

	1983	*1997*
Children claiming benefit for care needs	[1,3]53,000	[2,4]189,000
Children claiming benefit for mobility needs	[5,6]17,000	[3,7]107,100

[1] Analytical Services Division. Figures estimated from a 100 per cent. count of statistical records adjusted to reflect the extent to which they overstate the number of live cases. Figures rounded to nearest 100.

[2] Analytical Services Division: 5 per cent. data.

[3] Figures relate to people claiming attendance allowance at 31 March 1983.

[4] Figures relate to people claiming disability living allowance care component at 30 November 1997.

[5] All figures relate to children 15 and under except for children claiming benefit for mobility needs where figures are based on 100 per cent. data relate to children aged 14 or under and exclude those with awards under the Vehicle Scheme Regulations of 1977.

[6] Figures relate to people claiming mobility allowance at 31 December 1983.

[7] Figures relate to people claiming disability living allowance mobility component at 30 November 1997.

Figures do not sum as the same child may receive benefit for care and mobility needs.

Mortgage Benefit

Mr. Webb: To ask the Secretary of State for Social Security what would be the cost to the Exchequer of introducing a mortgage benefit scheme which treated low income homebuyers not on income support in the same way as low income renters are treated under the housing benefit system. [28018]

Mr. Field: A mortgage benefit for low income homebuyers not on Income Support or income based Jobseeker's Allowance would cost in the region of £750 million in 1997–98, if it was fully taken-up.

Mr. Webb: To ask the Secretary of State for Social Security what would be the cost in 1998–99 of paying the full mortgage interest costs of income support recipients from the first day of a claim. [28017]

Mr. Field: The cost of extending help with mortgage interest to all Income Support recipients from the first day of a claim is estimated to be £35 million in 1998–99.

The estimated cost would be £70 million if income based Jobseeker's Allowance recipients were included.

Mr. Webb: To ask the Secretary of State for Social Security what would be the saving in public expenditure in *(a)* 1998–99, *(b)* 1999–2000 and *(c)* 2000–01 if income support assistance with mortgage interest costs were not available until (i) 12 months and (ii) 18 months, into an income support claim. [28016]

Mr. Field: The information requested is set out in the table.

Estimated savings in public expenditure from making income support and income-based jobseeker's allowance assistance with mortgage costs unavailable to any borrower until 12 or 18 months into a claim

£ million

Cash prices	*12 months*	*18 months*
1998–99	40	40
1999–00	100	155
2000–01	100	170

Notes:

1. The measures apply to all claimants, including those exempt from the current nine month waiting period.
2. There is no knock-on impact on Housing Benefit expenditure (for example as a result of increase re-possessions).
3. All cases where the claim is received before April 1998 are treated under current rules.
4. All figures rounded to the nearest five million.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for Social Security what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by her Department in (i) 1996 and (ii) 1997; and for what purpose. [28383]

Mr. Field: This Department does not specify any mahogany or any other tropical hardwood in furniture specifications, and has not knowingly acquired any during 1996 and 1997.

People With Brain Injuries

Mr. Hancock: To ask the Secretary of State for Social Security what recent representations she has received from individuals and organisations concerning disability benefits for people suffering from brain injuries. [27951]

Mr. Denham: Several letters, which have been sent by individuals to their Members of Parliament, have been passed to Ministers. These have expressed concern over possible changes to benefits and taxation. They ask us to consider the particular problems of those with brain injuries and to consult fully with organisations representing disabled people.

We have met, and will continue to meet, with people who are sick or disabled and their representatives. These meetings have been very useful in helping us in our considerations during our comprehensive review of spending.

Attendance Allowance

Mr. Pike: To ask the Secretary of State for Social Security what plans she has to reduce the waiting times for attendance allowance appeals before the Disability Appeals Service; and if she will make a statement. [27380]

Mr. Field: The operation of the appeals system is a matter for the Independent Tribunal Service.

However, we are determined to reduce the current delays and complexity in the appeals system. The Social Security Bill, which paves the way for modernising the delivery of Social Security, including the handling of appeals, had its second reading in the House of Lords on 15 January. The Secretary of State will assume

responsibility for the administration of the appeals system. She will set and publish demanding targets for the administration of appeals, including attendance allowance appeals, and will report on the results.

Mr. Pike: To ask the Secretary of State for Social Security what is the average length of time an attendance allowance appeal is on the waiting list before being heard by the disability appeals service; what percentage of such appeals succeed; and what estimate she has made of *(a)* the regional variations in appeal waiting time and *(b)* the regional variations in appeal success rates. [27379]

Mr. Field: The operation of the appeals system is a matter for the Independent Tribunal Service who report that the information requested is not available in the format requested.

Attendance Allowance appeals are heard by Disability Appeal Tribunals and, in July 1997, the average time from date of appeal to date of decision-issue in an appeal heard by a Disability Appeal Tribunal was 30 weeks. This is based on information provided by the Independent Tribunal Service.

Industrial Injury Benefit

Mr. Webb: To ask the Secretary of State for Social Security how many people received industrial injury benefit; and what was the average amount received by each person *(a)* in Great Britain and *(b)* on the most disaggregated, regional level in the last year for which figures are available. [27375]

Mr. Denham: The information requested is set out in the table.

Industrial injuries disablement benefit awards current at 5 April 1997 by Government office region

	Number	*Average weekly £ paid*
All regions	262,283	29.32
North East	24,007	30.13
Yorkshire and Humberside	23,780	30.13
East Midlands	18,483	29.42
East	21,463	28.41
London	32,053	28.21
South East	3,100	27.70
South West	14,146	29.32
West Midlands	34,168	28.81
Merseyside	33,378	27.90
North West	7,242	27.70
Wales	20,829	31.75
Scotland	25,725	30.03
Overseas	3,909	32.96

Note:

Figures are based on a 10 per cent. sample of cases in payment as at 5 April 1997.

Young Unemployed

Mr. Willetts: To ask the Secretary of State for Social Security how many people aged 18 to 24 years are estimated to be neither in work, nor in education and training, nor in receipt of Job Seeker's Allowance; and how many of these receive other benefits. [27713]

Mr. Field: The information requested is not available.

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for Social Security if she will list each major new computer system that *(a)* her Department, *(b)* non-departmental bodies and *(c)* agencies under her responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27845]

Mr. Field: This information requested can be obtained only at disproportionate cost.

The Department makes extensive use of a range of computer systems to support the administration of Social Security and has been involved in a continuous programme over the past five years of developing and upgrading its major systems. These systems have been either developed "in house" or procured through contracts with the Private Sector. The Department is looking at opportunities to use new computer systems in support of its Modern Service Programme but no commitments have been made for the next financial year.

Lone Parents

Mr. Bradshaw: To ask the Secretary of State for Social Security how many lone parents will be eligible for assistance under the New Deal in Exeter. [27656]

Mr. Field: The New Deal for Lone Parents is currently available in eight areas around the UK (not including Exeter).

From April 1998, lone parents in Exeter who make a new claim for Income Support will be offered the opportunity to participate in the New Deal for Lone Parents, and from October, the service will be available to all lone parents who are in receipt of Income Support.

Figures of how many lone parents in Exeter are expected to be eligible for the New Deal for Lone Parents are not available. However, the most recent figures available (November 1995) suggests that there were 2,000[1] lone parents in receipt of Income Support within the Exeter Local Authority District, whom 1,000[1] had a youngest child of school age. The New Deal for Lone Parents is primarily aimed at lone parents whose youngest child is at school. However, the service is also available for lone parents with pre-school children.

[1] Numbers rounded to the nearest thousand.

Source:

Income Support Quarterly Statistical Enquiry, November 1995.

Benefits Review

Ms Walley: To ask the Secretary of State for Social Security what definition of needy is being used in the current benefits review. [27663]

Mr. Field: The Welfare State exists to prevent poverty where possible and relieve poverty where necessary. Many people need support because they are old or unable to work, and many need extra help because of a disability. We are committed to providing this support.

We also believe that work is the best form of welfare for people of working age. That is why we are committed to reforming the welfare system around the work ethic, to provide new opportunities to those whose greatest need is help and encouragement in returning to and staying in work.

Maternity Pay

Mr. Gordon Prentice: To ask the Secretary of State for Social Security, pursuant to her answer of 23 January 1998, *Official Report*, column 737, if she will list the number of women receiving statutory maternity pay in the most convenient available bands showing the amount of maternity pay per week for the latest 12 months for which figures are available. [26268]

Mr. Denham: The information requested is set out in the table.

Number of recipients of Statutory Maternity Pay (SMP), total amounts of SMP and average amounts of SMP by amount of the weekly earnings related portion of SMP for GB, 1995–96

£

Weekly amount of SMP (earnings related portion)	Number in receipt of SMP (000s)[1]	Total amount of SMP millions[2]	Average amount of SMP[3]
under 100	32	31.8	1,000
100 to 199	62	94.2	1,500
200 to 299	38	79.7	2,100
300 to 399	19	50.9	2,700
400 to 499	6	20.4	3,300
500 to 599	2	7.4	3,900
600 and more	3	14.9	5,100

[1] Rounded to the nearest thousand.
[2] Rounded to the nearest hundred thousand.
[3] Rounded to the nearest hundred.

Note:
The figures are based on an estimate of those whose whole period of SMP is within the 1995–96 tax year and excludes those whose claim straddles two tax years. The total number in receipt of SMP in that year was around 321,000.

Source:
The Lifetime Labour Market Database (LLMDB) a 1 per cent. sample of the National Insurance Recording System taken at February 1997.

Mr. Cousins: To ask the Secretary of State for Social Security what reduction in expenditure would have resulted from limiting the earnings-related element of statutory maternity pay to the weekly earnings level implied by the upper earnings limit for national insurance in the financial years 1995–96 and 1996–97; and how many claimants of statutory maternity pay would have had their payment limited in each year. [25001]

Mr. Denham: The latest available information is for the 1995–96 tax year. 11,000 recipients of Statutory Maternity Pay (SMP) (in Great Britain) would have had their earnings related element of SMP reduced if there was a limit on the amount of SMP paid equivalent to the weekly upper earnings limit on which National Insurance contributions are payable. The estimated savings made by reducing their amount of SMP to the weekly upper earnings limit would have been £9.6 million in 1995–96.

Industrial Disablement Benefit

Mr. Dismore: To ask the Secretary of State for Social Security if he will specify by region *(a)* the number of claimants of industrial disablement benefit and *(b)* the annual amount claimed by way of industrial disablement benefit. [26259]

Mr. Denham: The information requested is set out in the table.

Current Industrial Injuries Disablement Benefit (IIDB) Assessments at 5 April 1997 and Estimated Expenditure for the Year 1996/97, by Government office Region

	Assessments	£ million
All assessments	262,283	661
England		
All regions	211,820	534
North East	24,007	61
Yorks and Humber	23,780	60
East Midlands	18,483	47
East	21,463	54
London	32,053	81
South East	3,100	8
South West	14,146	36
West Midlands	34,168	86
North West	33,378	84
Merseyside	7,242	18
Wales	20,829	52
Scotland	25,725	65
Overseas	3,909	10

Invalid Care Allowance

Mr. Burstow: To ask the Secretary of State for Social Security if she will assess the advantages of allowing invalid care allowance to be paid in addition to a state-funded pension. [23351]

Mr. Denham: It remains a basic principle of the Social Security system that only one benefit at a time can be paid to a person for income maintenance. Invalid Care Allowance (ICA) is designed to provide a measure of income maintenance during periods in which the claimant cannot work because of caring commitments. To pay in full in addition to another income maintenance benefit such as Retirement Pension, would be duplicating provision for the same need.

When a person is eligible for more than one benefit at the same time however, there are safeguards to ensure that she does not lose financially. In practice, Retirement Pension (RP) is paid in full taking precedence because it is the contributory benefit. If RP is higher then ICA, as frequently happens, no ICA is payable. However, if ICA is higher, then the "extra" is used to top-up the RP to the ICA rate.

Council Tax Benefit

Mr. Yeo: To ask the Secretary of State for Social Security if she will list for each local authority the number of households in receipt of *(a)* any amount of council tax benefit and *(b)* council tax benefit covering 100 per cent. of council tax; and if she will give the figure in each case expressed as a proportion of the total number of households in each local authority. [24520]

Mr. Keith Bradley *[holding answer 23 January 1998]:* Information is not available in the format requested. Such information as is available is set out in

the table "Numbers of Council Tax Benefit Recipients in England, Wales and Scotland". Copies of the table have been placed in the Library.

Most Council Tax Benefit recipients who are also in receipt of Income Support or income based Jobseeker's Allowance will, unless there are deductions for non dependants, be receiving Council Tax Benefit covering 100 per cent. of their council tax.

Mortgage Payments

Mr. Fearn: To ask the Secretary of State for Social Security what assessment she has made of the impact on those who have taken out mortgage indemnity insurance and subsequently become unemployed of the recent court judgment that these mortgage payments constitute income which is to be set against benefits; and if she will amend the regulations to ensure that home owners are not discouraged from insuring their mortgage payments. [25412]

Mr. Keith Bradley: Payments from mortgage payment protection policies are treated differently from payments from other creditor insurance on which subject Departmental officials and representatives of the insurance industry have recently held a number of meetings. Mortgage payment protection insurance used to pay the normal liabilities associated with a mortgage, such as capital, endowments and PEPs is generally ignored in the calculation of benefit. If payment is made direct to the lender, the full amount is ignored. If paid direct to the borrower, the amount of income taken into account in Income Support and Jobseeker's Allowance is the excess after payments for housing costs and other related insurance liabilities are deducted. Where benefit includes an amount for mortgage interest (ISMI), the insurance income is taken into account up to the amount of ISMI payable. In Housing Benefit and Council Tax Benefits, payments for building insurance and mortgage payment protection premiums are taken into account.

All Social Security regulations are kept under review and the treatment of income from mortgage protection insurance is currently being considered as part of the Department of Environment Transport and Regions led Housing Review.

Pensioner Incomes

Mr. O'Hara: To ask the Secretary of State for Social Security what percentage and number of *(a)* single pensioners and *(b)* pensioner couples have (i) an income not including the state pension and (ii) an income not including any state benefits of at least (1) £125 per week and (2) £150 per week. [25301]

Mr. Denham: The information requested is set out in the table.

Income of pensioner units not including the state pension

		£125 and over	*£150 and over*
Singles	Number	750,000	550,000
	Percentage of singles	17	12
Couples	Number	1,2000,000	1,050,000
	Percentage of couples	45	38

Income of pensioner units not including any state benefits

		£125 and over	*£150 and over*
Singles	Number	600,00	450,000
	Percentage of singles	13	11
Couples	Number	1,050,000	900,000
	Percentage of couples	38	33

Notes:

1. The information is based on gross unequivalised weekly income before housing costs at July 1995 prices. Reported incomes from the State pension and all benefits were subtracted to give the income distribution shown. The results are based on survey respondents' identification of different elements of benefit income, and therefore are subject to mis-reporting. It is not possible to distinguish between the different elements of the State pension on the Family Expenditure Survey. Therefore, the estimate of State pension income will include basic, SERPS and the graduated pension. As the estimates are based on survey respondents' identification of different elements of benefit income the estimates are subject to mis-reporting.
2. The Pensioners' Income Series gives estimates for pensioner units. A pensioner unit is defined as a single person over State Pension Age (SPA) or a couple where the man, defined as the head, is over SPA.
3. Numbers of pensioners units are rounded to the nearest 50,000 percentages to the nearest 1 per cent.

Source:

The Pensioners' Income Series 1995–96 based on the Family Expenditure Survey.

Mr. O'Hara: To ask the Secretary of State for Social Security what percentage of *(a)* single pensioners, *(b)* pensioner couples and *(c)* all pensioner households were dependent on state benefits for at least 75 per cent. of their income in the latest year for which figures are available. [25119]

Mr. Denham: The information requested is set out in the table.

Percentage of pensioner units dependent upon state benefits for at least 75 per cent. of their income.

Type of pensioner unit	*Percentage*
Single Pensioners	55
Pensioner Couples	36
All Pensioner Units	48

Notes:

1. Estimates are based upon weekly gross income and reported benefit income in July 1995 prices.
2. A pensioner unit is defined as a single person over State Pension Age (SPA) or a couple where the man, defined as the head, is over SPA. The estimates are based upon the income and benefits of the pensioner unit, and do not include the income of any other household members.

Source:

Pensioners's Income Series 1995–96.

Mr. Webb: To ask the Secretary of State for Social Security what was the median income of *(a)* single pensioners, *(b)* married pensioners and *(c)* all pensioners who (i) had reached state pension age within the previous five years and (ii) were aged 75 years or above in each year since 1974; and how many pensioners were in each category. [29831]

Mr. Denham: This information could be provided only at disproportionate cost.

Mr. O'Hara: To ask the Secretary of State for Social Security what percentage and number of pensioner couples have (i) an income not including the state pension and (ii) an income not including any state benefits of at least *(a)* £250 per week and *(b)* £300 per week. [25302]

Mr. Denham: The information requested is set out in the tables.

Income of pensioner couples not including the state pension.

	£250 and over	*£300 and over*
Number	550,000	400,000
Percentage of couples	21	16

Income of pensioner couples not including any state benefits.

	£250 and over	*£300 and over*
Number	500,000	400,000
Percentage of couples	19	14

Notes:
1. The information is based on gross unequivalised weekly income before housing costs and benefit income at July 1995 prices. Reported incomes from the State pension and all benefits were subtracted from gross income to give the income distribution shown. The results are based on survey respondents' identification of different elements of benefit income, and therefore are subject to misreporting.
2. The Pensioners' Income Series gives estimates for pensioner units. A pensioner unit is defined as a single person over State Pension Age (SPA) or a couple where the man, defined as the head, is over SPA.
3. Numbers of pensioner units are rounded to the nearest 50,000, percentages to the nearest 1 per cent.
Source:
The Pensioners' Income Series 1995/6.

Mr. O'Hara: To ask the Secretary of State for Social Security what *(a)* percentage and *(b)* number of (i) single pensioner and (ii) pensioner couples have a total income of at least (A) £125 per week and (B) £150 per week; and what percentage of pensioner couples have a total income of at least (1) £250 per week and (2) £300 per week in the latest year for which figures are available. [24808]

Mr. Denham: The information requested is set out in the tables.

Gross weekly income of pensioner units

Status		*£125 and over*	*£150 and over*
Singles	Percentage of singles	41	27
	Number	1.8 million	1.2 million
Couples	Percentage of couples	91	79
	Number	2.45 million	2.1 million

Gross weekly income of pensioner couples

	£250 and over	*£300 and over*
Percentage of couples	36	28

Notes:
1. The information in the table is based on gross unequivalised weekly income before housing costs at July 1995 prices.
2. The Pensioners' Income Series gives estimates for pensioner units. A pensioner unit is defined as a single person over State Pension Age (SPA) or a couple where the man, defined as the head, is over SPA.
3. Numbers of "pensioner units" are rounded to the nearest 50,000, percentages to the nearest 1 per cent.
Source:
The Pensioners' Income Series 1995–96.

Mr. O'Hara: To ask the Secretary of State for Social Security if he will list *(a)* the mean and *(b)* the median income for (i) single men aged 65 to 74 years, (ii) single men aged 75 years and over, (iii) single women aged 65 to 74 years, (iv) single women aged 75 years and over, (v) pensioner couples aged 65 to 74 years and (vi) pensioner couples aged 75 years and over for (A) 1979 in the prices for the latest year for which figures are available and (B) the latest year for which figures are available. [24811]

Mr. Denham: The information requested is set out in the table.

Mean and median weekly income of pensioner units 1979 and 1995–96

£

	1979		*1995–96*	
Type of pensioner unit	*Median*	*Mean*	*Median*	*Mean*
Single men aged 65–74	86.40	114.60	129.10	174.00
Single men aged 75 and over	76.20	93.60	117.10	155.80
Single women aged 65–74	74.30	84.60	114.50	134.00
Single women aged 75 and over	73.70	81.90	112.20	142.90
Couples head aged 65–74	140.00	186.10	222.20	298.10
Couples head aged 75+	114.80	146.10	179.00	235.50

Notes:
1. The Pensioners' Income Series gives estimates for pensioner units. A pensioner unit is defined as a single person over State Pension Age (SPA) or a couple where the man, defined as the head, is over SPA.
2. The averages are based on gross weekly income before housing costs. All amounts are £ per week in July 1995 prices, and are rounded to the nearest 10 pence.
Source:
The Pensioners' Income Series 1995–96.

Interest Rate Calculation

Barbara Follett: To ask the Secretary of State for Social Security if she will estimate the effects of a change in the way the standard interest rate is calculated by including mortgage lenders which have converted to banks on *(a)* the level of the standard interest rate and *(b)* the cost to the Government. [24400]

Mr. Keith Bradley: The standard rate for mortgage interest payments for people on benefits would currently be 8.17 per cent. if mortgage rates of the largest banks, including building societies which have recently converted to banks, had been included equally with the main building society rates. This estimate is based on current averages of the largest building societies and banks basic mortgage rates. However, historically the gap between the mortgage rates of the two has been significantly smaller than at present and the rates might converge once again in the future. How the interest rates of banks and building societies move relative to each other in the future is, however, impossible to tell.

Incapacity Benefit

Ms Walley: To ask the Secretary of State for Social Security how many claimants of incapacity benefit would qualify for means-tested benefits if incapacity benefit were withdrawn. [27665]

Mr. Denham: The information requested is set out in the table.

Estimate of the additional number of people who would become entitled to the various income related benefits if incapacity benefit were withdrawn

Benefit	*Numbers*
Income Support	400,000
Housing Benefit	50,000
Council Tax Benefit	240,000
Family Credit	20,000

Notes:

1. Numbers based on caseload figures as at 31 August 1997 rounded to nearest 10,000.
2. It is assumed that Incapacity Benefit recipients over State pension age would claim Retirement Pension. Some may incur a loss as Retirement Pension is taxable where in prescribed circumstances Incapacity Benefit is not. It is not, however, possible to estimate the proportion of this group which might claim income related benefits with any accuracy.
3. Figures in the right hand column cannot be summed as one claimant may be entitled to a number of different benefits.

Source:

Family Resources Survey and DSS.

Disability Benefits

Mr. Matthew Taylor: To ask the Secretary of State for Social Security, pursuant to her answer of 26 January 1998, *Official Report*, column *107*, on disability benefits, if she will list the benefits which *(a)* have been reviewed and *(b)* are still subject to review. [27281]

Mr. Denham: Our Comprehensive Spending Review covers all Social Security benefits paid on account of incapacity for work, disability and caring. The review is on-going.

Pensions Statistics

Mr. Sayeed: To ask the Secretary of State for Social Security how many United Kingdom citizens *(a)* own personal pensions and *(b)* are members of occupational pension schemes, broken down according to (i) sex, (ii) age groups 21 to 30, 31 to 40, 41 to 50 and 51 to 60 years, (iii) marital status, (iv) employment in the categories (1) working full-time, (2) part-time, (3) housewife, (4) unemployed, (v) number of dependent children aged 0 to 4, 5 to 10 and 11 to 16 years and (6) socio-economic group; and what estimates she has made of how these figures will change in the future. [27317]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

millions

	Occupational pension	*Personal pension*
(i)		
Men	5.8	4.5
Women	4.3	2.3
(ii)		
21 to 30	2.0	1.5
31 to 40	3.1	2.0
41 to 50	3.0	1.8
51 to 60	1.7	1.1
(iii)		
Married or cohabiting	7.8	5.3
Not married or cohabiting	2.3	1.4
(iv)		
Full-time employees	8.9	4.0
Part-time employees	1.2	0.6
Homemakers	n/a	0.1
Unemployed	n/a	[1]—
(v)		
At least one child aged between 0 and 4	1.6	1.2
Children all aged between 5 and 15	2.3	1.4
(vi)		
Professional/managerial	3.2	2.3
Other non-manual	4.4	2.0
Skilled manual	1.6	1.1
Semi-skilled manual	1.0	0.5
Unskilled manual	0.2	0.2

[1] Represents less than 0.1 million.

Notes:

1. All figures have been rounded to the nearest 0.1 million.
2. The figures are based on information from the 1995 General Household Survey (GHS). The 1995 survey is the latest for which data is available.
3. All figures refer to Great Britain.
4. The figures refer to people who belong to their present employer's occupational pension scheme, or who currently have a personal pension.
5. Proportions estimated from the 1995 GHS have been applied to Office of National Statistics (ONS) total population estimates for mid-year in 1995 in order to give an indication of the likely number of people in each category. In doing this, it is assumed that the respondents are representative of the overall population of Great Britain. The figures may not be representative in all aspects and so should be treated with caution.
6. The General Household Survey does not include citizens currently living in institutions such as prisons, hospitals and university halls of residence.
7. Data is only available for both male and female homemakers combined rather than just housewives.
8. The data for full-time and part-time workers who have accrued personal pension benefit entitlements excludes self-employed people.
9. Data giving the number of dependent children in the 0 to 4, 5 to 10 and 11 to 16 age groups that respondents had was not available. Figures are shown by whether the respondents had at least one child aged between 0 and 4 or all their children aged between 5 and 15.
10. No estimates have been made of how these figures will change in the future.

IT Equipment

Mr. Cousins: To ask the Secretary of State for Social Security how much in total has been spent by *(a)* her Department's agencies and *(b)* centrally on (i) the Smartcard payment system, (ii) on-line data and information systems in standard and cash prices in the financial years (1) 1994–95, (2) 1995–96 and (3) 1996–97; and how much is proposed to be spent in the current and two succeeding financial years. [26943]

Mr. Denham: The Department does not have a Smartcard payments system. The Benefits Agency is involved with Post Office Counters Ltd in a project to introduce a magnetic stripe Payment Card which will eventually replace order books and girocheques. This is

being taken forward as a Private Finance Initiative and the cost of developing and managing the new Payment Card Service is borne by the supplier.

The cost to the Benefits Agency of administrating the project is set out in table 1. These prices could change if current planning assumptions for the introduction of the Payment Card are varied. The cost of developing the Benefits Agency systems to support the new payment method is included in the total Departmental spend on its data and information systems set out in table 2.

Table 1

£ million

Year	*Cash prices*	*Adjusted*
1994–95	1.03	1.12
1995–96	3.56	3.76
1996–97	20.76	21.32
1997–98	29.38	29.38
1998–99	34.25	32.56
1999–00	31.29	29.00

The total amount spent by the Department and its Agencies on its data and information systems in the years 1994–95, 1995–96 and 1996–97 is set out in the table in cash terms and adjusted to 1997–98 prices. An estimate for 1997–98 expenditure is included but plans for 1998–99 and 1999–2000 are yet to be finalised.

Table 2

£ million

	DSS agencies		*DSS HQ*	
Year	*Cash prices*	*Adjusted*	*Cash prices*	*Adjusted*
1994–95	307.015	332.949	6.128	6.646
1995–96	303.526	320.356	3.740	3.947
1996–97	284.789	292.478	3.042	3.124
1997–98	279.202 (forecast)		4.094 (forecast)	

Benefit Integrity Project

Mr. Rendel: To ask the Secretary of State for Social Security if she will ensure that statistics relating to the Benefit Integrity Project distinguish between *(a)* reviews of life awards and *(b)* renewal claims of disability living allowance. [29691]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. David Rendel, dated 16 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question, concerning if she will ensure that statistics relating to the Benefit Integrity Project (BIP) distinguish between (a) reviews of life awards and (b) renewal claims of Disability Living Allowance (DLA).

The BIP is looking again at designated DLA beneficiaries' current care and mobility needs. Information is collected through a programme of visits and postal enquiries. Selection of customers who will receive either a visit or a postal enquiry will be done monthly, on a random basis, by computer scan. The customers involved will be those with awards of the higher rate of the mobility component combined with either the highest or the middle rate of the care component. During the period covered by BIP, some restricted awards in the above categories will expire and fall due for renewal.

Statistics are available for renewal, postal and visit enquiries. We do not distinguish between life awards and restricted awards and there are no current plans to do so.

Information about the BIP is placed in the House of Commons Library each month.

I hope you find the reply helpful.

Benefit Fraud

Mr. Lilley: To ask the Secretary of State for Social Security how many calls have been received on the benefit fraud hot line in each month since it was established. [29719]

Mr. Denham: Tackling fraud and abuse is a top priority for the Government.

Questions on Benefit Agency operational matters are the responsibility of the Chief Executive, Peter Mathison. He will write to the right hon. Member.

Letter from Peter Mathison to Mr. Peter Lilley, dated 16 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about how many calls have been received on the benefit fraud hot line in each month since it was established.

Since its launch on 5 August 1996 to the end of January 1998, the National Benefit Fraud Hotline has received 359,684 calls. The monthly breakdown from August 1996 to January 1998 inclusive is shown in the attached annex.

Future opportunity for publicity is currently under consideration.

I hope you find this reply helpful.

National benefit fraud hotline monthly breakdown of calls received

Month/Year	*Period of calls (weeks)*	*Number of calls received*
August 1996	4	41,826
September 1996	5	32,633
October 1996	4	22,360
November 1996	4	21,805
December 1996	4	14,139
January 1997	4	15,831
February 1997	4	27,075
March 1997	5	31,185
April 1997	4	18,680
May 1997	4	15,072
June 1997	4	16,272
July 1997	5	18,808
August 1997	4	14,755
September 1997	4	12,362
October 1997	5	17,076
November 1997	4	11,770
December 1997	4	8,970
January 1998	5	19,065
Total		359,684

Note:

Figures are provisional and subject to change.

Mr. Swinney: To ask the Secretary of State for Social Security if she will estimate the number of people who are *(a)* claiming benefits fraudulently and *(b)* not claiming benefits to which they are entitled in (i) Great Britain and (ii) Scotland. [26091]

Mr. Denham *[holding answer 3 February 1998]:* The estimate of the number of people claiming fraudulently is informed by an extrapolation from the results of a series of benefit reviews. The Benefit Review programme which commenced in 1994 is looking at the extent of fraud and incorrectness in all major benefits. The benefit reviews were conducted under the previous administration and the definition of fraud used to produce results is currently being evaluated. All the figures presented are consistent with the results of the benefit reviews. The results should not be added together as some people will be committing fraud on several benefits and the reviews all refer to different periods. All the figures refer to Great Britain, separate estimates for Scotland are not available.

Benefit	*% of confirmed fraud or strong suspicion of fraud found within the cases examined*	*Year of Benefit Review*	*Numbers claiming benefit at a point in that year (thousands)*	*Estimated number of people committing fraud at the date of review. Based on random sample of claims (thousands)*
Income Support	11.1	1996–97	5,553	620
Housing Benefit	6.3	1995–96	4,784	300
Disability Living Allowance	12.2	1995–96	1,688	210
Invalid Care Allowance	6.5	1995–96	325	21
Retirement Pension	less than 0.013	1995–96	10,304	less than 13
Unemployment Benefit	7.8	1994–95	470	37

An additional indicator is the number of successful investigations. These are cases where, following a fraud investigation, one or a combination of the following conclusions occurs: benefit is reduced or stopped, an overpayment is calculated or a prosecution instigated. During 1996–97, 524,966 successful fraud investigations into claims administered by the Benefits Agency were carried out in Great Britain, of which 58,891 refer to investigations within Scotland.

Not all successful investigations result in a prosecution. The Benefits Agency prosecutes only the more serious cases of benefit fraud to act as a deterrent. Local authorities are responsible for the administration of Housing Benefit and Council Tax Benefit. The total number of Housing Benefit and Council Tax Benefit cases where fraud was established and a weekly benefit saving claimed for the year 1996–97 in Great Britain was 190,000, of these, 12,000 were in Scotland.

Successful investigations cannot be added to the results of the reviews to inform a total figure. The reviews are a snapshot of the level of fraud at the time the review was carried out, and these estimates can change.

The total number of people not claiming Income Related Benefits in 1995–96, were estimated to be between 2.9 and 4.5 million in Great Britain, and between 250,000 and 400,000 in Scotland. Estimates for other benefits are not available.

Notes:

1. Income Related Benefits refer to Income Support, Housing Benefit, Council Tax Benefit and Family Credit. All estimates exclude the self-employed as their entitlement to income-related benefits cannot be readily established from survey data.

2. The estimate for Scotland should be regarded as indicative only, as it is based on modest sample sizes.

Source:

Family Resources Survey.

Written Answers to Questions

Wednesday 18 February 1998

ENVIRONMENT, TRANSPORT AND THE REGIONS

Overseas Visits

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions how many overseas visits have been made by his Department's political advisers at public expense since 1 May. [25159]

Angela Eagle *[holding answer 23 January 1998]:* Special Advisors have accompanied Ministers on 15 occasions, in accordance with the guidelines set out in paragraph 84 of the Ministerial Code of Conduct and Guidance on Procedures published in July 1977. These guidelines are the same as those operated by the previous Government.

Ministerial Address

Mr. Pickles: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a video copy of his address to a joint meeting of the staff of the Department of the Environment and the Department of Transport in Central Hall, Westminster. [28910]

Angela Eagle: No. The Deputy Prime Minister's address to staff of the Department of the Environment, Transport and the Regions in Central Hall, Westminster was an internal departmental matter.

Road Accidents

Mr. Bradshaw: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* cyclists and *(b)* pedestrians have been (i) killed and (ii) seriously injured by motor vehicles in the last 12 months for which figures are available. [29377]

Ms Glenda Jackson: The information requested is shown in the following table.

Cyclist and pedestrian casualties in accidents involving motor vehicles: GB 1996

			Casualties
Road user	*Fatal*	*Serious*	*All*
Pedestrian	995	10,514	46,018
Pedal cyclist	186	3,260	23,340

Mr. Bradshaw: To ask the Secretary of State for the Environment, Transport and the Regions how many pedestrians have been *(a)* killed and *(b)* seriously injured by cyclists in the last 12 months for which figures are available. [29376]

Ms Glenda Jackson: The information requested is shown in the following table.

Number of pedestrian casualties in accidents involving a cycle: GB 1996

	Casualties
Severity	*Number*
Fatal	2
Serious	90
All	364

Channel Tunnel Rail Link

Mrs. Lait: To ask the Secretary of State for the Environment, Transport and the Regions what is the projected increase against current levels in freight use of the Channel Tunnel once the high-speed rail link is opened. [29495]

Ms Glenda Jackson: The Channel Tunnel Rail Link will have the potential to be used by high speed freight services, but its main contribution to increased rail freight will come through the capacity that its use by Eurostar services will release on the existing network. The take-up of the available capacity will depend on demand.

Mrs. Lait: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* passenger and *(b)* freight trains per day are projected to use the high-speed rail link. [29498]

Ms Glenda Jackson: The extra capacity provided by the Channel Tunnel Rail Link (CTRL) under the Development Agreement with London and Continental Railways, will enable the number of international Eurostar services in peak periods to be more than doubled to eight an hour in each direction. For domestic passengers, the Development Agreement reserves capacity of up to eight trains an hour for new Kent commuter services during the morning and evening peak periods. The CTRL is also required to have the potential for use by high speed freight services.

Radioactive Waste

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each year since 1995 those sites specified in authorisations issued under the Radioactive Substances Act 1993 to receive low level radioactive waste, indicating the annual volume and isotopic content of wastes received at each site and the origin of such wastes; and if he will make a statement. [29418]

Angela Eagle: I have been advised by the Environment Agency in respect of England and Wales, the Scottish Environment Protection Agency and by the Environment and Heritage Service in Northern Ireland that the information requested is not held centrally.

The BNFL site at Drigg in Cumbria receives the largest volume and activity of low level radioactive waste in the United Kingdom. The majority of waste sent to Drigg for

disposal arises from the nuclear industry. Data relating to disposals of low level radioactive waste at BNFL Drigg for 1995 and 1996 are as follows:

Radionuclide	*Radioactivity disposed (TBq) 1995*	*1996*	*Authorised Limit (TBq)*
Tritium	0.34	0.41	10
Carbon-14	0.010	0.005	0.05
Cobalt-60[1]	0.36	0.25	2
Iodine-129	0.0018	0.00017	0.05
Others[2]	6.0	3.6	15
Radium-226 and Thorium-232	0.005	0.005	0.03
Uranium	0.024	0.10	0.3
Other alpha[3]	0.09	0.10	0.3
Volume (m^3)	13,200	10,500	

[1] The cobalt-60 figure is included in the 'other' as well as shown separately.

[2] Defined in the current authorisation as:

i. iron 55 and beta emitting radionuclides with half lives greater than three months (excluding carbon-14, iodine-129 and tritium)

ii. not more than 2 TBq may be Cobalt-60.

[3] Alpha emitting radionuclides with half-lives greater than three months excluding uranium, radium-226 and thorium-232.

The site in Scotland at which the largest volume and activity of low level radioactive waste is disposed is at Dounreay, Caithness. Virtually all of the waste disposed of at Dounreay arises from the nuclear industry. Data relating to disposals of solid radioactive waste at Dounreay for 1995 and 1996 are as follows:

Year	*Volume (m^3)*	*α (Gbq)*	*βγ (GBq)*
1995	446	39	223
1996	153	15	367

Only one site in Northern Ireland, at Dargan Road near Belfast, has been used for the disposal of low level radioactive waste since 1995. The volume of radioactive waste disposed of each year at this site is approximately 50 cubic metres. Details of the activity are in the table.

Radionuclide	*Radioactivity Disposed (MBq) 1995*	*1996*
Tritium	92.807	31.295
Carbon-14	6.03	736.276
Other isotopes with a half life less than 1 year	2199.67	884.4
Other isotopes with a half life greater than 1 year	9.5	0
Waste Technetium-99 columns[1]	50	0

[1] The level of radioactivity associated with each column is of the order of 0.01 MBq.

There are in addition 12 landfill sites in England and Wales, 12 in Scotland and three in Northern Ireland where disposal of low level radioactive waste is authorised. I refer the hon. member to the reply I gave to the hon. Member for Lewes (Mr. Baker) on 19 November 1997, *Official Report*, columns *202–03*, where these are listed. Around 35 incinerators are also authorised in the United Kingdom for the disposal of low level radioactive waste.

The nature of the waste disposed of at landfill sites varies from industrial residues containing naturally occurring radioactive material to small quantities of radioactive wastes from universities and hospitals. The type of wastes which are incinerated are predominately hospital patient care wastes and research wastes which contain small amounts of radioisotopes such as Iodine-131, Tritium and Carbon-14.

Aircraft Noise

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the advantages of imposing an annual noise limit on aircraft movements at each of the main United Kingdom airports. [29752]

Ms Glenda Jackson: There are at present no provisions to impose limits of this kind centrally, though they may be applicable under planning conditions at particular airports. We are currently reviewing policy on aircraft noise near airports in the light of responses to the consultation on integrated transport policy.

Night Flights

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions how many flights at *(a)* Heathrow, *(b)* Gatwick and *(c)* Stansted arrived or departed within the night quota period but were not counted against this quota in the last three years; and for what reasons. [29705]

Ms Glenda Jackson: The following information on aircraft not counted against the movements limits and noise quotas is taken from the regular monitoring returns provided by the three airport companies. The night restrictions are set on a seasonal basis. The seasons change with the clocks.

Heathrow

Season	*Exempt Types*	*Early Note 1*	*Not Counted Note 2*	*Note 3*	*Note 4*
Summer 1997	113	0	0	1	5
Winter 1996–97	191	20	94	4	8
Summer 1996	256	36	1	3	14
Winter 1995–96	186	13	99	4	19
Summer 1995	268	4	8	12	10
Winter 1994–95	179	11	79	9	4

Gatwick

Season	*Exempt Types*	*Early Note 1*	*Not Counted Note 2*	*Note 3*	*Note 4*
Summer 1997	817	11	9	2	2
Winter 1996–97	585	18	6	0	0
Summer 1996	807	28	16	0	0
Winter 1995–96	586	16	9	0	0
Summer 1995	844	38	4	0	0
Winter 1994–95	647	20	0	0	0

Stansted

Season	*Exempt Types*	*Early Note 1*	*Not Counted Note 2*	*Note 3*	*Note 4*
Summer 1997	1,152	1	0	2	0
Winter 1996–97	1,194	0	0	1	0
Summer 1996	1,232	0	3	1	0
Winter 1995–96	1,077	0	2	0	0
Summer 1995	1,438	0	1	0	0
Winter 1994–95	1,054	0	0	2	0

Exempt Types: Jet aircraft with a maximum certificated weight not exceeding 11,600 kg and propeller aircraft are exempt from the movements limits and noise quotas restrictions if their noise data are classified at less than 87 EPNdB.
Note 1: Early: Scheduled to land after 0630, but lands before 0600—flight counts against the movements limit but not the noise quota.
Note 2: Dispensations granted from both movements limit and noise quota for delays likely to lead to serious congestion and delays resulting from widespread disruption of Air Traffic.
Note 3: Exemptions from counting against the movements limit and noise quota granted by the Department of Environment, Transport and the Regions (VIP Passengers, Emergency Relief).
Note 4: Exemptions from counting against the movements limit and noise quota for emergency take-offs and landings.

Investment Agreement

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the Multilateral Agreement on Investment on the powers of regional development agencies. [29663]

Mr. Caborn: The Multilateral Agreement on Investment is currently being negotiated at the OECD. Parties to the Agreement will be required not to discriminate against foreign investors. Since Regional Development Agencies will not discriminate in this way, there is no reason why the Agreement should have an impact on them.

Housing Spending Review

Mr. Bill O'Brien: To ask the Secretary of State for the Environment, Transport and the Regions (1) when he expects to announce the outcome of the housing spending review; [29668]

(2) if he will make a statement on the procedures for consultations on proposals arising from the housing spending review. [29669]

Mr. Raynsford: The Housing Comprehensive Spending Review has received detailed submissions from all the major housing bodies and from other groups with an interest in housing policy. Their views have been taken into account throughout the Review. Discussions have been held with many of the bodies concerned and there will be further meetings as the review is carried forward. The findings of the Review will emerge in Summer as part of the Government's future spending plans. We will consult as necessary on the implementation of proposals.

Genetically Modified Organisms

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what is his assessment of the timetable for the revision of Council Directive 90/220/EEC; and if he will make a statement. [29713]

Mr. Meacher: The European Commission presented a proposal for revision of directive 90/220 at the last Environment Council, and is expected to publish the formal proposal in the next few weeks. The UK intends to hold a preliminary discussion at the June Council.

Following normal procedures, we would expect it to take several years before agreement on the directive could be reached across the Community.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what investigations of Novartis genetically-modified maize he has commissioned; and if he will make a statement. [29714]

Mr. Meacher: Competent Authorities from Member States have considered two applications for approval to market genetically modified maize under the provisions of Directive 90/220/EEC from companies which are now part of the Norvatis group. In the UK, the dossiers of information including an assessment of the risks to human health and the environment have been considered by officials and expert advice was sought from the relevant Advisory Committees. In addition in both cases the applications have been considered by the Commission's expert committees. My Department sees no need to commission any further investigation into Norvatis genetically modified maize.

An application (C/F/4/11–3) was submitted by Ciba-Geigy to the French Competent Authority for unrestricted marketing of maize resistant to corn borers. After due consideration by the French Authorities, other Member States and the appropriate commission scientific committees it was granted an approval by the French Authorities on 5 February 1997.

An application (C/GB/96/M4/1) was submitted by Northrup King Company to the Great Britain Competent Authority to market maize resistant to corn borers to be imported, stored and processed to non-viable products and to be used for animal feeds. After due consideration the dossier has been forwarded to the European Commission with a favourable opinion. A decision from other Member States is awaited following consideration by the Commission's scientific committee.

A summary of these dossiers is on the public register at the Department and a copy of the dossiers is available on request.

Sea Empress

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions what was the total cost of the clean up operation following the 'Sea Empress' disaster; and what estimate he has made of the cost of the disaster to *(a)* the fishing industry in the area and *(b)* the local tourist industry. [29685]

Ms Glenda Jackson: The Government recently presented the following information, which gives our official estimates of the costs arising from the Sea

Empress grounding, at a meeting of the Executive Committee of the International Oil Pollution Compensation Fund.

£ millions

	Low	*High*
Clean-up operations	22	23
Fishing Industry	8	11
Tourist Industry	2	3
Total	32	37

Household Projections

Mr. Hayes: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the methodology and *(b)* the mathematical processes used to calculate the 1992-based household projections. [29801]

Mr. Raynsford: Descriptions of the methodology and main statistical assumptions underlying the 1992-based household projections are set out in the annexes of "Projections of Households in England to 2016", published by the Stationary Office in March 1995. A copy of this publication is in the Library of the House.

Environmental Appraisals

Mr. Levitt: To ask the Secretary of State for the Environment, Transport and the Regions what advice his Department has given to other Government Departments about the use of environmental appraisals in respect of new policy. [29807]

Angela Eagle: The importance of environmental appraisal was discussed at the first meeting of Green Ministers following the Election, on 31 July 1997. At that meeting Green Ministers committed themselves to ensure that environmental issues were considered in the development of all Government policies.

Details of current and proposed guidance by the Department of the Environment, Transport and the Regions to Government Departments on environmental appraisal are set out in the answer which my right hon. Friend the Minister for the Environment gave to the hon. Member for Truro and St. Austell (Mr. Taylor) on 16 February 1998, *Official Report*, column *460*.

Air Pollution

Mr. Levitt: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's plans to combat air pollution with particular reference to ground level ozone. [29815]

Angela Eagle: Ground level ozone is a problem which requires action at the international level. Several initiatives will help to combat ground level ozone. The Government hope to achieve common position under the UK Presidency on a Solvents directive reducing the emissions of ozone pre-cursors. The Government are negotiating under the United Nations Economic Commission for Europe a Protocol on Nitrogen Oxides and related substances which will deal, amongst other issues, with ground level ozone. The UK is participating in the technical work that will contribute to the European Commission's proposed Ozone Strategy. The Commission is also preparing a directive on ground level ozone which will set environmental quality objectives. The Government intend to produce a consultation paper later in the year on a scheme, known as "Stage II", to reduce petrol vapour emissions from petrol filling stations.

Drugs (Drivers)

Mr. Timms: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to test drivers suspected of being under the influence of illegal drugs. [30155]

Ms Glenda Jackson: Under existing legislation the police have powers to arrest a driver whom they suspect of being impaired through drugs, and to require the provision of a specimen for testing. We have at present no plans to extend those powers.

We announced on 11 February a forthcoming roadside trial of drug screening devices by the police. Its purpose is to establish whether the devices are sufficiently robust and practical for conditions likely to be encountered at the roadside, and not to test for the presence of drugs or to assess the accuracy of the devices. Drivers will be asked to volunteer to participate in the trial but those who are obviously impaired through alcohol or drugs will not be asked to volunteer, and will be dealt with by the police using their existing powers.

Mr. Timms: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the extent to which illegal drug use is a contributory factor to road accidents. [30154]

Ms Glenda Jackson: The Department is currently conducting a study into the incidence of drugs in road accident fatalities. While this is a useful step towards understanding the nature and scale of the problem the findings do not indicate whether drugs were a contributory factor in the accidents concerned. It is very difficult to obtain precise data. A number of institutions world wide are considering the problem and the Department is carefully monitoring evidence in this area.

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions which medicinal drugs were detected in the Government's recent study of drug driving; and what percentage of medicinal drugs which can impair drivers' reactions could not be traced by the test used. [29844]

Ms Glenda Jackson *[holding answer 17 February 1998]:* The Department's recent study tested for three of the major groups of medicinal drugs known to impair drivers' reactions: benzodiazepines, tricyclic antidepressants and opiates.

The only significant group of medicinal drugs not traced in the tests, but which can impair drivers' reactions, were antihistamines. In a similar study carried out in 1985–87, antihistamines were present in only 0.9 per cent. of cases. The incidence of those medicinal drugs tested for has not changed significantly since the last study and we have no reason to assume that there would be significant changes in the incidence of antihistamines either.

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions in what percentage of the bodies of road fatalities in which traces of cannabis was detected in his recent test alcohol was also found. [29840]

Ms Glenda Jackson *[holding answer 17 February 1998]:* Alcohol at some level above 10mg per 100 ml of blood was present in about one-third of the fatalities in which traces of illegal drugs—including cannabis—were detected.

Nuclear Sites (Emergency Plans)

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 3 December 1997, *Official Report*, column 222, on nuclear emergency plans, what payment W. S. Atkins received from the HSE for carrying out the review; for how many hours work; and if he will make a statement. [29821]

Angela Eagle: The payment made by the Health and Safety Executive for the professional services rendered by W. S. Atkins Science and Technology for the review of extendibility of local authority plans for responding to nuclear emergencies was £6,700. The time spent by W. S. Atkins in researching and writing the report was approximately 100 staff hours.

Departmental Contracts

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions how many contracts of a value greater than £10,000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30138]

Angela Eagle: It is not possible to provide details of contracts with companies in each area as this information is not centrally held.

Departmental Expenditure

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30137]

Angela Eagle: The information in the form requested could be provided only at disproportionate cost.

Public Funding

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the public funding given to *(a)* London Underground and *(b)* the London Docklands Development Corporation in each of the last 15 years. [30140]

Ms Glenda Jackson: Government funding is provided to London Transport, rather than its constituent businesses. The distribution of grant by LT between London Underground Limited and its other businesses is a matter for LT, subject to some grant being ringfenced by the Government for certain purposes. Total public funding in 1997–98 prices provided to London Transport and the London Docklands Development Corporation in each of the last 15 years is shown in the table.

Government Grant (£ million constant 1997–98 prices[1]

Year	*London Transport*	*London Docklands Development Corporation*[2]
1983–84	[3]636	117
1984–85	599	104
1985–86	543	90
1986–87	481	106
1987–88	314	128
1988–89	245	169
1989–90	336	347
1990–91	608	418
1991–92	678	293
1992–93	1,000	273
1993–94	763	147
1994–95	[4]852	108
1995–96	954	107
1996–97	969	77
1997–98[5]	759	92

[1] These figures are different from those previously announced because cash figures have been converted to constant prices using the latest HM Treasury GDP deflators, published in November 1997.

[2] LDDC acquired Docklands Light Railway on 1 April 1992. Figures include grant-in-aid for the Docklands Light Railway from 1992–93 onwards.

[3] London Transport figure refers to calendar year 1983.

[4] In addition to grant, LT benefitted in 1994–95 from £144 million (1997–98 prices) proceeds from the sale of London Buses Limited subsidiaries.

[5] London Transport figure is a forecast out-turn which does not take account of possible carry-forward of grant to 1998–99 of up to £129.5m.

Jubilee Line

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions what financial assistance his Department has given to date to the Jubilee Line extension; and what estimate he has made of his Department's expenditure on this project for each of the next five years. [30142]

Ms Glenda Jackson: The Department provides ringfenced grant to London Transport towards the cost of the Jubilee Line Extension (JLE) Total ringfenced grant up to 1996–97 was £1,574 million. The remaining £341 million ringfenced grant will be paid over this financial year and next financial year: £295 million in 1997–98 and £46 million in 1998–99.

The Department also provides London Transport with non-ringfenced grant for its various businesses. London Transport allocates some of this to the JLE (£48 million up to 1996–97). LT's most recent forecast of future allocation of non-ringfenced grant to the JLE is £216 million in 1997–98, £165 million in 1998–99, £117 million in 1999–2000 and nothing thereafter.

These figures exclude investment in the core network being carried out as part of the JLE project.

The private sector has also contributed over £100 million to the cost of the project and will provide further contributions totalling over £300 million in instalments over a 25-year period.

Financial Assistance

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the total value of financial assistance packages, including tax and rates relief, offered to companies in enterprise zones in *(a)* the City of London, *(b)* Docklands, *(c)* London, *(d)* the South East of England, *(e)* England and *(f)* total in the last year for which figures are available. [30169]

Angela Eagle: The only Enterprise Zone in London was the Isle of Dogs Enterprise Zone designated 26 April 1982 and de-designated on 25 April 1992. The only Enterprise Zone in South-East England was North West Kent designated 31 October 1983 and de-designated on 30 October 1993 with an extended area designated on 10 October 1986 and de-designated on 9 October 1996. The total value of financial assistance packages, including tax and rates relief, offered to companies in Enterprise Zones in 1991–92 (the last full year of the Isle of Dogs Enterprise Zone) was as follows:

£,000

Type of financial assistance	*Docklands (Isle of Dogs EZ)*	*SE England (NW Kent EZ)*	*England EZs (21)*	*All EZs (28)*
Rate revenue foregone	28,100	3,900	62,405	69,796

Note:
The estimated net cost to Exchequer of capital allowances in EZs in Great Britain November 1991-November 1992 was £15 million. A breakdown of this figure between individual EZs is not available.

The total value of financial assistance packages, including tax and rates relief, offered to companies in Enterprise Zones in 1996–97 (the last year for which figures are available) was as follows:

£,000

Type of financial assistance	*SE England (NW Kent EZ)*	*England EZs (6)*	*All EZs (8)*
Rate revenue foregone	1,423	5,175	8,094
Exchequer cost of capital allowances	0	9,321	11,215
Total	1,423	14,496	19,309

Transport Projects

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions what has been the total financial support his Department has given to transport projects in *(a)* London, *(b)* the South East of England and *(c)* England for each of the last 10 years. [30141]

Ms Glenda Jackson: Expenditure by central Government on transport projects is not in all cases broken down by country or region, and there are therefore practical difficulties in providing an accurate and consistent breakdown in this way. The following table provides estimates of how General Government Expenditure for transport programmes benefits the relevant populations of England and South East England. The figures include the Department's direct financial support for transport (including the support the Department gives to local authorities for transport-related expenditure), local authorities self financed transport expenditure and Government support for nationalised industries and public corporations.

£ million

	England [1]	*South East England* [2]	*Unallocated* [3]
1987–88	3,852	1,189	462
1988–89	3,924	1,198	345
1989–90	4,737	1,563	481
1990–91	5,609	2,303	677
1991–92	5,982	2,573	127
1992–93	6,688	2,967	287
1993–94	6,530	2,754	177
1994–95	8,604	2,710	1,960
1995–96	8,442	[4]—	[4]—
1996–97	[4]—	[4]—	[4]—

[1] General government expenditure on transport identified from available records as having been incurred for the benefit of the English population.
[2] Expenditure which can be identified from available records as having been spent in the South East of England *including* London.
[3] This line indicates the amount of expenditure in England which cannot for practical reasons be allocated to specific regions. As a proportion of this expenditure may also have been incurred for the benefit of the South East, expenditure figures for England cannot readily be compared with those for the South East.
[4] Figures not yet available.
Note:
[1,2] and [3] Care should be taken in drawing comparisons between different years due to differences in the amount of expenditure which could be disaggregated between countries or regions at the time of data collection.
Source:
Public Expenditure Statistical Analyses.

The figures for London in the following table are not directly comparable with those for England and South East England as they are derived from a different source and include different elements of expenditure. Figures include grant for London Transport, support for local authority expenditure via Transport Policies and Programmes and some Government Office programme expenditure. However, figures exclude expenditure on trunk roads in London and local authorities self financed expenditure.

£ million

	London
1987–88	316
1988–89	300
1989–90	386
1990–91	625
1991–92	711
1992–93	1,023
1993–94	859
1994–95	942
1995–96	1,062
1996–97	1,087

Departmental Employees

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30135]

Angela Eagle: We do not hold a central record of the staff costs by region for the centre, the 9 Executive Agencies and staff employed in the Government Offices. This information could be obtained only at disproportionate cost.

Marine Rescue

Mr. Wallace: To ask the Secretary of State for the Environment, Transport and the Regions how many incidents were handled by each of the marine rescue co-ordination centres and marine rescue sub-centres of Her Majesty's Coastguard in *(a)* 1996 and *(b)* 1997; and how many of these were (i) false alarms and (ii) hoax calls. [30001]

Ms Glenda Jackson: The information requested is detailed in the tables.

1996 Statistics

	Assistance rendered	*Assistance not rendered*	*Hoax calls*	*Total incidents*
Co-ordination Centre				
Aberdeen	188	469	13	670
Clyde	256	150	9	415
Dover	258	294	7	559
Falmouth	345	544	6	895
Swansea	515	411	32	958
Yarmouth	191	303	11	505
Sub Centre				
Belfast	174	114	15	303
Brixham	456	255	9	720
Forth	160	137	19	316
Holyhead	322	210	21	553
Humber	375	129	4	508
Liverpool	274	235	14	523
Milford Haven	253	180	12	445
Oban	180	70	5	255
Pentland	85	46	2	133
Portland	548	318	8	874
Shetland	90	32	1	123
Solent	751	418	38	1,207
Stornoway	149	74	1	224
Thames	512	252	7	771
Tyne Tees	219	98	17	334

1997 Statistics

	Assistance rendered	*Assistance not rendered*	*Hoax calls*	*Total incidents*
Co-ordination Centre				
Aberdeen	217	536	10	763
Clyde	267	176	14	457
Dover	266	340	13	619
Falmouth	357	612	6	975
Swansea	471	309	15	795
Yarmouth	223	268	16	507
Sub Centre				
Belfast	167	113	12	292
Brixham	476	286	14	776
Forth	176	149	5	330
Holyhead	384	239	15	638
Humber	331	153	5	489
Liverpool	351	321	19	691
Milford Haven	266	208	8	482
Oban	222	41	4	267
Pentland	101	39	0	140
Portland	494	307	13	814
Shetland	133	20	0	153
Solent	768	331	59	1,158
Stornoway	154	84	0	238
Thames	476	196	33	705
Tyne Tees	256	108	14	378

Estates Renewal Challenge Fund

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce the allocations for the 1998–99 round of the Estates Renewal Challenge Fund. [30676]

Ms Armstrong: I shall be announcing allocations for the 1998–99 round of the Estates Renewal Challenge Fund tomorrow and shall place copies of the press notice detailing the successful authorities in the Libraries of both Houses.

National Bus Pension Fund

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if his Department has replied to a request from NBC Pension Trustees Ltd for funds to commence a legal action on the National Bus Pension Fund following a decision by the Pensions Ombudsman. [30678]

Mr. Prescott: After fully considering the legal advice and the relevant background, I have authorised my Department to reply to NBC Pension Trustees Ltd. offering to meet the trustees' costs with respect to a legal action on the National Bus Pension Fund.

This offer is consistent with my hope that all outstanding legal matters concerning the former National Bus Company pension funds are satisfactorily resolved as soon as possible.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 18 February. [29276]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. Later today, in addition to my duties in the House, I will attend a dinner in the City with Chancellor Kohl.

TRADE AND INDUSTRY

Action 2000

Mr. David Atkinson: To ask the President of the Board of Trade what new information and advice will be offered under the planned expansion of Action 2000's telephone helpline service. [29746]

Mrs. Roche: I understand from Action 2000 that they plan to expand their telephone hotline service to offer a wider range of advice and good practice material, routes to training and employment opportunities and further case study material.

Investment Agreement

Mr. Chaytor: To ask the President of the Board of Trade if she has proposed exemptions for United Kingdom local authorities under the Multilateral Agreement on Investment. [29667]

Mrs. Roche: The key principle of MAI is non-discrimination against foreign investors. The UK has submitted national exceptions as part of the MAI process to cover those areas where our policy towards investors may discriminate on the basis of nationality. The MAI will not stand in the way of non-discriminatory regulation and, as discrimination against investors on the grounds of nationality is not a factor in UK local authority decisions, such exceptions are unnecessary.

Mr. Chaytor: To ask the President of the Board of Trade to what extent the responsibilities of transnational corporations will be defined and clarified in the Multilateral Agreement on Investment. [29664]

Mrs. Roche: Companies are always subject to the national laws of the countries in which they operate. We are, in addition, pressing for the MAI to have closely associated with it the 1976 OECD Guidelines for Multinational Enterprises which encourage good corporate behaviour.

Research and Development

Mr. Hoyle: To ask the President of the Board of Trade, pursuant to her answer of 27 January 1998, *Official Report*, column *162*, on research and development, what research her Department is assisting in Lancashire; and if she will list the assisted projects in Chorley. [28453]

Mr. Battle: We are assisting several projects in Lancashire through SPUR (Support for products under research) and SMART—feasibility projects for companies with up to 50 employees. SPUR ended in April 1997 and became incorporated in the new SMART scheme. Grants for the last year are listed. No projects have been funded in the constituency of Chorley.

The Office of Science and Technology also provides funding through its LINK programme. Support is also provided for basic and strategic research undertaken in Higher Education Institutes. Information on expenditure by County is not held centrally.

Most recent SPUR and SMART projects in the Lancashire area £

Scheme	*Company*	*Offer date*	*Offer amount*	*Project title*
SMART	Fluorogas Ltd., Thornton, Cleveleys	16.12.97	41,512	High Purity Fluorine Generator
SPUR 95	B & M Longworth Ltd., Blackburn	07.07.97	53,586	Chemical Reclamation System
SPUR95	Consultant Gas Eng. Ltd., Skelmersdale	31.07.97	147,000	Continuous Conveyor Kiln unit
SPURA	Custom Knight International Ltd., Preston	31.07.97	102,000	Crusader Golf
SPUR95	Gledhill (Water Storage) Ltd., Blackpool	16.10.97	67,921	Electric Combi
SPUR95	Group Eng Ltd., Leyland, Preston	11.09.97	147,000	Lighting Panel Explosive Envir
SPUR 95	H W Communications, Lancaster	22.05.97	103,515	Multifunctional Nested Codec
SPUR95	Helical Springs Ltd., Lytham St. Annes	10.07.97	32,967	Small Gas Turbine System
SPUR95	Have Fun (Footwear Ltd.), Accrington	19.09.97	109,795	Low Cost Pu Wellington Mfg
SPUR95	J Fairburn Ltd., Burnley	20.05.97	32,558	Portable Pipe Cutting Machine
SPURA	Milbrook Instruments Ltd., Blackburn	27.01.97	123,000	The Chemical Microscope
SPUR95	Noral Micrologists Ltd., Blackburn	22.05.97	101,498	Flex Bdm Project
SPUR 95	Systems Eng Lancaster	18.07.97	101,498	Electric Cavity Scanning Sonar
SPUR95	J&W Gardner Eng., Lancaster	23.04.97	37,500	First Six Wheel Tractor

Nuclear Safety

Mr. Chaytor: To ask the President of the Board of Trade for what reasons Her Majesty's Government have agreed to exempt military plutonium in the United Kingdom from safeguards applied by the International Atomic Energy Agency's guidelines for the management of plutonium. [28470]

Mrs. Roche: The guidelines for the management of plutonium were agreed among an informal group of nine countries, including the United Kingdom, to improve transparency and public confidence in the management of national holdings of civil plutonium. (I refer my hon. Friend to the reply my hon. Friend the Minister for Science, Energy and Industry gave on 2 December 1997, *Official Report*, column *164*. The guidelines apply to the management of all plutonium in all peaceful nuclear activities, and to other plutonium after it has been designated by the Government concerned as no longer required for defence purposes.

All nuclear material, including plutonium, which is required by the United Kingdom for national security reasons is specifically excluded from IAEA safeguards under Article 1(a) of the UK/Euratom/IAEA safeguards agreement (INFCIRC/263) of October 1978. Although the plutonium guidelines themselves do not deal with safeguards, in its Note Verbal associated with the guidelines, the United Kingdom reaffirms it commitment to submit to safeguards by the IAEA on a voluntary basis under its safeguards agreement with the IAEA and Euratom, or by the Commission of the European Community under the Euratom Treaty, all plutonium in peaceful nuclear activities, including any plutonium transferred from military activities to peaceful nuclear activities.

Arms Sales

Mr. Cohen: To ask the President of the Board of Trade, pursuant to her answer of 4 February 1998, *Official Report*, column *662*, on payments due on arms sales to far eastern countries, if she will list *(a)* the countries involved, *(b)* the currencies involved and *(c)* the amounts involved, where payments may be due in a currency other than sterling or US dollars. [28531]

Mrs. Roche: Only on some long standing defence equipment cash contracts on Malaysia has ECGD a contingent liability in a currency other than sterling or US dollars. This is in Malaysian ringitts and is currently estimated at £21 million.

Nabarro Nathanson Solicitors

Mr. Clapham: To ask the President of the Board of Trade what was the total sum paid to Nabarro Nathanson solicitors for legal services in *(a)* 1995–96 and *(b)* 1996–97. [28268]

Mr. Nigel Griffiths *[holding answer 9 February 1998]:* Payments by the DTI amounted to £48,495 in 1995–96. There were no payments in 1996–97.

Electricity Companies

Dr. Gibson: To ask the President of the Board of Trade if she will make a request to the European Commission under the terms of the European Merger Regulation to ensure UK jurisdiction over the regulatory aspects of any takeover bid made for a UK regional electricity company. [28337]

Mr. Nigel Griffiths *[holding answer 9 February 1998]:* I understand from Directorate General IV of the European Commission that currently no bids for UK regional electricity companies have been notified to them under the European Community Merger Regulation. Were such a bid to be so notified my right hon. Friend the President of the Board of Trade would consider the handling of the case on its merits at the time.

Gas Suppliers

Helen Jones: To ask the President of the Board of Trade what plans she has to regulate door to door selling by gas suppliers. [29602]

Mr. Battle *[holding answer 16 February 1998]:* During meetings with the Director General of Gas Supply, I expressed my concerns over the misleading marketing techniques adopted by some gas suppliers. At the end of January the Office of Gas Supply introduced a new licence condition to regulate such activities. My Department will consult in the near future on possible modifications to strengthen the Consumer Protection (Cancellation of Contracts Concluded away from Business Premises) Regulations 1987. Both of these initiatives should enhance consumer protection with regard to doorstep selling.

Textiles

Mr. Nicholas Winterton: To ask the President of the Board of Trade what representations she has received regarding the dumping of textile products onto the world market, with particular reference to thread from Thailand; and what action she is taking on this matter. [26223]

Mrs. Roche: When dumping is alleged to be taking place in the European Commission that has the power to investigate complaints by the EU industries concerned and to propose anti-dumping measures, as necessary. In recent months, my right hon. Friend the President of the Board of Trade has received a considerable number of representations about Commission investigations into unbleached cotton fabric and bedlinen originating in a number of countries, but not about the dumping of thread from Thailand.

Enterprise Bodies

Mr. Swinney: To ask the President of the Board of Trade if she will make a statement on the assistance she has provided to enterprise bodies in (i) the Docklands area, (ii) London, (iii) the South East of England and (iv) England in the last year for which figures are available. [30165]

Mrs. Roche: My Department provides assistance to enterprise bodies primarily in the form of a contribution towards the development of services provided by Business Link partnerships. Funding is available for both setting up Business Links (pump-priming grants) and as a continuing contribution to the cost of services. The table sets out such expenditure in 1996–97, the last full year for which expenditure is available.

DEFENCE

Military Exercises

Mr. Key: To ask the Secretary of State for Defence if he will list military exercises in Europe in 1997 to show *(a)* British participation in major NATO exercises, *(b)* British national exercises involving forces from other nations, *(c)* exercises conducted in Europe with participation of British forces and *(d)* British participation in NATO/PfP exercises, in each case indicating the nations involved. [29447]

Dr. Reid: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Deployment

Mr. Key: To ask the Secretary of State for Defence if he will list each country where British armed forces are deployed by *(a)* service and *(b)* ship, unit or aircraft excluding loan service personnel, minor short-term training deployments and personnel in administrative and command posts overseas. [29451]

Dr. Reid: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Fighter Aircraft

Mr. Hancock: To ask the Secretary of State for Defence (1) what is the projected maximum offensive payload and range of the Eurofighter; [28022]

(2) what is maximum offensive payload and range of the Tornado GR7, the Tornado F3 and the Jaguar GR4. [28023]

Mr. Spellar: The table provides details of the maximum offensive payload for each of the aircraft types listed. The actual payload configuration will, of course, reflect the particular needs of an operation which, in turn,

would determine the range of an aircraft operating without air to air refuelling. The range figures quoted therefore represent a typical radius of operation.

Aircraft type	Maximum offensive payload (Kg)	Combat radius of operation (nm)
Tornado F3	1,500	600
Tornado GR1/1A/4	4,500	550
Harrier GR7	3,000	500
Jaguar GR1A/3	2,900	400
Eurofighter	[1]6,500	[1]750

[1] Representative figures quoted by Eurofighter GmbH, the prime contractor responsible for development and production of the aircraft.

Correspondence

Mrs. Ewing: To ask the Secretary of State for Defence what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28049]

Mr. Spellar *[holding answer 10 February 1998]:* The MOD complies with the Welsh Language Act 1993 which established the principle of equality between the English and Welsh languages in all public business. Letters written in Welsh therefore receive a signed reply in Welsh. Under our current policy letters written in Scottish Gaelic, Urdu, Hindi and Chinese receive a signed reply in English only.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Defence if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28930]

Mr. George Robertson *[holding answer 10 February 1998]:* During January 1998 I undertook the following engagements in the course of my duties:

Date	Event	Accessed by
15 January	Address at Joint Service Command and Staff College, Bracknell	Car
15 January	Dinner with Defence Secondary Care Agency, London	Car
19 January	Hosted lunch for the Prime Minister and Foreign Minister of Hungary	Car
20 January	Seminar with Council of Territorial Auxiliary Volunteer Reserve Associations, London	Foot
23 January	Dinner at HM Naval Base, Faslane	Car
26 January	Bilateral meeting with Dutch Defence Minister, Salisbury	Aeroplane, car and helicopter
29 January	Lunch with Charterhouse Bank London	Car
29 January	Visit to Northern Ireland	Aeroplane, car and helicopter

Dockyard Workers

Mrs. Ewing: To ask the Secretary of State for Defence how many *(a)* past and *(b)* present Rosyth Dockyard employees have (i) made a claim for compensation and (ii) been awarded compensation under the Government's compensation scheme. [29438]

Mr. Spellar *[holding answer 16 February 1998]:* Former MOD employees and those currently employed by Babcock Rosyth Defence Limited (BRDL) at Rosyth Dockyard are entitled to compensation under the nuclear industry's no fault Compensation Scheme for Radiation Linked Diseases. My Department joined the scheme in August 1994 and BRDL joined in 1997. Since August 1994, seven compensation claims have been submitted in respect of civilians who have at some time worked at Rosyth, including those now employed by BRDL. No-one has yet been awarded compensation but five of the claims are currently under investigation.

Mrs. Ewing: To ask the Secretary of State for Defence what steps he has taken to publicise the health and compensation schemes available to Rosyth Dockyard workers. [29441]

Mr. Spellar *[holding answer 16 February 1998]:* MOD joined the nuclear industry's Compensation Scheme for Radiation Linked Diseases in 1994. Since then the Department has publicised the Scheme to current MOD employees through Defence Council Instructions and is currently considering a number of options for advertising the Scheme more widely to former MOD employees and their families.

MOD civilian workers at Rosyth Royal Dockyard became employees of Babcock Rosyth Defence Limited (BRDL) on 1 April 1987. Ownership of the Dockyard passed to BRDL on January 1997, the same year in which the company became a member of the nuclear industry's Compensation Scheme for Radiation Linked Diseases. BRDL publicised the scheme in its weekly newsletter of 23 January 1998, a copy of which was issued to all employees.

The Ionising Radiation Regulations 1985 require the Appointed Doctor, a recognised physician appointed by the Health and Safety Executive's Employment Medical Advisory Service, to undertake an annual health review of classified radiation workers. Rosyth Royal Dockyard workers are made aware of the annual health reviews through the company's radiation safety training.

In addition, BRDL issued a Company Notice to all industrial employees on 4 June 1997, publicising the MOD's scheme for the counselling of radiation workers and giving details of the company's own scheme.

Enriched Uranium

Mrs. Ewing: To ask the Secretary of State for Defence what arrangements are in place for the enrichment of uranium for defence purposes. [29459]

Mr. Spellar *[holding answer 17 February 1998]:* The United Kingdom has sufficient enriched uranium for current defence purposes and enrichment will not again be required for some time.

Departmental Expenditure

Mr. Swinney: To ask the Secretary of State for Defence if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30072]

Dr. Reid: The information requested is not held centrally and could be provided only at disproportionate cost.

Mr. Swinney: To ask the Secretary of State for Defence if he will list expenditure on *(a)* defence procurement, *(b)* research and development, *(c)* running costs and *(d)* service wages and costs for (i) London, (ii) the South East of England, (iii) England, (iv) Scotland, (v) Wales and (vi) Northern Ireland in the last year for which figures are available. [30131]

Dr. Reid: My Department collects only a limited amount of information about spending in the various regions of the UK. Table 1.9 of *Defence Statistics 1997*, a copy of which is in the Library of the House, provides a breakdown, by region, of total expenditure by the MOD on defence equipment. No similar breakdown of expenditure on running costs or service pay is available.

Regimental Sites

Mr. Swinney: To ask the Secretary of State for Defence if he will list the current location in the United Kingdom of each Army regiment, the number of service and support personnel at each site, and the total wage bill for each site in the last year for which figures are available. [30128]

Dr. Reid: Much of the information requested is not held centrally but I am investigating what may be gathered. I will write to the hon. Member once my inquiries are complete and a copy of my letter will be placed in the Library of the House.

Shore Stations

Mr. Swinney: To ask the Secretary of State for Defence if he will list the number and running costs of *(a)* Royal Naval shore stations and *(b)* Army core headquarters in (i) the South East of England, (ii) England, (iii) Scotland, (iv) Wales and (v) Northern Ireland. [30127]

Dr. Reid: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Armed Forces (Nationality Criteria)

Ms Dari Taylor: To ask the Secretary of State for Defence when the review of the nationality criteria for entry into the armed forces will be completed; and if he will make a statement. [30545]

Dr. Reid: A comprehensive review of all nationality issues for employment in the Armed Forces has just been completed. It has now been agreed that, with effect from 1 April 1998, the rules relating to nationality extraction, that is the nationality of an applicant's parents, should be relaxed in line with the changes made for Civil Servants. In the majority of cases parents of applicants will no longer need to be British or Commonwealth citizens, or Republic of Ireland nationals. In certain circumstances, where security is of paramount importance, applicants will be looked at on a case by case basis.

It has also been agreed that the residency rules should be changed. The 5 year UK residency requirement for most applicants is to be relaxed to allow those who have spent less than 5 years in the UK entry into the Armed Forces.

I believe that these rule changes will ensure that the Armed Forces become more open for potential recruits, particularly amongst the ethnic minorities.

We have concluded that the existing rules relating to an applicant's own nationality should remain extant, namely that an applicant should be a British, British Dependent Territories or Commonwealth citizen or a Republic of Ireland national.

WALES

Farming

10. **Mr. Gray:** To ask the Secretary of State for Wales how many meetings he has had with the Minister of Agriculture, Fisheries and Food to discuss the future of Welsh farming. [28408]

Mr. Ron Davies: I meet my right hon. Friend the Minister of Agriculture, Fisheries and Food frequently to discuss the issues of common interest including the future of Welsh agriculture. The last formal occasion was on Wednesday 11 February.

19. **Mr. Charles Kennedy:** To ask the Secretary of State for Wales when he last held talks with Welsh farming representatives; and what matters were discussed. [28417]

Mr. Ron Davies: I met representatives of the Welsh agriculture industry on 4, 5 and 9 February. We discussed the problems currently facing the industry at the first two meetings and the long term future of Welsh agriculture at the third meeting. I also addressed the Welsh Forum of the National Farmers' Union's Annual Conference on 3 February.

Cold Weather Payments

11. **Mr. Amess:** To ask the Secretary of State for Wales what meetings he has had with pensioners' groups in Wales to discuss cold weather payments. [28409]

Mr. Win Griffiths: None.

Welsh Assembly

12. **Mr. Paterson:** To ask the Secretary of State for Wales if he will make a statement on progress in setting up the Welsh assembly. [28410]

Mr. Ron Davies: Excellent progress is being made.

13. **Dr. Julian Lewis:** To ask the Secretary of State for Wales which locations in Wales have applied to house the Welsh assembly. [28411]

28. **Mrs. Lait:** To ask the Secretary of State for Wales what representations he has received from organisations based in Wales regarding the siting of the Welsh assembly. [28426]

Mr. Ron Davies: I refer the hon. Members to the reply I gave earlier today to the hon. Member for South Cambridgeshire (Mr. Lansley).

18. **Mr. Clifton-Brown:** To ask the Secretary of State for Wales what steps he is taking to broaden the background of candidates for the Welsh assembly. [28416]

Mr. Ron Davies: The selection of candidates for the elections to the National Assembly for Wales is a matter for the political parties. I would expect the parties to ensure through their selection processes that people of ability and from the widest possible range of interests are chosen to stand in the elections.

22. **Sir Sydney Chapman:** To ask the Secretary of State for Wales if he will make a statement about the venue and estimated cost of the Welsh assembly. [28420]

Mr. Ron Davies: I have not yet come to a decision on the venue of the National Assembly for Wales. Any decision needs to provide good value for money and be affordable within the resources available.

25. **Mr. St. Aubyn:** To ask the Secretary of State for Wales what representations he has received from hon. Members regarding the siting of the Welsh assembly. [28423]

Mr. Ron Davies: I have received representations both in response to my consultation paper and prior to its issue. They were both in the form of correspondence and questions in the House and came from:

Llanelli: The right hon. Denzil Davies
Swansea West: The right hon. Alan Williams
Delyn: David Hanson
Swansea East: Donald Anderson
Clwyd West: Gareth Thomas
Cardiff North: Julie Morgan
Gower: Martin Caton
Wrexham: Dr. John Marek
Vale of Clwyd: Chris Ruane
Alyn and Deeside: Barry Jones
Cardiff West: Rhodri Morgan
Caernarfon: Dafydd Wigley
Ribble Valley: Nigel Evans
Lichfield: Michael Fabricant
Worthing East and Shoreham: Tim Loughton
Shropshire North: Owen Paterson
Ashford: Damian Green
Ruislip Northwood: John Wilkinson
New Forest East: Julian Lewis
Chipping Barnet: Sir Sydney Chapman
Cambridgeshire South: Andrew Lansley
Guildford: Nick St Aubyn
Beckenham: Jaqui Lait.

Historic Chapels

14. **Mr. Beith:** To ask the Secretary of State for Wales what discussions he has held about the creation of a historic chapels trust for Wales since the publication of the Government's response to the second report of the Welsh Affairs Committee of Session 1992–93 on the preservation of historic buildings and ancient monuments. [28412]

Mr. Ron Davies: Discussions have taken place between Cadw and the Redundant Historic Chapels Working Group, the Historic Buildings Council and the Wales Council for Voluntary Action. As a result my Department has agreed to provide a grant of £92,000 over two years to the Wales Council for Voluntary Action to fund the establishment of a Chapels Conservation Trust.

Public Bodies (Women)

15. **Ms Julie Morgan:** To ask the Secretary of State for Wales what plans he has to increase the representation of women on public bodies in Wales. [28413]

Mr. Ron Davies: I am very anxious to increase the representation of women on public bodies in Wales.

My Department is developing a programme with representative organisations to increase the pool of good candidates from a variety of backgrounds, making the public appointments process more accessible; making criteria more explicit and laying them open to comment; making sure that independent assessors also reflect diversity; and giving applicants more feedback and constructive suggestions about routes into public life.

As part of this programme, the Department has at my request developed proposals for two exciting and innovative pilot projects which will be put into action in consultation with Welsh women MPs, local MPs and other interested organisations. I will announce further details of these projects shortly.

NHS Trusts

16. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales if he will make a statement on the NHS trust re-configuration exercise. [28414]

Mr. Win Griffiths: I refer my hon. Friend to the oral answer I gave today to my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) and my right hon. Friend the Member for Llanelli (Mr. Davies).

Partnership Council

17. **Mr. Laurence Robertson:** To ask the Secretary of State for Wales what he expects will be the cost of setting up and running the partnership council in Wales. [28415]

Mr. Win Griffiths: It will be for the National Assembly and local government in Wales to decide on the size and work of the Partnership Council and, therefore, its costs. However, there is no reason why the overall costs of running the Council should be significantly different from those associated with the Central Local Partnership Wales.

Millennium Dome

20. **Mr. Caton:** To ask the Secretary of State for Wales what discussions he has held with the Minister without Portfolio about the representation of Wales in the millennium dome, Greenwich. [28418]

Mr. Ron Davies: I am assured by my hon. Friend the Minister without Portfolio that following the Prime Minister's five commitments made in June last year, the Millennium Experience will involve the whole UK. Its content will appeal to and be relevant to people of all ages and interests wherever they may live. The overarching theme, "Time to Make a Difference", and the way that this will be presented at Greenwich, will engage, inspire and educate all who visit the Experience.

School Standards

21. **Mr. Touhig:** To ask the Secretary of State for Wales if he will make a statement on his priorities in respect of school standards in Wales. [28419]

Mr. Hain: The Government's priority is to work with teachers to raise the standards of education achieved by all our young people. We have placed a particular emphasis on the need to improve literacy and numeracy skills in primary schools within the context of a broad and balanced curriculum.

Agricultural Sector

23. **Mr. Dafis:** To ask the Secretary of State for Wales if he will make a statement on the *(a)* short-term and *(b)* long-term prospects of the agricultural sector in Wales. [28421]

Mr. Win Griffiths: I do not underestimate the serious nature of the difficulties that the agricultural sector in Wales is currently facing. For the longer term, general commodity markets are likely to be increasingly competitive. The way for Welsh agriculture to compete is to develop well-branded products, which can command premium prices, with a greater degree of value being added in the food supply chain in Wales. In this context, I want to see Wales developing a strong reputation for extensive, farm-assured production, including organic food.

Road and Canal Transport

24. **Mr. Fabricant:** To ask the Secretary of State for Wales if he will make a statement on his policy concerning road and canal transport. [28422]

Mr. Hain: The role that all transport modes should play in improving transport links is being considered as part of our plans to develop an integrated transport policy. The consultation exercise launched last August will lead to a UK-wide White Paper on transport later this year. At around the same time, a Welsh Transport Policy Statement will be published drawing out those issues of particular relevance and importance to Wales.

Optec DD

26. **Mr. Barry Jones:** To ask the Secretary of State for Wales if he will make a statement on the closure of the Optec DD factory at Buckley, Flintshire. [28424]

Mr. Hain: We were very disappointed to hear of this closure and greatly regret the job losses involved. But such decisions must remain a commercial matter for the company. The Welsh Office and its agencies nevertheless stand ready to assist wherever they can.

Health Clinics

27. **Mr. Simon Hughes:** To ask the Secretary of State for Wales what plans he has for the expansion of health clinics in Wales. [28425]

Mr. Win Griffiths: The delivery of health care is a matter for local consideration, and it is for Health Authorities to make detailed arrangements in response to local needs. This may include the provision of health clinics by general practitioners.

In July 1997, I announced a package of £2.5 million to support the development of primary and community health care in Wales. The Package, which is intended to help provide more local flexibility, included an Equity Fund of £500,000 to address inequalities in the provision of primary care services.

Road Traffic

29. **Mr. Chope:** To ask the Secretary of State for Wales what estimate he has made for road traffic growth in Wales in 1998. [28427]

Mr. Hain: The National Road Forecast (Great Britain) 1997 publication predicts that road traffic will grow between 0.65 per cent. and 2.79 per cent. during 1998. The average growth on trunk roads in Wales over recent years has tended to follow the higher prediction and I expect this to continue this year.

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26616]

Mr. Ron Davies *[holding answer 5 February 1998]:* Such costs are included within my Department's general administrative expenditure which is published every year in the Annual Report.

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26615]

Mr. Ron Davies *[holding answer 5 February 1998]:* My Department purchases a range of publications. Approximate expenditure is as follows:

(a) £80,000, *(b)* £87,500, *(c)* £50,000, *(d)* £65,000.

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for Wales if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26613]

Mr. Ron Davies *[holding answer 5 February 1998]:* The average number of working days sickness absence per member of staff for the Welsh Office, including the Cadw Agency, during the 1995 and 1996 calendar years was 10 and 9.03 days respectively. Statistics for the 1997 calendar year are not yet available. Separate statistics are not available for Cadw.

Details of absenteeism in non-departmental public bodies sponsored by my department are not held centrally.

Market Research

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and (iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26611]

Mr. Ron Davies *[holding answer 5 February 1998]:* The following expenses have been incurred by my agencies and non-departmental public bodies:

Energy and Environment Office (EEO): Business and Environment Campaign

Period: January to September 1997

Cost: £1,0259 (+ VAT)

Purpose: Telemarketing research exercise to 250 decision makers within Welsh SMEs to gauge their awareness of the Department's Business and Environment Campaign.

Wales Environment Centre Mori Survey

Period: February to April 1997

Cost: £20,000 (Environment Agency contribution = £15,000)

Purpose: To determine Managing Director and Finance Director (within Welsh companies) views of environmental issues.

Welsh Development Agency

Period: 1996–97

Environmental Goods and Services Market Research

Cost: £10,000

Purpose: To identify the size of this sector in Wales in order for the WDA to develop appropriate support measures.

Inward Investment Evaluation Survey

Cost: £33,056 excluding VAT

Purpose: To undertake a formal evaluation of the Agency's inward investment.

Welsh Omnibus Survey

Cost: £1,530

Purpose: The inclusion of additional questions to the Evaluation survey to assess resident expectations of Welsh economic prospects.

Information Society benchmarking study

Cost: £12,760 excluding VAT

Purpose: To identify the use of information and communication technologies by Welsh firms.

Cadw

Tracking survey

Period: August/September 1996

Cost: £11,750

Purpose: To gain market profile data about visitors to the monuments in the care of the Secretary of State for Wales.

Cardiff Bay Development Corporation

Period: 1996–97

Inner Harbour Study

Cost: £2,400

Purpose: To survey the attitudes of visitors and to establish whether the attractions and facilities in the Inner Harbour are meeting the needs of these visitors.

Visitor/Leisure Monitor

Cost: £3,085

Purpose: To assess trends in leisure visiting, to gauge levels of visiting and to assess satisfaction amongst visitors to Cardiff Bay as a leisure destination.

Corporate, Commercial and Regional Monitors

Cost: £5,645

Purpose: Opinion survey to provide the basis on which sound decisions can be taken and to highlight problems and opportunities as they arise and develop.

Technology Marketing Study

Cost: £5,000

Purpose: To establish the competitive position of Cardiff Bay relative to other competing locations in the UK and to identify sectors that the Bay could attract on the basis of the infrastructure and service provision.

Digital Development Research

Cost: £20,000

Purpose: To measure the impact of the introduction and development of Digital Technology on the media sector in Wales.

Multi-media Centre Consultancy

Cost: £2,500

Purpose: To put together a European Regional Development Fund bid for a multi-media centre to be based in Cardiff Bay.

Telecoms Sectoral Analysis

Cost: £13,375

Purpose: An analysis of sectors and firms which may be interested in the telecommunications technology available in Cardiff Bay.

Period: 1997–98

Inner Harbour Study

Cost: £1,296

Purpose: To survey the attitudes of visitors and to establish whether the attractions and facilities in the Inner Harbour are meeting the needs of these visitors.

Cultural Quarter Feasibility Study

Cost: £9,990

Purpose: To determine appropriate marketing and development strategies and initiatives to promote the Mount Stuart Cultural Quarter concept.

Wales Tourist Board

Research Programme

Period: 1996–97

Cost: £333,000

Period: 1997–98

Cost: £317,000

(It is not possible to isolate funding specifically for focus groups because most research studies involve a range of different qualitative/quantitative research techniques. An approximate estimate for expenditure incurred specifically on focus group research would be £30,000 in 1996/97 and £50,000 in 1997/98).

Development Board for Rural Wales

Customer Satisfaction Survey

Period: May 1997 cont.

Cost: £31,502

Purpose: To determine the current strengths and weaknesses of the customer services offered by the Board, and identify opportunities to improve customer service delivery operations. The survey forms an integral part of the Board's continuous improvement strategy, building on the achievement of ISO 9001.

Ministerial Functions

Mr. Flight: To ask the Secretary of State for Wales what functions he exercises in England. [29023]

Mr. Ron Davies: In addition to the functions which I exercise collectively for the whole of the UK as a member of the Cabinet, there are certain specific functions I exercise which extend beyond Wales.

I have functions with respect to the water industry, flood defence, internal drainage and the aquatic environment which extend to parts of England.

For instance, the boundaries of water companies are dictated by the course of natural watersheds and so do not follow the boundary between Wales and England. Under the Water Industry Act 1991, I exercise various functions with respect to Dwr Cymru and Chester Waterworks Company whose areas extend into England, while my right. hon. Friend the Deputy Prime Minister exercises functions with respect to Severn Trent Water Ltd. whose area includes Montgomeryshire.

I have a range of functions which Acts of Parliament require me and other Ministerial colleagues to exercise jointly. Some of these functions relate to Wales and England; others to Great Britain and others to the United Kingdom. The majority of these joint functions are to be found in legislation on agriculture. The practical effect of the legislation is that I have functions with respect to areas outside Wales, although I cannot exercise them on my own because they have to be exercised jointly.

Under section 487 of the Education Act 1996, regulations make provision for me to pay local education authorities and other persons grants for education in Welsh. Although it is not the case at present, I could exercise my functions so as to pay grants in England for this purpose.

My functions under the Welsh Language Act 1993 potentially affect any public body providing services to people in Wales, regardless of where the body may be located. In that sense, my functions under the 1993 Act extend beyond Wales.

Play Groups

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of progress in introducing playgroups in Wales; and if he will make a statement. [29431]

Mr. Hain: I refer my hon. Friend to the reply I gave him on 4 February 1998, *Official Report*, columns *677–78*.

Jet Skis

Mr. Llwyd: To ask the Secretary of State for Wales what initiatives he is taking to reduce the number of jet ski-related accidents in Wales; and if he will make a statement. [29378]

Mr. Win Griffiths: The issues raised by the use of jet skis are currently being considered as part of an interdepartmental review of by law powers for the coast. A discussion paper was issued for consultation in Wales in February 1997 in parallel was a similar exercise in England. The responses to these exercises are being taken into account by an Interdepartmental Working Party which will provide advice to Ministers. The Coastguard Agency is leading further work specifically to analyse the problems and identify solutions for dealing with personal watercraft, involving the Marine Safety Agency and relevant Departments.

Health Services

Mr. Llwyd: To ask the Secretary of State for Wales what measures he is taking to improve local health services in Wales. [29379]

Mr. Win Griffiths: The Government published its White Paper, "NHS Wales—Putting Patients First" (CM. No.3841) on 15 January. Together with the proposed reconfiguration of NHS trusts in Wales, the changes outlined in the White Paper will improve services, make NHS Wales more responsive, efficient and accountable and release £50 million over the lifetime of the current Parliament for reinvestment in direct patient care. The new arrangements will give GPs and others the opportunity to ensure that local services are tailored to the needs of local people.

Rail Freight

Mr. Llwyd: To ask the Secretary of State for Wales what steps he is taking to encourage more freight to be transported by rail in Wales. [29865]

Mr. Hain: Financial assistance under the Freight Facilities Grant scheme continues to be available towards the cost of the provision of rail freight facilities. One of the main issues raised for debate during the recent consultation exercise on our plans to develop an integrated transport policy was the practical measures needed to bring about increased use of less environmentally damaging forms of freight transport. The consultation exercise will lead to a UK wide White Paper on transport later this year. At around the same time a Welsh Transport Policy Statement will be published drawing out those issues and themes of particular relevance and importance to Wales.

Regeneration and Development

Mr. Rowlands: To ask the Secretary of State for Wales if he will make a statement about current proposals for regeneration and development in Merthyr Tydfil. [30677]

Mr. Ron Davies: I have been considering very carefully a number of issues which have been raised in connection with, and related to, the disposal by the WDA of the Waterglade and Thorn sites to Merthyr Tydfil Borough Council. My Department has also examined

these issues at a meeting on 13 February 1998 with the District Auditor and Merthyr under section 30 of the Local Government Finance Act 1982.

These matters, which relate to the actions of Merthyr in relation to contracts for the disposal and development of the Waterglade and Thorn sites, are of serious concern to me. I have not formed a concluded view as to whether Merthyr's behaviour over this period amounts to unlawful conduct or not. The concerns, which continue to be subject to inquiry by the District Auditor, nevertheless dictate that it is not in the public interest to complete the contract until the matter has been fully considered and resolved.

Accordingly, I have today used my power under section 1(9) of the Welsh Development Agency Act 1975 to issue a Direction to the Agency to the effect that the Agency shall not presently complete the contract of 9 February 1996 between the Agency and Methyr Tydfil Borough Council for the sale of these sites unless compelled to do so by an Order of the Court. I shall lay a copy of the Direction before Parliament as soon as possible. The interim Direction is, of course, subject to any view the Court may have.

My Department will offer whatever assistance it can to the District Auditor in pursuing her inquiry. I have also drawn my decision to the attention of the Police and my Department will give full co-operation to any Police investigation.

Council Tax Discounts

Mr. Brady: To ask the Secretary of State for Wales if he will make a statement on the future of council tax discounts in Wales. [28402]

Mr. Win Griffiths: On 16 December 1997, I announced new rules on council tax for second homes in Wales. From 1 April 1998 local authorities will have discretion to charge up to the full council tax on unoccupied and furnished second homes, without a six month delay and whether or not they used to be someone's sole or main residence. The new rules were made following wide consultation and replace rules which were inequitable and difficult to operate.

Looking ahead, the Department will consult over the next few months on the operation of council tax in Wales as part of the review of local government. We will consider whether improvements can be made in the light of the responses to consultation.

Planning

Mr. Dafis: To ask the Secretary of State for Wales what plans he has to issue a version of the policy statement, "Modernising Planning", in Wales. [28397]

Mr. Win Griffiths: None. However, I shall be considering the extent to which the proposals covered by my right hon. Friend's statement should be carried forward in Wales. I will consult, as appropriate, on the detail of any such proposals.

HOME DEPARTMENT

Police Manpower (London)

Dr. Cable: To ask the Secretary of State for the Home Department what is the manpower level at each police station within each London borough; and what were the figures three years ago. [29708]

Mr. Michael: A list of manpower by Metropolitan Police Division is shown below. As the Metropolitan Police District does not equate to the London boroughs, a breakdown by borough is not available.

		End of December 1994		*End of December 1997*	
		Number of police	*Number of civil staff*	*Number of police*	*Number of civil staff*
Belgravia	AB	324.55	73.01	308.71	62.94
Notting Hill	BH	245.00	53.38	243.60	59.50
Brompton	BS	371.83	103.98	365.50	85.12
West End Central	CD	328.00	87.00	309.00	77.25
Charing Cross	CX	411.90	94.00	398.60	80.00
Marylebone	DM	268.90	80.92	329.10	77.92
Paddington	DP	466.20	104.00	352.00	97.15
Hampstead	EH	220.00	67.10	213.35	53.25
Kentish Town	EK	269.70	57.77	285.46	64.45
Holborn	EO	214.20	53.00	197.70	60.94
Fulham	FF	217.00	51.55	230.76	52.56
Hammersmith	FH	328.20	88.38	311.02	91.24
Shoreditch & Hackney	GD	336.68	97.58	330.40	83.67
Stoke Newington	GN	356.50	99.00	346.24	86.00
Limehouse	HH	292.00	82.56	267.09	74.56
Whitechapel	HT	341.70	117.90	300.40	88.75
Heathrow	ID	414.39	60.62	362.06	60.41
Barkingside	JB	296.40	124.09	268.00	82.98
Chingford	JC	243.80	82.95	238.70	72.54
Ilford	JI	257.49	101.06	228.95	70.51
Leyton	JL	243.40	61.89	224.80	54.02
Havering	KD	377.17	141.25	334.33	84.72
Forest Gate	KF	306.28	102.00	303.48	69.07
Dagenham	KG	304.60	111.81	299.90	65.06
Plaistow	KO	316.80	96.00	286.88	60.83
Brixton	LD	322.50	90.27	299.08	73.27
Streatham	LS	273.90	78.38	251.30	79.56
Vauxhall	LX	406.65	131.05	366.51	110.36
Southwark	MD	289.12	82.34	289.18	67.25
Peckham	MM	307.35	102.91	302.63	82.02
Walworth	MS	275.00	71.00	268.70	67.67
Holloway	NH	270.60	77.64	250.50	70.06
Islington	NI	297.30	74.76	298.90	78.05
Catford	PD	260.70	100.48	290.85	65.22
Lewisham	PL	337.60	93.46	319.38	78.22
Bromley & Orpington	PY	500.43	148.01	464.10	124.12
Harrow	QA	272.20	86.18	289.05	71.26
Wembley	QD	266.70	71.94	266.48	61.08
Kilburn	QK	385.28	79.11	346.75	75.35
Plumstead	RA	308.50	97.38	313.49	74.01
Greenwich	RG	264.70	97.00	298.40	80.02
Bexleyheath	RY	285.00	108.44	282.00	78.87
Barnet & Hertsmere	SA	323.00	64.77	277.26	60.46
Colindale	SC	—	—	428.73	88.01
Golders Green	SG	211.10	54.45	—	10.00
West Hendon	SV	256.75	69.00	—	—
Chiswick	TC	202.70	62.48	186.30	60.40
Hounslow	TD	263.60	92.00	270.26	81.34
Spelthorne	TG	199.20	69.47	178.40	43.93
Twickenham	TW	297.45	87.69	283.15	71.44
Kingston	VK	373.14	99.12	266.89	80.66
Wimbledon	VW	354.45	102.73	292.48	91.52
Battersea	WA	298.80	101.44	268.70	70.62
Wandsworth	WW	348.98	106.64	327.18	103.94
Ealing	XD	355.93	100.00	338.35	87.44
Hillingdon	XH	439.50	127.75	398.20	109.67
Southall	XS	287.93	102.12	288.16	70.32
Edmonton	YE	270.20	89.83	268.30	74.30
Enfield	YF	273.40	102.29	282.00	66.80

		End of December 1994		End of December 1997	
		Number of police	Number of civil staff	Number of police	Number of civil staff
Hornsey	YR	284.95	77.60	261.40	79.02
Tottenham	YT	295.00	82.11	265.10	70.08
Croydon	ZD	296.50	93.84	272.84	83.23
South Norwood	ZN	327.30	99.91	327.77	92.60
Epsom & Sutton	ZP	428.90	125.15	404.50	92.54
Total		19,465.00	5,693.54	18,419.30	4,740.15

[1] Amalgamation of SG and SV.

Immigration Interviews

Mr. Clappison: To ask the Secretary of State for the Home Department what plans he has to commission research into the use of *(a)* tape recording and *(b)* video cameras for the purpose of recording interviews carried out by immigration officers. [29666]

Mr. Mike O'Brien: There are no plans to record interviews with passengers seeking entry at the primary port controls. I have, however, commissioned a feasibility study into the potential use of tape recording for asylum interviews, whether at ports or in country. A working group is due to report back to me later this year.

Closed Circuit Television (Airports)

Mr. Clappison: To ask the Secretary of State for the Home Department if he will install closed circuit television cameras at the arrival gates and passport control areas of British airports. [29665]

Mr. Mike O'Brien: A trial involving the use of strategically placed closed circuit cameras has been carried out at Heathrow under a joint initiative between the British Airports Authority, Her Majesty's Customs, the police and the Immigration Service. The results of this trial are being analysed. Final decisions will be taken by Ministers, but the indications are that closed circuit television cameras can perform a valuable security role in some areas at British airports.

Internet Pornography

Mr. Luff: To ask the Secretary of State for the Home Department what plans he has to draw the attention of parents to the ease with which children can obtain access to pornographic material on the Internet; and if he will make a statement. [29744]

Mr. Michael: The Government are aware that, while the Internet contains many websites which carry material aimed at the educational need of children, it can also be used for the distribution of pornographic and other potentially illegal material. In response to concerns about the availability of such material, the Internet Watch Foundation (IWF) was established in September 1996, following discussion between service providers, the Metropolitan Police and officials from the Home Office and Department of Trade and Industry. This is a self-regulatory organisation which is financed by voluntary contributions from the United Kingdom Internet industry and its aims are to determine whether particular newsgroups carry potentially illegal material, to trace the originator and to ask the Internet Service Providers to remove it from their servers. Details of child pornography are also sent to the police and the Foundation has established a "hotline" to enable users to report the presence of potentially illegal material in a newsgroup or website. The Government support the actions taken by the IWF in this respect.

Filtering software packages, such as Net Nanny, are available which enable parents to deny access to material containing sexually explicit words. Building on this, a working group of representatives from the IWF and Internet Service Providers has been devising a common ratings system suitable for United Kingdom Internet users on which there is growing international co-operation. This system is expected to address legal, but potentially offensive, material without curtailing freedom of expression. The Foundation aims to work on this system over the next 18 months and, once it is available, expects it to extend to newsgroups as well as websites. The IWF is also working with Internet Service Providers to develop better advice to Internet users about how to use the network safely and further details about this will be given in a publicity event due early next month.

In addition, the Department for Education and Employment commissioned the National Council for Educational Technology (now known as the British Educational and Communications Technology Agency) to prepare separate guidance for parents and teachers on access to computers. This is available free of charge and features advice on computer pornography within the wider context of the use of the computer within the home and the school. The guidance was drawn up in consultation with a number of interested parties, including the police. As well as addressing the problem of computer misuse, the guidence recognises the scope for the good use of computers and draws attention to the role of information technology in the National Curriculum, and the need to develop pupils' capabilities in the new technologies in preparation for working life.

Race Relations Forum

Mr. Vaz: To ask the Secretary of State for the Home Department how many persons have applied to become members of the Race Relations Forum. [29565]

Mr. Mike O'Brien: There has not been a formal application procedure for membership of the Race Relations Forum. A total of 194 nominations and self-nominations have been received. These have come from community organisations, the Commission for Racial Equality, Government Departments and individuals.

We hope to be able to make an announcement about the membership of the Forum shortly.

Commission for Racial Equality

Mr. Vaz: To ask the Secretary of State for the Home Department when he intends to appoint the new commissioners to the Commission for Racial Equality; and how many persons applied to be commissioners in the latest round. [29566]

Mr. Mike O'Brien: A total of 1,029 persons applied for these posts. The new Commissioners will be appointed in due course to replace the current postholders who complete their terms of appointment on 31 March.

Special Constables

Mr. Beith: To ask the Secretary of State for the Home Department what was the average amount of money spent per special constable in the last year for which figures are available; what is the average length of service of each special constable; what percentage of special constables were subsequently recruited as police officers in the last five years; and if he will make a statement. [29813]

Mr. Michael: Not all this information is available and it could be obtained only at disproportionate cost. In general, the costs of special constables have been absorbed into the operational costs of the police forces and borne by the police fund without being shown separately. The 1995–96 Working Group which reviewed the Special Constabulary concluded that chief officers, police authorities and the general public should be able to know the costs involved and recommended that these costs should be identified under separate item headings in force financial plans, statements and annual reports. We have commended this practice to chief officers.

Details of the length of service of special constables are not collected centrally. However, a straw poll of 20 forces two years ago indicated that the average length of service was about four years. A significant number of specials leave to join the regular police force. During visits to meet officers in a number of police forces in "Specials Week" recently, I was struck by the number of long serving specials and the positive spirit of teamwork with their regular colleagues.

The percentage of special constables who joined the regular force in the last five years was as follows:

1992: 2.9 per cent.

1993: 2.4 per cent.

1994–95: 2.9 per cent.

1995–96: 3.2 per cent.

1996–97: 3.4 per cent.

Special constables are used to support the work of regular officers, not to replace them. They represent an additional resource for police forces. Specials are not paid and, although there are costs in recruiting, equipping and training them, those costs are minimal compared to the costs of regular officers. The turnover of specials at 20 per cent. per annum compares favourably with other areas of volunteering where the wastage figure can exceed 70 per cent. The resources invested in the specials who subsequently join the regular force are not wasted to the service. Special constables make an excellent, cost effective contribution to policing local communities.

Mr. Beith: To ask the Secretary of State for the Home Department how many special police constables there were for each police force, by sex and age group, in each of the last five years for which figures are available; and if he will make a statement. [29812]

Mr. Michael: The number of special constables in post in each force in England and Wales over the last five years, by sex, is shown in the table. Details of their age groups are not collected centrally and could be provided only at disproportionate cost. The percentage of women in the Special Constabulary is 35 per cent. compared with 15 per cent. in the regular force.

Care needs to be taken in interpreting the figures, as a number of forces have been at pains to trim their list to "active" Specials who meet a high level of commitment on a regular basis while high demands are placed on Specials in terms of recruitment and training.

Special constables in post in England and Wales

Forces	*Dec '92*		*Dec '93*		*Mar '95*		*Mar '96*		*Mar '97*	
	Male	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*
Avon and Somerset	465	247	508	262	420	231	426	262	424	205
Bedfordshire	119	80	113	79	107	82	103	86	104	78
Cambridgeshire	120	62	153	92	174	105	177	98	195	108
Cheshire	183	91	238	149	207	114	184	90	292	183
City of London	75	10	67	22	60	23	56	21	60	26
Cleveland	127	68	158	74	137	75	132	63	109	51
Cumbria	145	85	161	87	160	81	140	61	125	64
Derbyshire	218	117	271	152	287	147	282	131	297	131
Devon and Cornwall	576	370	664	403	697	445	688	414	708	440
Dorset	156	107	141	98	138	83	163	91	167	122
Durham	121	82	154	104	119	81	114	73	105	79
Dyfed-Powys	178	82	191	80	205	97	200	114	165	118
Essex	503	256	496	255	440	234	403	205	423	211
Gloucestershire	186	88	180	135	215	105	217	116	191	106
Greater Manchester	236	334	365	252	436	332	422	324	392	293
Gwent	83	18	86	23	97	29	94	42	113	44
Hampshire	386	201	418	193	420	178	369	170	395	216
Hertfordshire	181	66	206	88	225	95	210	105	200	97
Humberside	248	174	274	172	267	160	258	133	224	116
Kent	367	187	387	200	387	182	370	185	398	191
Lancashire	313	226	324	241	335	273	304	227	278	205
Leicestershire	240	139	275	117	245	111	249	111	275	140
Lincolnshire	255	161	247	136	220	102	210	89	193	78
Merseyside	248	119	259	130	237	147	205	138	244	157
Metropolitan Police	982	507	1,056	559	1,015	535	1,188	653	1,127	587
Norfolk	226	120	241	125	234	111	210	109	260	142
North Wales	172	123	179	119	169	119	205	127	216	125
North Yorkshire	215	173	244	253	217	164	201	159	213	149
Northamptonshire	192	110	219	111	201	102	190	99	209	107
Northumbria	295	217	309	208	319	187	310	161	367	166

Special constables in post in England and Wales

Forces	Dec '92		Dec '93		Mar '95		Mar '96		Mar '97	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Nottinghamshire	354	239	334	217	327	225	320	217	397	223
South Wales	299	133	376	165	333	144	326	135	257	104
South Yorkshire	283	129	317	156	317	135	278	103	224	84
Staffordshire	476	257	493	277	471	254	484	218	451	234
Suffolk	256	130	268	146	272	137	271	136	255	124
Surrey	150	101	145	87	144	94	150	110	199	98
Sussex	345	203	325	187	336	191	317	194	315	157
Thames Valley	400	206	411	212	445	234	493	251	423	233
Warwickshire	249	101	238	112	224	128	221	123	233	148
West Mercia	410	201	432	197	400	182	428	185	402	180
West Midlands	653	302	645	273	578	240	641	256	675	270
West Yorkshire	367	246	423	285	459	318	436	273	441	249
Wiltshire	198	124	213	136	189	129	156	77	105	49
England and Wales Total	12,251	6,992	13,204	7,369	12,885	7,141	12,801	6,935	12,846	6,888

Child Curfews

Mr. Beith: To ask the Secretary of State for the Home Department what plans he has to extend his proposals for local child curfews as set out in the Crime and Disorder Bill [*Lords*]. [29787]

Mr. Michael: One of the main thrusts of the youth justice reform programme is to seek earlier, more effective intervention to prevent young children from turning to crime in the first place. In the past, too little has been done to prevent children and young people taking the first steps into criminal behaviour. That is why, as part of our proposals to reduce offending by young children, we are introducing in the Crime and Disorder Bill the local child curfew schemes.

The Crime and Disorder Bill is currently being considered in Another Place prior to consideration in the House of Commons. At this stage, we have no plans to expand the proposals for local child curfews.

Schengen Information System

Mr. Hayes: To ask the Secretary of State for the Home Department what input his Department has in the restructuring of the Schengen Information System. [29824]

Ms Quin *[holding answer 17 February 1998]:* The United Kingdom is not a member of Schengen and therefore has not been involved in any restructuring of the Schengen Information System, which is a matter for the Schengen states.

The incorporation of Schengen into the European Union Treaties, agreed in the Treaty of Amsterdam, requires an appropriate Treaty base to be established for the Articles in the Schengen Convention which provide for the Schengen Information System; work on this is continuing.

Departmental Contracts

Mr. Swinney: To ask the Secretary of State for the Home Department how many contracts of a value greater than £5,000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30077]

Mr. Straw: Information in the form requested is not held centrally and could be provided only at disproportionate cost.

Departmental Employees

Mr. Swinney: To ask the Secretary of State for the Home Department if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30074]

Mr. Straw: There are some 49,500 monthly and 700 weekly payees in the Home Office and its agencies. The total wage bill for the 1996–97 financial year was £1,188,742,143. Information is not available on a regional basis, nor are the costs of payments for working in London separately identified.

Departmental Buildings

Mr. Swinney: To ask the Secretary of State for the Home Department if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30075]

Mr. Straw: Responsibility for property management in the Home Office is delegated to a number of Local Property Centres. Information covering the Home Office Non-Prisons Estate provided by the Local Property Centres for the running costs for the financial year 1996/97 is given in the table.

The Prison Estate consists of 135 prison establishments. Each of these comprises a number of buildings and many also have external buildings such as staff quarters, farms or stores. Running costs for individual buildings are not available centrally but the Prison Service Annual Report and Accounts for 1996/97 gives an analysis of the costs

per establishment. The report was published on 12 November 1997 and a copy placed in the Library—reference HC 247.

Property	Town	Running Costs £
PNC & IT, Leicester (Police House)	Leicester	14,300
PNC & IT, Leicester	Leicester	28,102
PSC Bramshill	Hook	1,717,409
PTC Ashford	Ashford	785,111
PTC Aykley Heads	Durham	1,552,057
PTC Bruche	Warrington	966,353
PTC Cwmbran	Cwmbran	356,062
PTC Ryton	Ryton-on-Dunsmore	788,048
PTC Shotley	Ipswich	1,182,704
Regional Crime Squad	Loughborough	147,899
Training Support	Harrogate	368,660
Crown Buildings	Yeovil	31,060
Days Lane	Bedford	36,083
Emergency Planning College	Easingwold	637,000
Hope Cove	Hope Cove	76,135
Grove House	Manchester	26,880
Calthorpe House	Birmingham	489,256
India Buildings	Liverpool	1,441,777
Abell House	London	[1]—
Cleland House	London	[1]—
Fire Experimental Unit	Moreton-in-Marsh	57,855
Hangar 97	Little Rissington	78,290
Queen Anne's Gate	London	[1]—
Grenadier House	London	[1]—
Horseferry House	London	[1]—
Clive House	London	[1]—
Lunar & Apollo	Croydon	7,390,283
Feltham Green POU	Feltham	219,233
Virginia House	Birmingham	29,041
Building Research Establishment	Watford	47,203
Berkshire House	London	521,532
Apex Court	Bristol	22,269
Minerva House	Nottingham	15,894
Fire Service College	Moreton-in-Marsh	2,060,000
Service Centre	Bridgend	7,997
Dtels House	Ruddington	268,798
Poltimore Depot	Broadclyst	1,909
Argyll House	Dundee	4,850
Prospect House	Shrewsbury	34,940
Terrington House	Cambridge	19,166
3 Acton Square	Salford	22,243
Angel Gate Units 8 & 9	London	27,612
Castle Square House	Brighton	31,469
County House	London	20,505
Daviot House	West Bromwich	7,621
French's Gate	Chelmsford	20,631
Lombard House	Newcastle	35,123
Metrochange House	Bradford	19,799
Silkhouse Court	Liverpool	214,652
York Street	London	44,857
Gringley STC	Gringley on the Hill	8,626
Government Buildings	Sandridge	438,918
Langhurst House	Nr. Norsham	100,271
Aragon Court	Peterborough	560,000
Unit 10	Peterborough	19,000
Hampton House	Belfast	273,597
Olympia House	Newport	447,835
FSL, Chorley	Chorley	238,779
FSL, Huntingdon	Huntingdon	187,731
FSL, Lambeth Road	London	2,519,680
FSS Wetherby	Wetherby	213,260
FSS Chepstow	Chepstow	259,645
Gloucester House	Birmingham	35,940
Lodden Vale House	Woodley	31,589
Priory House	Birmingham	938,673
Units 10 & 11 Goldsworth Park	Woking	137,887
Westbrook Centre	Cambridge	122,360
White Rose Court	Woking	516,891
Crown House	Corby	248,480
Status 2	Hayes	705,699
Status 3	Hayes	593,265
Atlantic House	Gatwick	279,831
Becket House	London	274,804
Waterloo International	London	180,465
Gatwick North	Gatwick	451,981
Newcastle Airport	Newcastle	69,126
Northumbria House	North Shields	42,231
Passenger Transit Building	Harwich	76,034
Unit 1 Greystoke	Portishead	45,857
East Midlands Airport	Castle Donnington	50,812
Port Police Station	Felixstowe	28,991
Passenger Terminal	Newhaven	25,516
Prestwick Airport	Prestwick	20,591
Unit 4 Anchor Court	Hull	27,134
Ashford International Terminal	Ashford	22,634
Belfast Airport	Belfast	25,638
Ferry Terminal	Poole	14,486
Bournemouth Airport	Bournemouth	3,133
Ballard House	Plymouth	49,442
Tilbury Riverside	Tilbury	2,751
Terminal 1	Hounslow	462,350
Terminal 2	Hounslow	777,913
Terminal 3	Hounslow	1,073,981
Terminal 4	Hounslow	689,624
Immigration Office	Immingham	6,213
Immigration Office	Sheerness	10,774
Gatwick South Terminal	Gatwick	453,486
Southend Airport	Southend	3,472
International Hoverport	Dover	69,246
No. 2 Control Buildings	Dover	226,816
London luton Airport	Luton	70,435
Ferry Terminal Port	Ramsgate	10,069
HM Immigration Office	Plymouth	7,273
Car Ferry Passenger Terminal	North Shields	1,981
Continental Ferry Port	Portsmouth	38,249
Building 41	Solihull	116,000
Gatwick North Storage	Gatwick	4,480
Edinburgh Airport	Edinburgh	46,778
Unit 5 Moorfield	Leeds	46,001
Campsfield House	Nr. Oxford	[2]96,000
Government Buildings	Harmondsworth	[2]386,000
Queens Building (Heathrow)	London	[2]252,200
Manchester Airport (Terminal 2)	Manchester	[2]54,300
Tinsley House	Gatwick	[2]1,517,560
18 & 20 Exchanbge Quay	Salford	99,597
Capstan House	Dudley	108,672
Aztec West	Bristol	15,621
Spring Gardens Units 2 and 4	London	2,083,809
Spring Gardens Unit 5	London	202,204
Woolpacks Yard	Wakefield	136,348
Alpha Tower	Birmingham	[2]243,601
Elliot House	London	[2]966,800
Haymarket House	Leicester	[2]23,631
Pearl Assurance House	Cardiff	[2]38,300
Morley House	London	[2]969,539
Tay House	Glasgow	[2]1,389,654
Unit 15 Kinning Park	Glasgow	[2]67,010
Hendon Data Centre	London	[2]1,751,681
Douglas House	Corby	[2]35,172
St. James Court	Derby	[2]27,600

[1] Figures excluded because they are commercially sensitive in view of a PFI procurement for the Home Office Central London Accommodation Strategy.

[2] These centrally held figures have yet to be confirmed by the relevant Local Property Centre.

Departmental Expenditure

Mr. Swinney: To ask the Secretary of State for the Home Department if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30076]

Mr. Straw: The last financial year for which figures are available is 1996–97.

The total expenditure by the Home Office (including its agencies) on hospitality, travel and stationery in 1996–97 is as follows:

	£
Hospitality	58,346
Stationery	8,027,572
Travel[1]	12,620,709

[1] Includes £276,464 of subsistence and travel costs relating to the Fire Service College, where systems do not enable these items to be separately identified.

No regional breakdown of the figures is available.

Metropolitan Police

Mr. Hill: To ask the Secretary of State for the Home Department what will be the total cost to public funds of the Metropolitan Police in 1998–99. [30674]

Mr. Straw: As Police Authority for the Metropolitan Police District, I have approved estimates which provide for net revenue expenditure of £1,825 million in 1998/99.

The Receiver for the Metropolitan Police District is issuing, with my approval, a precept of £70.73 per property in Band D of the council tax valuation band for Metropolitan Police purposes.

I have discussed the estimates for the Metropolitan Police expenditure in 1998–99 with representatives of the London local authority associations.

Video Recordings

Mr. Pollard: To ask the Secretary of State for the Home Department what plans he has for the authority responsible for making arrangements for the classification of video works under the Video Recordings Act 1984. [30675]

Mr. Straw: Following the proposal for designation which I laid before Parliament on 18 December, I have today designated Mr. Andreas Whittam Smith under section 4(4) of the Video Recordings Act 1984. Mr. Whittam Smith was appointed as President of the British Board of Film Classification on 1 January 1998, and I am designating him, in that capacity, to replace the Earl of Harewood and Lord Birkett of Ulverston.

I have placed in the Library a copy of my Notice of Designation and the text of a letter I am sending to Mr. Whittam Smith confirming the designation.

Cannabis

Fiona Mactaggart: To ask the Secretary of State for the Home Department what proportion of young people in the Metropolitan Police area who were suspected of an offence connected to cannabis were *(a)* charged, *(b)* cautioned, *(c)* convicted and *(d)* imprisoned in the last 12 months for which figures are available. [29956]

Mr. George Howarth: This information is not available since data are not routinely collected on whether individuals are suspected of drug offences. In addition, information is not collected centrally on whether or not suspected individuals are charged with such offences. However, information on those who were cautioned, prosecuted, found guilty and imprisoned for cannabis offences is given in the table.

Cannabis offences and certain outcomes by type of offence and age, Metropolitan Police District, 1995

	Metropolitan Police				
Age	*All cases*	*Cautions*	*Prosecutions*	*Found guilty*	*Imprisoned*
Number					
Under 17	1,275	1,033	242	174	2
17 to 20	6,098	4,838	1,260	1,067	29
Under 21	7,373	5,871	1,502	1,241	31
Percentage					
Under 17	100	81	19	14	0
17 to 20	100	79	21	17	0
Under 21	100	80	20	17	0

	City of London Police				
Age	*All cases*	*Cautions*	*Prosecutions*	*Found guilty*	*Imprisoned*
Numbers					
Under 17	15	14	1	1	0
17 to 20	185	167	18	18	0
Under 21	200	181	19	19	0
Percentage					
Under 17	100	95	7	7	0
17 to 20	100	90	10	10	0
Under 21	100	91	10	10	0

	Metropolitan Police District				
Age	*All cases*	*Cautions*	*Prosecutions*	*Found guilty*	*Imprisoned*
Numbers					
Under 17	1,290	1,017	243	175	2
17 to 20	6,283	5,005	1,278	1,085	29
Under 21	7,573	6,052	1,521	1,260	31
Percentage					
Under 17	100	81	19	14	0
17 to 20	100	80	20	17	0
Under 21	100	80	20	17	0

Note:

Cannabis offences comprise production and cultivation, possession, possession with intent to supply unlawfully; unlawful supply, and permitting to be used for unlawful purposes.

Source:

Home Office Research and Statistics Directorate, Crime and Criminal Justice Unit.

TREASURY

Inheritance Tax (Works of Art)

Mr. Fallon: To ask the Chancellor of the Exchequer how much revenue he estimates would be raised in *(a)* 1998–99 and *(b)* 1999–2000 from the abolition of the conditional exemption from inheritance tax for works of art. [26194]

Dawn Primarolo: The amount of conditional relief granted for works of art, and other chattels, fluctuates significantly from year to year.

Periodicals

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26575]

Mrs. Liddell *[holding answer 5 February 1998]:* Expenditure by the Treasury on periodicals is estimated to be:

£000

Year	Expenditure
1995–96	615
1996–97	556
1997–98 to end January 1998	445
1997–98 forecast outturn	625

These figures are on a cash basis and include newspapers, magazines, and other publications which appear on a regular basis. The lower costs in 1996–97 as against 1995–96 and 1997–98 result in large part from the lower level of parliamentary activity at the end of the last Parliament. This resulted for example, in the price of *Hansard* being reduced. A complete listing of the titles currently purchased on a regular basis could be obtained only at disproportionate cost. However, the Treasury purchases copies of most of the mainstream newspapers and current affairs journals.

Officials (Entry Warrants)

Mr. Cohen: To ask the Chancellor of the Exchequer how many Inland Revenue and Customs officials are authorised to enter premises without a warrant. [29047]

Dawn Primarolo: No officer of the Inland Revenue may enter premises without the consent of the owner, unless that officer is acting under the authority of warrant granted by the appropriate judicial authority.

All commissioned officers within HM Customs and Excise are entitled, in the course of their official duties, to enter registered premises that are being used in relation to matters for which Customs have statutory responsibilities.

Family Credit

Mr. Lilley: To ask the Chancellor of the Exchequer what research he has commissioned on the likely psychological impact of paying family credit through the pay packet as a working family tax credit; and if he will publish it. [28976]

Dawn Primarolo *[holding answer 11 February 1998]:* The Chancellor has gathered a wide range of evidence in his consideration of a working family tax credit; from this evidence he has concluded that it would have a number of attractions.

Environmental Policies

Mr. Llew Smith: To ask the Chancellor of the Exchequer what management procedures have been introduced in his Department to ensure that the new environmental policies being developed by the Treasury are communicated *(a)* internally to all branches of his Department involved in policy formulation and resource accounting, *(b)* to Ministers and officials of other Government Departments and *(c)* to chief executives of non-departmental public bodies and nationalised industries. [29272]

Dawn Primarolo: The Treasury's principal aim is to raise the long-term rate of sustainable growth. This aim is communicated to all parts of the Department through management objectives. The Treasury reports on progress against its aims in its Departmental Annual Report.

The Treasury has revised its guidance on policy appraisal (*Appraisal and Evaluation in Central Government*, 1997) to make clear that environmental effects need to be considered alongside others in appraising and evaluating policies. This is the central guidance which all those carrying out appraisals in Government are expected to follow. Copies of the new version, which is available to the public, have been circulated widely within Treasury and other Government Departments. Treasury officials are working closely with Departments to ensure that they are following the new procedures.

Forthcoming revisions to *Government Accounting* will also make clear that good appraisal and evaluation, taking account of environmental impacts, are an essential part of achieving value for money. *Government Accounting* is the rulebook for Government finance. All staff in the Treasury and other Departments and Non-Departmental Public Bodies who are involved in finance and accounting will receive copies of the revised chapter and will be expected to follow it. The National Audit Office monitors compliance with the rules of *Government Accounting* in Departments.

Revenue Departments preparing submissions for the Budget are required to comment on the environmental implications of main proposals. The Treasury is encouraging other Departments to do the same with their Budget submissions.

The Treasury has a strategy for improving the environmental impact of its own domestic operations. This is available to all staff and the general public on the Internet.

Offshore Accounts

Mr. Harvey: To ask the Chancellor of the Exchequer if he will estimate the amount of potential annual revenue forgone as a result of overseas employers paying tax-free bonuses to United Kingdom-based employees' offshore accounts. [29551]

Dawn Primarolo: It is not possible to estimate the amount of potential annual revenue forgone in the circumstances described because the arrangements will be known only to the employers and employees concerned.

Euro

Mr. Gill: To ask the Chancellor of the Exchequer if provision will be made for the continued circulation of Scottish banknotes on the accession of the United Kingdom to the single currency. [29763]

Mrs. Liddell: Article 105a(1) of the Treaty gives the ECB

"the exclusive right to authorise the issue of banknotes"

within participating member states. However, Article 16 of the ESCB Statute requires the ECB to respect as far as possible existing practices regarding the issue and design of banknotes. If the UK were to join EMU, Scottish banks would need authorisation from the ECB to continue circulating Scottish banknotes.

Mr. Gill: To ask the Chancellor of the Exchequer (1) if he will make a statement on the policy of repatriation of *(a)* Euro coins and *(b)* Euro notes to the nation of origin upon United Kingdom accession to the Single Currency; what volume of currency he estimates would be repatriated in each year; and at what cost; [29771]

(2) what assessment he has made of the technical difficulties involved in repatriating bank notes and coinage not printed or minted in the United Kingdom on accession to the Single Currency. [29770]

Mrs. Liddell: All euro banknotes and coins will be legal tender in all participating member states. There will be no necessary repatriation to the country of origin, but there may be bulk redistribution of euro banknotes and coins (irrespective of their origin) around the euro area to where they are needed.

North Sea Fiscal Regime

Dr. Kumar: To ask the Chancellor of the Exchequer what representations he has received regarding the review of the North Sea Fiscal Regime; and if he will publish the outcome of the review. [29816]

Dawn Primarolo: Over the period since the review was announced we have received comments and views from a range of sources; including companies involved in exploration for and production of oil and gas in the North Sea, representative bodies of the oil industry and associated supply industries and other interested parties. The outcome of the review will form part of the Chancellor's spring Budget announcements.

Departmental Buildings

Mr. Swinney: To ask the Chancellor of the Exchequer if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30094]

Mrs. Liddell: In 1996–97, the Treasury met the running costs of three properties. All are in London. Their costs, including rent and rates, security, maintenance, gas and electricity, cleaning, health and safety, and porterage are tabulated below.

	£000
Government Offices, Great George Street	7,410
19 Allington Street	3,162
11 Downing Street	313

Departmental Employees

Mr. Swinney: To ask the Chancellor of the Exchequer if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30093]

Mrs. Liddell: The Treasury has no offices outside central London. During 1996–97, the average number of staff (excluding Ministers and casual staff) in post in the Treasury was 904. The salary bill for these staff for 1996–97, amounted to around £30 million including overhead costs such as superannuation and employers National Insurance contributions. London Weighting allowances for all Treasury staff below the Senior Civil Service were consolidated into basic pay from April 1996. Separate London Weighting and London Allowances are retained by some Treasury members of the Senior Civil Service. For 1996–1997, the total cost of these allowances was around £157,000.

Duty Free Sales

Mr. Swinney: To ask the Chancellor of the Exchequer what estimate he has made of the value of duty free sales in each United Kingdom country in each of the last five years. [30162]

Dawn Primarolo: There are no official estimates for the value of duty free sales made in the UK either before or after the start of the Single Market.

Departmental Contracts

Mr. Swinney: To ask the Chancellor of the Exchequer how many contracts of a value greater than £10,000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30096]

Mrs. Liddell: The table contains the details required for the Treasury's contracts of over £10,000.

		£
Area	*Contracts*	*Value*
London	19	3,812,000
South East England	14	766,000
England (in total)	55	6,103,000
Scotland	nil	nil
Wales	1	311,000
Northern Ireland	nil	nil

ATTORNEY-GENERAL

Departmental Contracts

Mr. Swinney: To ask the Attorney-General how many contracts of a value greater than £1000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30092]

The Attorney-General: The Departments and other bodies for which I am responsible, namely the Crown Prosecution Service, the Serious Fraud Office, the Treasury Solicitor's Department, the Government Property Lawyers and the Legal Secretariat to the Law

Officers, do not keep the information requested in the form requested and I am advised that the cost of providing the answer would be disproportionate.

Departmental Buildings

Mr. Swinney: To ask the Attorney-General if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30090]

The Attorney-General: The information requested is as follows:

The Legal Secretariat to the Law Officers

My own office is in Buckingham Gate, London SW1. The running costs for the building in the financial year 1996–97 were £422,000.

The Treasury Solicitor's Department

The Treasury Solicitor's Department occupy offices in Broadway, London SW1. The running costs for the building in the financial year 1996–97 were £2.65m.

The Government Property Lawyers

The Government Property Lawyers are based in Taunton. The running costs of their office in the financial year 1996–97 was £0.66m.

The Serious Fraud Office

The Serious Fraud Office occupy offices in London WC1. Their running costs in 1996–97 were £2.612m. The SFO also has storage accommodation in London at a cost of £103,000 for the same period.

The Crown Prosecution Service

Accommodation costs in the Crown Prosecution Service amount to £36.803m. The running costs of buildings in London, including headquarters, amounts to £14.936m. The running costs for buildings in the regions are £21.867m.

Departmental Employees

Mr. Swinney: To ask the Attorney-General if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30089]

The Attorney-General: The information requested is as follows:

Legal Secretariat to the Law Officers

In my office there are 28 staff, all based in London. The wage bill in 1996–97 was £827,000 which included £47,500 in respect of London allowances and weightings.

The Treasury Solicitor's Department

The Treasury Solicitor's Department employed 382 staff in 1996–97, the last year for which figures are available. All were employed in Central London at the beginning of the year but in the course of the year five were relocated to the South West

The wage bill in total amounted to £13.886 million. Of this £13,609 million was paid to employees in London, including £685,000 in respect of London allowances and weightings. £277,000 was paid to staff who were relocated to Bristol during the year, including £2,300 in respect of London weightings and allowances.

The Government Property Lawyers

The Government Property Lawyers employed 118.5 staff in Taunton in 1996–97. The wage bill was £3.160 million.

The Serious Fraud Office

The Serious Fraud Office employed 175 staff in London in the year 1996–97. The wage bill was £5.245 million of which £381,406 was paid in respect of London allowances and weightings.

The Crown Prosecution Service

The Crown Prosecution Service employed a total of 5,862.5 staff as at 31 March 1997. The Department's total wage bill for 1996–97, the last full year for which figures are available, was £155,205,870. The Department's personnel and accounting systems do not record data by UK region. A breakdown of London allowances and weightings from total salary costs could be obtained only at disproportionate cost.

The following table lists staff numbers and salary costs for each of the Department's 13 geographical Areas, its Central Casework Area and its National Headquarters.

Location	*Staff numbers*	*Salary cost £*
Anglia	386.5	9,893,136
East Midlands	338	8,340,148
Humber	290.5	6,915,573
London	1,044	27,599,263
Mersey/Lancashire	381	9,193,423
Midlands	406.5	10,148,107
North	371	8,870,323
North West	387.5	10,111,984
Severn Thames	352	9,348,506
South East	434	11,228,852
South West	287.5	7,136,389
Wales	345.5	9,061,001
Yorkshire	309.5	7,445,548
Central Casework	158.5	5,789,848
Headquarters	370.5	14,123,769
Totals	5,862.5	155,205,870

Departmental Expenditure

Mr. Swinney: To ask the Attorney-General if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30091]

The Attorney-General: The information requested is as follows:

Legal Secretariat to the Law Officers

Expenditure in my own office for 1996–97, the last year for which figures are available included *(a)* £1,178 for hospitality, *(b)* £6,300 for stationery and *(c)* £31,700 for travel and subsistence. The expenditure was incurred in London.

The Treasury Solicitor's Department

The Treasury Solicitor's Department's expenditure for 1996–97, the last year for which figures are available, included *(a)* £295 for hospitality, *(b)* £140,486 for stationery and *(c)* £23,061 for travel. The expenditure was incurred in London.

The Government Property Lawyers

The Government Property Lawyers' expenditure for 1996–97, the last year for which figures are available, included *(a)* £856 for hospitality, *(b)* £28,455 for stationery and *(c)* £11,119 for travel, Government Property Lawyers are based in Taunton.

The Serious Fraud Office

The Serious Fraud Office's expenditure for 1996–97, the last year for which figures are available, included *(a)* £16,447 for hospitality, *(b)* £30,258 for stationery and *(c)* £11,119 for travel. A regional breakdown of expenditure could only be provided at disproportionate cost.

The Crown Prosecution Service

Expenditure in the Crown Prosecution Service in the year 1996–97, the last year for which figures are available, included £10,025 for hospitality. Separate regional figures are not available as the information is recorded centrally.

Expenditure on stationery and travel was as follows:

£

Location	Stationery	Travel
Anglia	139,064	283,101
East Midlands	61,120	123,357
Humber	23,208	160,308
London	86,049	116,722
Mersey/Lancashire	76,249	181,810
Midlands	177,420	156,993
North	74,273	219,197
North West	97,058	175,232
Severn Thames	95,132	295,953
South East	106,494	246,463
South West	44,073	178,260
Wales	46,521	226,661
Yorkshire	109,633	177,411
Central Casework	4,864	101,684
Headquarters	64,303	549,645
Totals	1,205,461	3,192,797

Coal Miners (Compensation)

Mr. Wigley: To ask the Attorney-General what proposals he has, consequent on the High Court ruling that British Coal is liable for compensation payments to coal miners from 1947, to amend the Limitation Acts to enable such settlements to be pursued. [28994]

Mr. Hoon: I have been asked to reply.

The Law Commission is carrying out a comprehensive review of the law of limitation, with a view to simplification and rationalisation of the law. The Commission published a Consultation Paper in January this year, outlining the present law and setting out provisional proposals for reform. The consultation will be followed by the publication of a Report containing the Law Commission's final recommendations, which we will then consider. The Government do not plan to modify the law relating to limitation of actions before then.

FOREIGN AND COMMONWEALTH AFFAIRS

Ministerial Meetings

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs how many requests for meetings he has received since 1 May 1997 from *(a)* foreign ambassadors and high commissioners and *(b)* British ambassadors and high commissioners; how many of these respectively he has turned down; and if he will name the countries affected in each case. [26856]

Mr. Robin Cook *[holding answer 2 February 1998]:* No central record is kept of requests for these meetings, whether granted or refused. Since 2 May, I have met the following Ambassadors and High Commissioners:

May

The Ambassadors of the United States, Russia, Ireland and Japan.

June

The Ambassadors of Spain, Luxembourg, Italy, Portugal, Germany, Denmark, Greece, Finland, Belgium and Oman.

The High Commissioners of Australia and Cyprus.

July

The Ambassadors of the Yemen and Qatar.

September

The Ambassadors of the United States, Russia, Japan, Luxembourg, Italy and Austria.

October

The Ambassadors of Germany, Russia and Belgium.

The High Commissioners of Mauritius, South Africa, Tanzania and Kenya.

November

The Ambassadors of Japan, Indonesia, Korea, the Philippines, Thailand, Vietnam, China, Japan, Lebanon, Algeria, Bahrain, Egypt, Jordan, Kuwait, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates, Yemen, Georgia, Uzbekistan, Switzerland and Sweden.

The High Commissioners of Malaysia, Singapore and Brunei.

December

The Ambassadors of Austria, Germany, Finland, Portugal, France, Sweden, Spain, Denmark, Greece, Italy, Ireland, the Netherlands, the United States and Albania.

January

The Ambassadors of China and Bahrain.

The High Commissioner of Australia.

February

The Ambassadors of Norway and Germany.

Departmental Buildings

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26665]

Mr. Fatchett *[holding answer 5 February 1998]:* The following are the costs (£) of building refurbishment carried out by the Department:

£

Year	Home estate	Overseas estate	Total
1995–96	[1]18,273,605	22,267,500	40,541,105
1996–97	[2]19,919,116	15,888,400	35,807,516
1997–98	1,891,526	6,145,000	8,036,526
1997–98 (Full year)	2,400,525	[3]10,517,000	12,917,525

[1,2] Includes expenditure for the completion in February 1997 of the refurbishment of the Old Public Offices which started in 1980.
[3] Some planned refurbishment and preventive maintenance expenditure deferred to future years; resources reallocated to fund immediate requirement for new millennium-compliant IT.

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30104]

Mr. Fatchett: The following is the information:

£

Location	Running Costs financial year 96–97
Main Building London SW1	4,941,972
Old Admiralty Building London SW1	3,434,074
1 Palace Street London SW1	6,636,354
24 Whitehall London SW1	651,865
8 Cleveland Row London SW1	278,692
1 Carlton Gardens London SW1	192,058

£

Location	Running Costs financial year 96–97
Cromwell House London SW1	1,503,519
20 Victoria Street London SW1	738,635
4 Matthew Parker Street London SW1	1,259, 745
Clive House London SW1	758,344
Apollo House Croydon	768,943
Hanslope Park Buckinghamshire	3,587,148
Creslow Buckinghamshire	104,367
Gawcott, Buckinghamshire	12,405
Orfordness Suffolk	142,806

The remainder of the information requested, in respect of the Overseas Estate which comprises of some 3,900 properties in 144 countries is not readily available and could be provided only at disproportionate cost.

Minister without Portfolio

Mr. Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs what, and how many, files *(a)* were held in May 1997 and *(b)* are currently held by the Secret Intelligence Service and GCHQ concerning the Minister without Portfolio; and if they are planned to be destroyed. [28593]

Mr. Robin Cook: It has been the policy of successive Governments not to disclose information about the operations of the intelligence and security services, including about whether the services hold or have held files on any individual.

Arms Exports

Dr. Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the country of origin of the advanced missile guidance parts intercepted by Jordan in late 1995 on the way to Iraq; and through which other countries they had passed prior to reaching Jordan. [29286]

Mr. Tony Lloyd: It is not our practice to comment in detail on information given to us in confidence by UNSCOM.

Iraq

Dr. Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the alternative civilian uses of the four plants in Iraq which have been used to produce chemical warfare munitions; what characteristics of these plants make them suitable for chemical weapons; and if these are necessary for the civilian uses. [29287]

Mr. Tony Lloyd: There are a number of sites involved in Iraq's chemical warfare programme, or with the capability to become involved, which also have legitimate civilian uses. In the case of Iraq these have included the production of pesticides, fertilisers and chemicals for water purification. Because of the dual-use nature of the equipment and materials involved, many such plants are capable of being used to produce chemical weapons.

Mr. Gerrard: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the basis for his Department's statement that *(a)* 4000 tonnes of chemical weapons and *(b)* 600 tonnes of VX precursors are not accounted for in Iraq; and what assessment he has made of where the precursors were obtained from. [29973]

Mr. Tony Lloyd: Of the balance of chemical weapons and precursors declared by Iraq, the UN Special Commission (UNSCOM) has been unable to verify the disposal or destruction of the quantities referred to. Full details can be found in the latest report by the Executive Chairman of the UN Special Commission, a copy of which is held in the Library of the House. We have not made an assessment as to the source of supply, as UNSCOM's policy is not to disclose details of countries or suppliers and most chemical weapons precursors have widespread legitimate industrial applications eg in the manufacture of fire retardants, pesticides, insecticides and detergents.

Mr. Gerrard: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the basis for his Department's statement that 31,000 chemical weapons munitions are not accounted for in Iraq. [29974]

Mr. Tony Lloyd: The quantity of chemical weapons munitions that remain unaccounted for are derived from the discrepancy between Iraq's declared munitions material balance and the quantity that UNSCOM has been able to verify as destroyed or otherwise accounted for. Full details can be obtained from the latest report by the Executive Chairman of the UN Special Commission, a copy of which is held in the Library of the House.

Mr. Limbert Spencer

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applicants were interviewed prior to Mr. Limbert Spencer's appointment as an adviser on minority issues to his Department; and how many were of Asian origin. [29662]

Mr. Tony Lloyd: Mr. Spencer was the only one of the candidates for this appointment to be interviewed. Mr. Spencer was appointed for a part-time fixed-term appointment under the terms of paragraph 2.7 of the Civil Service Commissioners Recruitment Code.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date, at what salary, and with what job description, Mr. Limbert Spencer was appointed as an adviser on minority issues to his Department. [29661]

Mr. Tony Lloyd: Mr. Spencer was appointed on 1 December 1997 on a fixed-term appointment in the Senior Management Structure to last until 30 November 1998. The salary range for a job at this level is £43,050-£69,050 and he is paid on a part-time pro rata basis. His responsibilities are:

to identify any barriers to minority ethnic staff and potential staff, at any point in the employment process, including recruitment, posting appraisal and promotion;

to make recommendations to senior managers for action to address barriers; and

to work with minority ethnic organisations in the UK to increase the profile and promote the image of the FCO as an organisation which offers career opportunities for people from minority ethnic communities.

Paul Loseby and James Miles

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what action has been taken by the British Ambassador to Venezuela concerning the cases of Paul Loseby and James Miles. [29568]

Mr. Fatchett: Our Ambassador and his staff have raised the conditions of the detention for Mr. Miles and Mr. Loseby with the Venezeulan authorities on a number of occasions. Most recently the Ambassador wrote to the Fiscal General of Venezuela on 27 January and called on the Governor of Caracas on 30 January (accompanied by Mr. and Mrs. Miles) seeking their help in getting Mr. Miles and Mr. Loseby to see a doctor and dentist.

Venezuelan Prisoners

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent action he has taken with regard to the transfer of convicted persons between Britain and Venezuela; and what requests have been made by the Venezuelan government for the return of convicted Venezuelan prisoners held in Britain. [29569]

Mr. Fatchett: I refer the hon. Member to my reply to his question on 5 February 1998, *Official Report*, column *752*.

We have received no requests from the Venezuelan government for the transfer to Venezuela of Venezuelan citizens imprisoned in the United Kingdom.

Ministerial Travel

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 4 February 1998, *Official Report*, column *660*, on ministerial travel, for what reason he returned to London on 21 July by helicopter; where his ministerial car was on that day; and what was the cost of the flight. [29608]

Mr. Robin Cook *[holding answer 17 February 1998]:* I returned to London by helicopter because my engagement at Highgrove finished at 1500 and my first appointment in London was at 1700 with the Defence Secretary: the journey by car could not have been completed in less than three hours.

My Ministerial car took me to Highgrove that morning and collected me from Battersea Heliport on my return from Highgrove. The cost of the flight was £1,209.

Departmental Contracts

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs how many contracts of a value greater than £10,000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30106]

Mr. Fatchett: The information sought is not readily available and could be made available only at disproportionate cost.

Departmental Employees

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30103]

Mr. Tony Lloyd: On 1 January 1998, the FCO employed 5,620 UK-based staff in London and the South East, and at posts overseas.

Total paybill expenditure (including the cost of Salaries, National Insurance, Superannuation, Shift Disturbance Allowance, Overtime and Recruitment and Retention Allowance) for the financial year 1996–97 was £170.3m.

Expenditure in 1996–97 on London allowances and weightings, which form part of Recruitment and Retention Allowance, was £7.7m.

Departmental Expenditure

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30105]

Mr. Fatchett: The regional breakdown of expenditure by the FCO on hospitality, stationery and travel in the last Financial Year (1996–97) was as follows:

£000

	England
Hospitality	[1]1,796
Stationery	2,345
Travel	1,333

[1] This figure includes the expenditure by the Government Hospitality Fund which provides for State Visits, Guests of Government and functions for all Government Departments.

DUCHY OF LANCASTER

Overseas Visits

Mr. Bercow: To ask the Chancellor of the Duchy of Lancaster how many overseas visits have been made by his Department's political advisers at public expense since 1 May. [25138]

Dr. David Clark *[holding answer 23 January 1998]:* My special adviser has accompanied me, along with other departmental officials, on four overseas visits since 1 May.

Mr. Bercow: To ask the Chancellor of the Duchy of Lancaster how many times the spouses of Ministers in his Department have accompanied Ministers on overseas visits; and what was the cost of their travel and other expenses. [25173]

Dr. David Clark *[holding answer 23 January 1998]:* My hon. Friend the Parliamentary Secretary and I have been accompanied solely by departmental officials on the overseas visits which we have undertaken.

Official Cars

Mr. Bercow: To ask the Chancellor of the Duchy of Lancaster how many official cars are available for use by

Ministers in his Department; and how many new cars have been acquired for the use of Ministers in his Department since 1 May. [25174]

Mr. Kilfoyle *[holding answer 23 January 1998]:* For this answer my Department includes the Prime Minister's Office, the Government Whips' Offices in the House of Lords and the House of Commons, and the Minister without Portfolio's Office.

My Department has six official cars allocated for use by Ministers. There has been no change in the number of allocated cars since 1 May 1997.

Since 1 May 1997 the Government Car Service has purchased 19 new vehicles for ministerial use across Government. Of these, 17 were to replace cars that were already being used by Ministers and had come to the end of their working life, and two were added to cover new ministerial posts.

Political Advisers (Support Staff)

Mr. Bercow: To ask the Chancellor of the Duchy of Lancaster how many secretarial and support staff work full-time in support of his political advisers in his Department. [25191]

Dr. David Clark *[holding answer 23 January 1998]:* There is one Personal Secretary who works full-time in support of the Special Advisers in my Department.

Departmental Publicity

Mr. Bercow: To ask the Chancellor of the Duchy of Lancaster what has been the cost of media presentations and press conferences which he has given, other than those held at his Department. [25172]

Dr. David Clark *[holding answer 23 January 1998]:* I have incurred no costs for media presentations or press conferences other than those held at my Department.

London Weighting

Mr. Swinney: To ask the Chancellor of the Duchy of Lancaster what was the cost of London salary weightings to the Civil Service for each of the last five years. [30054]

Dr. David Clark: My answer assumes that the hon. Gentleman's question refers to the payment of London Weighting allowance.

Since 1 April 1996 departments and agencies have had delegated authority to determine the pay and the allowances for those staff outside of the Senior Civil Service. I am, therefore, unable to provide costs for the last two years (1996 and 1997), as records of actual costs are no longer held centrally.

The London Weighting allowance was abolished on 1 October 1994, but most Civil Servants in receipt of this allowance retained it as a reserved right. There were three levels of London Weighting allowance paid to non-industrial staff:

inner London £1,776 per person per annum;

intermediate zone £1,015; and

outer London £736.

The approximate cost of the London allowance (excluding employer's superannuation and National Insurance contributions) for the three years prior to delegation is as follows:

1993: £158 million

1994: £151 million

1995: £147 million.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Hoyle: To ask the Minister without Portfolio what plans he has to consult the Showmen's Guild on the Millennium Dome project. [29863]

Mr. Mandelson: The New Millennium Experience Company (NMEC) has been in correspondence with the London and Home Counties section of the Showmen's Guild of Great Britain about their interest in short-stay events at the Millennium Experience. The NMEC have agreed to contact the Guild again if appropriate opportunities arise in planning events and activities in the environs of the Dome.

Mr. Fraser: To ask the Minister without Portfolio if he will ensure *(a)* that his announcement about the (i) specific contents and (ii) sponsorship of the Millennium Dome project is made to Parliament in the first instance and *(b)* that all future announcements are made to Parliament in the first instance where they concern substantial amounts of public and National Lottery money. [29870]

Mr. Mandelson: All Government Ministers are guided by the relevant section of the Ministerial Code, which states (paragraph 27) that

"Ministers will want to bear in mind the desire of Parliament that the most important announcements of Government policy should be made, in the first instance, in Parliament."

I shall ensure that Parliament has appropriate information on all major policy developments in respect of the Millennium Experience.

CULTURE, MEDIA AND SPORT

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26630]

Mr. Tom Clarke *[holding answer 5 February 1998]:* The cost of buildings refurbishment carried out by my Department is set out in the table.

£

	Cost
1995–96	136,507
1996–97	8,133
1997–98 (to date)	47,995
1997–98 (full year)	218,208

The figures for 1996–97 onwards do not include VAT or professional fees.

My Department moved into new premises in 1993 and, therefore, little or no refurbishment has been necessary since. The expenditure in 1995–96 was due to the Department acquiring an extra floor in another building. Expenditure in 1997–98 has arisen because of the need to clean and refit ceiling tiles at a cost of approx £170,000 and for works to Ministers' offices to accommodate a fourth Minister.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27751]

Mr. Tom Clarke *[holding answer 5 February 1998]:* The available information is given in the table:

£

Year	Ministerial cars and drivers	Taxis
1995–96	[1]236,115	11,208
1996–97	176,031	16,681
1997–98 (spend to date)	192,657	13,976
1997–98 (estimate)	225,000	n/a

[1] Expenditure on Government Car Service, includes non-ministerial expenditure, eg. Permanent Secretary's Car.

Piers

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport how much National Lottery funding has been provided for the preservation of pleasure piers. [29559]

Mr. Tom Clarke: The National Lottery has provided £4.3 million to date for the preservation of pleasure piers. All awards have been made by the Heritage Lottery Fund.

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport how many pleasure piers have received public funding in each of the last 25 years. [29560]

Mr. Tom Clarke: The majority of Government funding for the built heritage is channelled through English Heritage. Since its inception in 1984, English Heritage has offered conservation grants to the following pleasure piers:

Grant offer (£000)

Year	Brighton West Pier	Southend Pier	Ramsgate East Pier	Clevedon Pier	Scarborough West Pier
1983–84	50.0	—	—	19.4	—
1984–85	—	100.0	—	637.0	—
1985–86	184.8	—	—	—	—
1988–89	3.0	—	—	—	—
1990–91	—	—	—	—	20.6
1991–92	—	—	7.2	—	—
1996–97	77.5	—	—	—	
Total	315.3	100.0	7.2	656.4	20.6

The National Heritage Memorial Fund (NHMF), also funded by my Department, has provided funding for the rescue of the following piers since its establishment in 1980:

Grant Award (£)

Year	Bangor Pier	Clevedon Pier	Brighton Pier
1982–83	10,000	—	—
1983–84	65,000	—	—
1984–85	68,106	24,223	—
1985–86	86,420	353,476	—
1986–87	45,474	71,535	71,999
1987–88	50,000	33,257	43,222
1988–89	—	146,901	39,296
1989–90	—	32,608	36,014
Total	325,000	662,000	190,531

In addition, the Heritage Lottery Fund, distributed by the NHMF, has made the following awards to piers:

Grant Award (£)

Year	Clevedon Pier	Swanage Pier	Bowness Harbour Pier	Penarth Pier	Southport Pier	Brighton West Pier
1995–96	1,195,045	—	—	—	—	—
1996–97	—	700,000	250,000	1,101,000	34,000	968,000
1997–98	—	—	—	—	—	57,500
Total	1,195,045	700,000	250,000	1,101,000	34,000	1,025,500

There are no readily accessible central records of funding for restoration of specific building types to enable me to provide an answer for the years prior to 1983–84. Similarly, it is not possible to provide information in respect of local authority funding for pleasure piers.

English Heritage

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport how much English Heritage has spent on maintenance of its historic *(a)* sites and *(b)* properties in each of the past five years. [29742]

Mr. Tom Clarke: It is not possible to provide a breakdown of expenditure between English Heritage's historic sites and properties. However, in each of the last five years, overall expenditure on the maintenance and restoration of its historic sites and properties is as follows:

Year	£ million
1992–93	7.2
1993–94	5.8
1994–95	5.5
1995–96	6.1
1996–97	7.0

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport how much English Heritage has spent on the restoration of historic *(a)* sites and *(b)* properties in each of the past five years. [29741]

Mr. Tom Clarke: In each of the last five years, English Heritage's expenditure on each of its grant repair schemes is as follows:

Grant spend (£ million)

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Historic Buildings and Monuments	12.3	11.7	12.1	12.8	11.6
Churches	9.3	10.3	9.1	9.2	10.3
Cathedrals	3.0	3.5	3.7	3.3	4.0
Conservation Areas	7.4	8.3	8.5	8.9	9.2
Parks, Gardens and Landscapes	1.0	0.5	0.4	0.2	0.2
Total	33.0	34.3	33.8	34.4	35.3

In addition, overall expenditure on the restoration and maintenance of English Heritage's own historic sites and properties is as follows:

Year	*£ million*
1992–93	7.2
1993–94	5.8
1994–95	5.5
1995–96	6.1
1996–97	7.0

SCOTLAND

Dental Services

Mrs. Ballard: To ask the Secretary of State for Scotland if he will estimate by health authority the number of patients who will be de-registered from their dentists as a result of the new regulations in *(a)* numerical and *(b)* percentage terms. [29160]

Mr. Galbraith: From 1 September 1996, the registration period for both adult continuing care and child capitation payments was harmonised to provide patients with a period of continuing dental care for 15 months following each course of treatment. At that time it was estimated that registration numbers might fall by about 15 per cent. as a result of this change.

At December 1997 (the latest date for which figures are available) there were 2,944,047 patients registered with a dentist in Scotland compared with 2,664,988 at the end of 1996–97. According to the earlier estimate about 442,000 patients might lapse from registration. No estimates for individual Health Boards have been made.

Regular attenders will be unaffected by the change as their registration period will roll forward when they attend their dentist.

Dentists are free to re-register any patients whose registrations have lapsed. It is for dentists to decide whether they wish to accept any patient onto their list.

Rural Watch

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what was the total financial support from his Department to farm watch and rural watch schemes in each of the last five years for which figures are available; and if he will make a statement. [29244]

Mr. McLeish: The Scottish Office has provided no financial support to farm watch or other rural watch schemes in any of the last five years. Individual police forces support farm watch and other rural watch schemes.

Fire Service

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what was the total number of *(a)* retained and *(b)* all fire officers per force, by sex and age group, in each of the last five years for which figures are available. [29256]

Mr. McLeish: Data on the age of fire service officers are not held centrally. The information available is as follows:

Retained and all other fire personnel per brigade by sex since 1993

	1992		*1993*		*1994–95*		*1995–96*		*1996–97*	
Brigade	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*
Central										
Retained	153	3	152	4	150	5	148	7	148	6
Total	409	17	407	18	395	20	401	22	403	20
Dumfries & Galloway										
Retained	187	1	198	1	186	3	184	4	181	2
Total	304	16	314	17	291	21	293	22	287	20
Fife										
Retained	94	1	100	1	100	3	100	2	93	3
Total	474	18	478	18	483	21	480	19	476	21
Grampian										
Retained	438	3	437	4	470	4	416	5	411	8
Total	793	32	795	36	828	33	771	33	771	39
Highland & Islands										
Retained	381	0	382	1	383	2	382	3	379	6
Total	1,393	36	1,406	39	1,396	44	1,372	47	1,375	53

Retained and all other fire personnel per brigade by sex since 1993

Brigade	1992		1993		1994–95		1995–96		1996–97	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Lothian & Borders										
Retained	278	1	287	2	286	4	288	5	283	6
Total	994	27	997	27	1,020	35	1,022	36	1,017	42
Strathclyde										
Retained	569	9	576	9	580	6	582	10	592	10
Total	3,036	75	3,032	73	3,007	69	3,026	74	3,034	81
Tayside										
Retained	248	2	246	3	249	3	239	3	240	8
Total	684	19	695	20	710	19	681	21	687	28

Notes:
The figures for 1993 represent the calendar year. All the following figures are on a fiscal year basis, ie from 1 April to 31 March.
All the figures represent the actual strength of the brigade and not the establishment. The category "All" includes Wholetime operational, Wholetime control room, Retained and Volunteer.
Source:
Her Majesty's Chief Inspectorate of Fire Services for Scotland Annual Report.

Police

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what was the total number of special police constables, per police force, by sex and age group, in each of the last five years for which figures are available; and if he will make a statement. [29242]

Mr. McLeish: The information requested is set out in the table and has been taken from returns supplied by forces since 1992.

Force	1992	1993	1994	1995–96	1996–97
Central					
Male	82	84	88	65	58
Female	20	17	22	23	23
Dumfries and Galloway					
Male	129	138	135	151	145
Female	38	51	58	63	54
Fife					
Male	122	129	125	105	96
Female	29	31	33	35	36
Grampian					
Male	167	157	146	125	110
Female	47	47	52	46	36
Lothian and Borders					
Male	150	160	187	174	146
Female	48	49	49	49	51
Northern					
Male	387	383	395	373	384
Female	106	132	136	127	127
Strathclyde					
Male	301	290	278	254	240
Female	81	77	73	74	74
Tayside					
Male	116	125	164	164	157
Female	24	27	51	50	49
Total					
Male	1,454	1,466	1,518	1,411	1,336
Female	393	431	474	467	450

Notes:
Information by age group not available.
From 1995–96 figures relate to financial year rather than calendar year and are taken as at 31 March.

The Association of Chief Police Officers in Scotland have set up a Working Group to review the role of special constables.

Mr. Charles Kennedy: To ask the Secretary of State for Scotland how many *(a)* police houses and *(b)* police stations there were in each police force area, in each of the last five years for which figures are available; and what proportion of police stations were operating on a part-time basis in each year, in each force. [29245]

Mr. McLeish: The information available is set out in the tables and has been taken from annual statistical returns supplied by forces since 1989.

Number of police houses

Force	1992	1993	1994	1995–96	1996–97
Central	52	50	50	32	29
Dumfries and Galloway	113	108	103	57	32
Fife	192	133	66	40	20
Grampian	315	278	213	158	117
Lothian and Borders	197	142	68	31	26
Northern	322	317	312	305	299
Strathclyde	867	719	440	264	219
Tayside	160	125	97	73	53
Total	1,546	1,872	1,349	960	795

Number of buildings used as police stations

Force	1990	1991	1992	1993	1994
Central	30	30	32	32	32
Dumfries and Galloway	25	25	25	27	27
Fife	57	56	56	56	31
Grampian	77	77	77	78	80
Lothian and Borders	58	58	60	59	59
Northern	113	108	92	95	95
Strathclyde	202	202	199	171	154
Tayside	54	49	50	50	50
Total	616	605	591	568	528

Notes:
Figures for 1995–96 and 1996–97 are no longer held centrally.

Residential Care

Mr. David Stewart: To ask the Secretary of State for Scotland if he will list the treatment of war disablement pension made by each local authority in Scotland in calculating residential care assessments. [29285]

Mr. Galbraith: All local authorities in Scotland must apply the National Assistance (Assessment of Resources) Regulations 1992, as amended, when charging for

residential and nursing home care. The Regulations require that the payment of any war disablement pension to a resident is subject to a £10 weekly disregard.

A90 (Accidents)

Mr. McAllion: To ask the Secretary of State for Scotland if he will list the number of fatalities and serious injuries arising from accidents on the Perth-Dundee section of the A90 in each of the last 10 years for which figures are available. [29554]

Mr. McLeish: The table lists the number of fatal and serious casualties on the A90 between Perth (north of Friarton Bridge) and Dundee (Swallow Roundabout) from 1988 to 1997 inclusive.

A90 Perth to Dundee: Fatal and serious casualty numbers (1988–1997 [1])

Year	*Fatal*	*Serious*	*Total*
1988	6	15	21
1989	7	28	35
1990	8	18	26
1991	4	23	27
1992	4	14	18
1993	3	23	26
1994	2	22	24
1995	8	22	30
1996	3	13	16
1997[1]	1	7	8
Total	46	185	231

[1] Figures for the period January to October inclusive.

Small Claims

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what percentage of small claims cases in 1996–97 involved legal representation. [30147]

Mr. McLeish: Figures on these matters are not held centrally.

Road Accidents

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how many alcohol-related road accidents occurred in each of the last five years in Scotland; what percentage of total accidents they represent; and how many deaths resulted. [29949]

Mr. McLeish: Road Accidents statistical returns collect information only about accidents which involve personal injury and do not include road accidents where only damage to vehicles occurs. Estimates of the numbers of injury road accidents involving motor vehicle drivers or riders with illegal alcohol levels (ie above the current drink-drive limit of 80mg per 100ml of blood), and the numbers of casualties in such accidents, are based on the statistical returns and on separate information from Procurators Fiscal. The table provides information for the latest five years for which estimates are available for Scotland. Because of the uncertainty involved, each estimate is rounded to the nearest ten.

Year	*Estimated number of injury road accidents in Scotland which involved motor vehicle drivers or riders with illegal alcohol levels*	*Percentage of all injury road accidents in Scotland*	*Estimated number of deaths arising from road accidents in Scotland which involved motor vehicle drivers or riders with illegal alcohol levels*
1991	990	5.2	80
1992	860	4.8	60
1993	840	5.0	60
1994	790	4.7	80
1995	790	4.8	50

Higher Education

Mr. Sarwar: To ask the Secretary of State for Scotland what steps he is taking to encourage young people to enter higher education. [28805]

Mr. Wilson *[holding answer 16 February 1998]:* I refer my hon. Friend to the oral answer I gave to my hon. Friend the Member for Cunninghame, South (Mr. Donohoe) on 17 February 1998, *Official Report*, column 884.

Fife Health Board

Ms Squire: To ask the Secretary of State for Scotland (1) if he will make a statement on the overall cost of relocation of Fife Health Board from Glenrothes to Cupar; and what were the costs of relocation broken down into those of (i) removal, (ii) redecoration, (iii) office equipment and furniture, carpets, curtains and other furnishings and telephone and computer systems and (iv) relocation of staff; [29143]

(2) what has been the cost of maintaining Fife Health Board's Glenrothes site since 1993; [29144]

(3) if he will estimate the costs of returning Fife Health Board's offices to Glenrothes. [29145]

Mr. Galbraith: Fife Health Board has indicated that the overall cost of relocating Fife Health Board from Glenrothes to Cupar was £901,000 comprising:

	£000
Building/Structural costs	655
IT Network costs	70
Removal costs	37
Staff excess travel	139
Total	901

Redecoration and office equipment are included within the total building/structural costs. The telephone system was transferred from Glenrothes House.

The Health Board has indicated that the cost of maintaining Glenrothes House over the three financial years 1994–95 to 1996–97 was £870,000. This is the net cost after recharges to the sub-tenants. This building has been used during this period for a number of Fife Health Board activities.

I understand that the Health Board is currently considering its future requirements for Headquarters' office accommodation and has set up a working group under the Chairmanship of one of the non-executive Directors to further consider this issue. While the Health Board had previously given some consideration to a possible relocation back to Glenrothes House, no final decision has been made. The Health Board estimates the costs of relocation to Glenrothes House at around £860,000.

Maternity Facilities (Fife)

Ms Squire: To ask the Secretary of State for Scotland what estimate he has made of the cost of *(a)* transferring the maternity facilities currently located at Forth Park Hospital to Victoria Hospital and *(b)* adapting and equipping the Victoria Hospital to take the maternity wards from Forth Park. [29146]

Mr. Galbraith: Fife Health Board's draft Integrated Health Care Strategy identifies options for the future provision of maternity services. This is based on advice from clinicians that split site obstetric and paediatric services are no longer acceptable and that these services should be integrated into the main Victoria Hospital site for best clinical quality. The proposals will be subject to public consultation. The capital and other implications of this proposal are currently being considered by Fife Health Board and the Trust.

Ms Squire: To ask the Secretary of State for Scotland what is the cost of building and equipping the maternity ward at Queen Margaret Hospital, Dunfermline. [29147]

Mr. Galbraith: Queen Margaret Hospital NHS Trust has indicated that, based on the total building cost of Queen Margaret Hospital, the cost of the maternity ward and delivery suite component was approximately £1,000,000. These facilities are now being used by the Trust for other purposes.

Victoria Hospital

Ms Squire: To ask the Secretary of State for Scotland what is the annual cost of work related to the structure of Victoria Hospital; what was the date of the last full structural survey of the Victoria Hospital; and when it was published. [29148]

Mr. Galbraith: Estate related expenditure on the Victoria Hospital for the years 1994/95 to 1997/98 is provided. The figures were provided by the Kirkcaldy Acute Hospitals NHS Trust.

£000

Year	*Capital*	*Revenue*
1994–95	2,066	489
1995–96	4,339	582
1996–97	3,161	552
1997–98	1,532 (est)	—

The last structural survey of Victoria Hospital was carried out in the spring of 1992 and the result was presented at a Strategic Workshop held on 19 and 20 May 1992.

Ms Squire: To ask the Secretary of State for Scotland what is the cost of relocating the paediatric and gynaecological services from the Queen Margaret Hospital to the Victoria Hospital. [29149]

Mr. Galbraith: Paediatric surgery and gynaecology services have not transferred from Queen Margaret Hospital to Victoria Hospital. Services are currently provided at both hospitals.

Ms Squire: To ask the Secretary of State for Scotland what were the costs of dealing with recent flooding at the Victoria Hospital; and what assessment he has made of the likelihood and frequency of future flooding. [29150]

Mr. Galbraith: The programme of repairs and replacements carried out at Victoria Hospital, Kirkcaldy since the flooding on 13/14 August 1997 cost £50,000. Prior to this incident, Kirkcaldy Acute Hospitals NHS Trust and the East of Scotland Water Board had commissioned a programme of work to improve drainage from the hospital site. This was part of a bigger project in the surrounding area which included alterations and improvements to the local sewers. Further design work is presently being undertaken by the Trust and the Water Board to provide storm overflow drains. I understand that the Water Board has indicated that once these further measures are implemented the possibility of future flooding is highly unlikely.

HEALTH

Smoking

Mr. Peter Bottomley: To ask the Secretary of State for Health if he will list the absolute changes in the incidence of *(a)* smoking and *(b)* smoking-related diseases by socio-economic classification in the past 20 years. [28816]

Ms Jowell: Information about the prevalence of smoking by socio-economic group between 1976 and 1996 is given in reports on the General Household Survey (GHS)[1]. Information for 1996 is given in the table.

Data on the incidence of all smoking-related diseases by socio-economic group are either not available centrally or could be provided only at disproportionate cost, however information on the incidence of lung cancer, one smoking-related disease, by social class between 1976 and 1989 has been published in "Population Tends 90"[2].

Data on "deaths" from some smoking-related diseases (for example, lung cancer and ischaemic heart disease) by social class have been published in "Health Inequalities"[3].

[1] Office for National Statistics. Living in Britain—Results from the 1994 General Household Survey, HMSO, London (1996).

[2] Office for National Statistics, Incidence of Health of the Nation cancers by social class. Population Trends 90. The Stationery Office, London (1997).

[3] Office for National Statistics. Health Inequalities—Decennial Supplement: DS15. The Stationery Office, London (1997).

Cigarette smoking amongst adults, by socio-economic group, and sex, Great Britain, 1996

Percentage

	Men	*Women*
Non-manual		
Professional	12	11
Employers and managers	20	18
Intermediate and junior non-manual	24	28
Total non-manual	21	22
Manual		
Skilled manual and own account non-professional	32	30
Semi-skilled manual and personal service	41	36
Unskilled manual	41	36
Total manual	36	33
All aged 16 and over	29	28

Notes:
1. Percentages rounded to the nearest whole figure.
2. Socio-economic group is coded according to the present job of those currently working and to the last job of those not currently working. Married women whose husbands were in the household are classified according to their husband's occupation. Members of the armed forces, persons in inadequately described occupations and all persons who have never worked have not been shown as separate categories but are included in the figures shown as totals.

Source:
ONS General Household Survey

Copies of all of these publications are available in the Library.

NHS White Paper

Mr. Maples: To ask the Secretary of State for Health what steps health authorities will take to involve the public in *(a)* the proposed health improvement plans, *(b)* the proposed primary care groups and *(c)* NHS trusts following the introduction of proposals set out in his White Paper on the NHS. [29061]

Mr. Milburn: Rebuilding confidence in the National Health Service as a public service, accountable to patients, open to the public and shaped by their views, is one of the essential tasks left to us by the previous Administration. The White Paper, "*The New NHS*", sets clear requirements for public accountability, which will be met locally in a variety of ways as implementation of the White Paper proceeds. Nationally, we recently added NHS trusts to the list of bodies whose meetings must be open to the public.

NHS Trust Mergers

Mr. Maples: To ask the Secretary of State for Health if he will make a statement regarding his Department's policy on mergers of NHS trusts. [29009]

Mr. Milburn: We welcome proposals for closer joint working between National Health Service trusts, leading in some cases to proposals for merger, as demonstrations of the new approach to partnership in the NHS. Each merger arises from a local decision and is considered on its merits. The key criterion for mergers is that they should offer the best means of delivering benefits to patients. All mergers will be expected to demonstrate administrative savings. There is no national target for numbers of mergers.

NHS Appeals Procedure

Mr. Keetch: To ask the Secretary of State for Health what plans he has to implement changes to the National Health Service appeals procedure. [29257]

Mr. Milburn: We will be commissioning a formal evaluation of the National Health Service Complaints Procedures later this year. Officials are currently preparing to put the project out to tender.

NHS Real Estate Sales

Mr. Swayne: To ask the Secretary of State for Health if he will estimate the cost to public funds of disposing of NHS real estate by a system of preferred bidders as against sale on the open market. [29359]

Mr. Milburn: Surplus or redundant assets must be disposed of at full open market value to ensure that the National Health Service obtains best value for money.

Physical Education

Mr. Truswell: To ask the Secretary of State for Health what assessment he has made of *(a)* the fitness of the nation's schoolchildren and *(b)* the effects of the proposed removal of physical education from the core curriculum. [29404]

Ms Jowell: On the Department of Health's behalf, the Health Education Authority is currently completing a review ("Young and Active") of the physical activity and fitness levels among children and young people aged between 5 and 18. I expect to receive their assessment of the current situation and recommendations for future action shortly. In addition, the 1997 Health Survey also included questions about children's physical activity levels. The results will be available towards the end of 1998.

My right hon. Friend, the Secretary of State for Education and Employment, with whom I work closely on health matters related to schoolchildren, will be responding with regard to the place of physical education in the curriculum.

Pharmaceuticals

Mr. Paice: To ask the Secretary of State for Health what was the proportion of total NHS spending taken by pharmaceutical products in each of the last five years; and what was the figure in cash terms for each year. [29854]

Mr. Milburn: The information requested is given in the table.

Year	*Total spend on drugs by the National Health Service in £ million*	*Total National Health Service spend on drugs as a percentage of total NHS expenditure*
1992–93	3,284	11.2
1993–94	3,661	12.0
1994–95	3,994	12.5
1995–96	4,372	13.1
1996–97	4,735	13.6

Health Authorities and Trusts (Mergers)

Dr. Harris: To ask the Secretary of State for Health if he will list the health authorities and NHS trusts which have merged or changed their names since April 1997. [30212]

Mr. Milburn: There have been no mergers of health authorities since April 1997. However, since 1 April 1997 the following National Health Service trusts have merged:

Isle of Wight Community Healthcare and St. Mary's Hospital Trust (£103.3m) to form Isle of Wight Healthcare NHS Trust;

Weald of Kent Community NHS Trust and Maidstone Priority Care to form Invicta Community Care NHS Trust;

Wirral Community Health Care NHS Trust and West Cheshire NHS Trust to form Wirral and West Cheshire Community NHS Trust;

Pontefract NHS Trust and Pinderfields NHS Trusts to form Pinderfields and Pontefract Hospitals NHS Trust.

Additionally, nine NHS trust mergers have been agreed for April 1998 with another 13 at consultation stage before final Ministerial decision.

Mental Health Services

Mr. Simon Hughes: To ask the Secretary of State for Health (1) under the arrangements contained in the NHS White Paper, which body will commission local hospital and community mental health services; and what scope there will be for local determination; [30210]

(2) for what reasons mental health services in England are not commissioned by primary care trusts. [30211]

Mr. Boateng: As envisaged in the White Paper "The New NHS", the new Primary Care Groups will commission the majority of local mental health services in England. Health authorities will commission specialist mental health services. Health Improvement Programmes will allow consideration of local health needs and how these can best be met, as well as how national targets can be delivered.

Child Deaths (Medical Error)

Mr. Simon Hughes: To ask the Secretary of State for Health if he will make a statement on the procedure for investigating the deaths of children as a result of medical error; and what plans he has to improve the accountability of the medical profession. [30208]

Mr. Boateng: Each National Health Service is responsible for investigating untoward incidents whether or not they have led to patient injury or death. Guidelines have been issued to the NHS on the reporting and investigation of incidents under the title "Risk Management in the NHS".

The White Paper "The New NHS" sets out plans to introduce a process of "clinical governance" in every NHS trust to help ensure that proper processes are in place for assuring and improving clinical quality.

Coloured Spectacle Lenses

Mr. Simon Hughes: To ask the Secretary of State for Health what assessment he has made of evidence on the beneficial effects for dyslexic children of plano coloured spectacle lenses; and if he will amend the regulations to allow the inclusion of such lenses for clinical purposes within the optical voucher scheme. [30207]

Mr. Milburn: Officials from the Department of Health and the Department for Education and Employment will shortly be discussing this evidence with members of the Institute of Optometry. Before consideration is given to any changes to the regulations, it must be clear that any benefits to children with reading difficulties are derived specifically from the use of coloured lenses.

Lexie McConnell

Mr. Simon Hughes: To ask the Secretary of State for Health if he will establish an independent public inquiry into the death of Lexie McConnell. [30209]

Mr. Milburn: The death of Lexie McConnell was a tragic incident, and I fully sympathise with Mr. and Mrs. McConnell's great loss.

An independent inquiry was offered in 1994 by Anglia and Oxford Regional Health Authority which would have covered the issue of steroid prescriptions for children, using Lexie's case as a base-line for the inquiry. Mr. and Mrs. McConnell did not however agree with the proposed format of the inquiry and chose not to participate. Consequently the inquiry did not take place.

More recently the McConnells have been pursuing a legal claim against Oxfordshire Health Authority on the ground of post traumatic stress caused by their daughter's death. The case has not yet been heard by the Courts. It is therefore not appropriate for an independent public inquiry to take place whilst a separate private legal claim is being brought against Oxfordshire Health Authority by the McConnells.

Departmental Contracts

Mr. Swinney: To ask the Secretary of State for Health how many contracts of a value greater than £5,000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30081]

Ms Jowell: This information is not held centrally and could be provided only at disproportionate cost.

Departmental Employees

Mr. Swinney: To ask the Secretary of State for Health if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30078]

Ms Jowell: Annual paybill information is not collected in the format requested. The table gives the January 1998 pay information multiplied to give an annual figure.

£

Region	Number of Employees	Pay	London Allowances	Total
North West	643	10,644,113	0	10,644,113
Merseyside	19	252,373	0	252,373
West Midlands	235	6,035,851	1,776	6,037,627
South West	139	4,078,937	1,776	4,080,713
London	2,575	64,813,157	2,943,086	67,756,243
South East	152	4,274,911	12,080	4,286,991
Eastern	6	179,448	0	179,448
East Midlands	69	1,081,921	0	1,081,921
Yorks and Humberside	1,057	25,092,647	21,312	25,113,959
North East	126	3,488,719	0	3,488,719
Total	5,021	119,942,076	2,980,030	122,922,106

Notes:
1. Figures extracted from January 1998 pay bill
2. Basic pay includes national pay plus allowances other than London allowances
3. In August 1996 all London allowances for new staff were abolished in this Department and a general additional pay allowance was introduced which covers payments for geographical location and special skills. Staff in receipt of London weighting prior to August 1996 have a reserved right to retain this allowance. Therefore not all payments for an element of London weighting are separately identifiable.
4. All figures exclude overtime, bonuses and other non-recurring costs
5. Pay details have been adjusted for part-time working
6. London weighting shown against non-London areas relates to mark-time pay

Departmental Buildings

Mr. Swinney: To ask the Secretary of State for Health if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30079]

Ms Jowell: A schedule of buildings occupied by the Department showing the location and running costs for 1996–97 is set out in the table. Running costs include rent (or opportunity cost rent in respect of freehold buildings), contribution in lieu of rates, service charges, maintenance, utilities, security and cleaning.

Building	Location	1996–97 Running costs £000
Skipton House	Elephant and Castle, London SE1	6,456
Hannibal House	Elephant and Castle, London SE1	2,253
Richmond House	Whitehall, London SW1	4,642
Wellington House	Waterloo, London SE1	2,635
Eileen House	Elephant and Castle, London SE1	1,662
Market Towers	Vauxhall, London SW8	5,056
St. Charles	Brentwood, Essex	286
St. Catherine's House	Holborn, London WC2	200
Capital Drive	Linford Wood, Milton Keynes	608
Eastbourne Terrace	London W2	2,382
Millenium Business Park	Birchwood, Warrington	774
Westwood House	Bristol	656
Fullwood House	Sheffield	381
John Snow House	Durham	453
Hagley Road	Edgbaston, Birmingham	742
Quarry House	Leeds	6,036
Glenthorne	Erdington, Birmingham	1,145
Premier Buildings	Nelson, Lancs	210
Bristol Avenue	Bispham, Blackpool	73
Cressington House	Garston, Liverpool	15
Chalfont Drive	Nottingham	21
Hinchley Wood	Surbiton, Surrey	136
Cannons Park	Stanmore, Middx	94
Maid Marian House	Nottingham	80
Warwickgate House	Old Trafford, Manchester	48
Ladywood House	Birmingham	135
Tyne Bridge Tower	Gateshead, Tyne and Wear	50
West Riding House	Leeds	240
J. Rothschild House	Nottingham	105
Berkley Square	Clifton, Bristol	115
Belgrave Road	London	24
Chantry House	Chester	30
Prudential House	York	14
Crown House	Hitchin, Herts	31

Building	Location	1996–97 Running costs £000
East Grinstead House	East Grinstead, West Sussex	20
Hesketh House	Fleetwood, Lancs	1,813
File Store	Poulton le Fylde, Lancs	
Trevelyan Square	Leeds	654

Note:
Where the Department shares a building with other departments costs have been reported only in respect of our own occupation.

Departmental Expenditure

Mr. Swinney: To ask the Secretary of State for Health if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30080]

Ms Jowell: The Department of Health does not collect information on expenditure in the above areas on a government designated regional basis. It is therefore not possible to provide data in the form requested without incurring disproportionate costs.

The figures for the whole of the Department and its agencies for the year 1996–97 are as follows:

	Hospitality	Stationery	Travel
Department	105,192	1,551,744	5,722,961
Agencies	23,589	[1]130,602	[1]794,516
Totals	128,781	1,682,346	6,517,477

[1] Due to variations in the accounting systems used by the agencies these figures are based upon a small degree of estimation and apportionment.

AGRICULTURE, FISHERIES AND FOOD

Periodicals

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26589]

Mr. Morley *[holding answer 5 February 1998]:* The Department purchases a range of newspapers, magazines and other publications. Expenditure by the Department's Libraries on newspapers and magazines for *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year are as follows:

£

Year	*Serials*	*Newspapers*
1995–96	224,000	[1]n/a
1996–97	158,237	26,786
1997–98 to date (Dec)	138,979	11,739
1997–98 full year	171,000	14,744

[1] Figure not available except at disproportionate cost.

Farmers Markets

Mr. Soames: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to encourage farmers' markets. [28487]

Mr. Morley *[holding answer 9 February 1998]:* The Department supports the principle of farmers markets as they can offer consumers in inner cities and other urban areas the opportunity to buy fresh local produce direct from farmers and other small food producers.

The actual development of more of these markets is dependent on local authorities and local initiatives. Local authorities in particular need to use the market franchise rights sensibly with regard to the needs of local business to help this concept flourish.

Correspondence

Mrs. Ewing: To ask the Minister of Agriculture, Fisheries and Food what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28065]

Mr. Morley *[holding answer 10 February 1998]:* The Department's responsibilities are, in many cases, restricted to England only. However, in-so-far as its responsibilities cover Wales, the Department is drawing up a Welsh Language scheme in accordance with the Welsh Language Act 1993, in discussion with the Welsh Language Board.

The Department does not have policies regarding correspondence received in Scottish Gaelic, Urdu, Hindi or Chinese languages.

Varroa

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what is his Department's policy regarding the use of Apistan in eradicating varroa; what other treatment for varroa his Department has assessed; and if he will make a statement. [28970]

Mr. Rooker: The details of any individual application for a market authorisation for a veterinary medicine, including Apistan, must remain confidential to the applicant and the VMD. Apistan, however, is not authorised in this country and the administration of imported Apistan is prohibited by the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997 (Statutory Instrument 1997/1729) which came into force on 11 August 1997.

The question of any applications for authorisations of new veterinary drugs is one for the pharmaceutical and beekeeping industries. Any such application would be assessed against the statutory criteria of safety, quality and efficacy. It is open to anyone holding a marketing authorisation to use the mutual recognition procedures if they wish to market a veterinary medicinal product in more than one Member State. Details of this procedure can be obtained from the Veterinary Medicines Directorate.

We are aware that beekeepers have in the past relied on certain non-medicinal curative substances to allow them to carry out a duty of care to their bees and to fulfil welfare requirements. The above SI would prohibit the administration of these non-medicinal curative substances only where, if transmitted to honey, they would be likely to be harmful to human health. If the substance is not harmful the Residues Regulations would not prevent it from being administered.

Set-aside Land

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what proposals his Department has for the use of set-aside land. [29252]

Mr. Rooker: Set-aside is a requirement of the EU's support arrangements for certain arable crops and is intended to limit production of such crops. The uses to which set-aside land can be put are strictly prescribed by EU regulations and include the production of certain crops for industrial use. The Government aim to encourage farmers to manage set-aside land in environmentally beneficial ways.

The Government do not consider compulsory set-aside an appropriate method of managing the EU cereals market and will be seeking its abolition in forthcoming discussion on CAP reform. The EU Commission has proposed that farmers should be able to continue to set-aside land on a voluntary basis after CAP reform and the Government could support this on environmental grounds and to facilitate the production of industrial and energy crops.

BSE Compensation

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will list the amount of public funding awarded to each sector of farming under BSE compensation. [29251]

Mr. Rooker: The Government have paid over £1.3 billion in compensation to the beef sector for BSE in 1996/97 and 1997/98.

Meat Prices

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce measures to ensure that reductions in the prices received by farmers for their livestock are reflected in the prices charged in supermarkets. [29261]

Mr. Rooker: The levels of retail prices for meat are set by competition, which is strong in the food retailing sector. The Director General of Fair Trading keeps the market under review to ensure that it continues to remain competitive. I have no plans at present for further measures.

Quarantine

Mr. Hesford: To ask the Minister of Agriculture, Fisheries and Food what changes to the quarantine requirements for animals coming into the United Kingdom would require *(a)* primary and *(b)* secondary legislation. [29721]

Mr. Rooker: Changes to the quarantine rules could be made under secondary legislation. However, although there is currently no European Union legislation on the movement of pet animals, there could be in the future—and UK legislation would then have to take account of this.

Calshot Oyster Fisheries

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 10 February 1998, *Official Report*, column *166*, on Calshot Oyster Fisheries, what factors contributed to the length of time taken to complete the procedures necessary for the preparation of the draft order. [29817]

Mr. Morley: The application by Calshot Oyster Fishermen Ltd. for a variation Order was received on 11 September 1996. The technical aspects of the application were then assessed, and once it was agreed that it was appropriate for it to proceed the Ministry's Legal Department were asked to draft the necessary Order; when this was available a map of the change being sought in the area of the Several fishery was prepared. The draft Order and map were sent to the applicants on 18 April 1997.

Agriculture Council

Mr. Michael Jabez Foster: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 16 and 17 February. [30544]

Dr. John Cunningham: I chaired the second meeting under the United Kingdom Presidency of the European Union Council of Agriculture Ministers on 16–17 February in Brussels. My noble Friend the Lord Donoughue, Parliamentary Secretary responsible for the farming and food industry, represented the United Kingdom at that meeting.

The Council had a presentation by the Agriculture Commissioner of the Commission's proposals for prices fixed under the Common Agricultural Policy (CAP) for the 1998–1999 year. These proposals were described by the Commissioner as broadly a standstill in present CAP support arrangements, pending the forthcoming negotiations on further reform of the CAP in the context of Agenda 2000. Ministerial colleagues in the Council commented on their key priorities within this set of proposals. I agreed to take them forward as quickly as possible; that work will begin immediately.

The Council also held a first debate on the Commission's proposals for reform of the tobacco regime, which also form an element of the Agenda 2000 strategy. On behalf of the United Kingdom, and with support from Sweden and Denmark, my noble Friend the Lord Donoughue expressed concern at the relatively modest nature of these reform proposals and urged more radical steps to reduce support for tobacco production in the Community, bearing in mind the inconsistency with EU efforts to limit tobacco consumption for health reasons. Detailed work on this proposal will now begin.

The Council held a second full debate on proposed amendments to the EU banana regime in response to the recent findings of the WTO Appellate Body. I concluded in the light of the debate that further detailed work should continue, and that the Council should resolve this issue quickly, both in order to meet WTO obligations and to give reassurance to EU and ACP banana growers about their futures.

There was a further discussion in the Council of the Commission's proposals in respect of the Community's beef promotion scheme. Final agreement did not prove possible in view of the requirement to achieve unanimity on this proposal. I undertook as Council President to consider the options for taking this proposal forward.

The Commissioner gave the Council a full report on the exchanges he had had with the United States on the negotiation of an EU/US veterinary and phytosanitary equivalence agreement. The Council noted that there had been positive developments in recent contacts between the two sides, and expressed the hope that the terms of an agreement would be ready for endorsement by the Council at its March meeting.

My noble Friend the Lord Donoughue expressed the concerns of the United Kingdom at the recent interruption to supplies of fish from Russian freezer vessels into the UK, in particular Scotland, and the risk this created to jobs in fish processing. The Commissioner undertook to carry out an urgent examination of the problem.

Finally, the Council discussed the forthcoming OECD Agriculture Ministerial meeting in Paris in March, where consideration would be given to progress on agricultural reform over the last decade. Ministers in the Council debated the line which the European Union would take at this meeting. I concluded that there should be co-ordination of the EU line in a High Level Group which will convene in Brussels next week for this purpose.

Research Projects

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food if he will list the total value of research projects he has commissioned with bodies in *(a)* London, *(b)* South-East England, *(c)* England, *(d)* Scotland, *(e)* Wales, *(f)* Northern Ireland and *(g)* the UK. [30101]

Mr. Rooker: I regret that the information sought is not readily available and could be provided only at disproportionate cost. Decisions on the placing of research contracts are based on the scientific quality and value for money of research proposals and not on the geographical location of contractors. The Department does not keep a detailed record of the location of each project within the research programme because of the complexity of the contractual arrangements, which can involve sub-contractors and consortia, and because of the size and constantly changing nature of the research programme and the number of contractors involved. In the current year alone, the Department's R&D expenditure is likely to exceed £127 million, involving over 100 different contractors in around 2,000 individual projects.

Departmental Buildings

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30098]

Mr. Morley: The Department is currently responsible for 240 properties comprising large and small offices, laboratories, research farms and redundant buildings awaiting disposal. The properties are both freehold and leasehold, and are mainly situated in England with some in Wales and a few in Scotland. Details of the running costs of each building are not held centrally and disproportionate costs would be incurred to collect this information. However in 1997–98, the Department's expenditure on rents to landlords, opportunity cost rents to the Property Advisers to the Civil Estate (an executive agency of the Cabinet Office) and contributions in lieu of rates are expected to be £34,445,000. Further, in 1997–98, the Department's expenditure on the day to day running of the buildings, maintenance, repair, refurbishment and decommissioning redundant sites is expected to be £25,053,000.

Departmental Expenditure

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30099]

Mr. Morley: The information requested by the hon. Member could be provided only at disproportionate cost.

Beef

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food what will be the average payment made from the £85 million compensation package, announced on 22 December per *(a)* head of cattle and *(b)* beef farmer. [29828]

Mr. Rooker *[holding answer 18 February 1998]:* Of the £85 million agrimonetary compensation package to be paid to UK livestock farmers, £72.5 million will be distributed to suckler cow producers who were paid under the 1996 Suckler Cow Premium Scheme with the remaining £12.5 million to be paid to sheep producers. The payment rate will be £44.20 for each suckler cow on which 1996 premium was paid in full, lower if penalties were applied to the 1996 premium claim. Based on the average claim size for the UK as a whole, the average payment per suckler producer will be in the region of £1,300.

LORD CHANCELLOR'S DEPARTMENT

Audit Commission

Mr. Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will introduce a statutory code of practice in respect of the provisions in the Audit Commission Bill [*Lords*] which permit the Commission to datamatch personal data in the name of economy, effectiveness and efficiency; and if he will make a statement. [29114]

Mr. Hoon: The Audit Commission Bill is a Consolidation Bill, which does no more than restate the existing law in clearer form. It is not possible to amend the Bill by adding a provision for a code of practice.

Departmental Employees

Mr. Swinney: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30107]

Mr. Hoon: This answer covers the Headquarters of the Lord Chancellor's Department (with Associated Offices), the Court Service and the Public Trust Office. Paybill information for HQ and the Public Trust Office is for 1997–98. The figures for the Court Service represent pay levels as at 31 March 1997; the financial year 1996–97 is the last full year for which meaningful figures for the Court Service are available, as elements of their 1997–98 pay award are not due to be paid until April 1998; staff numbers have, however, been updated to 30 November 1997.

Information on staff numbers for each part of the Lord Chancellor's Department includes staff up to and including the Senior Civil Service and includes casuals. It does not, however, include fee-paid ushers, who are paid locally and for whom central records are not kept. The judiciary are not included. The paybills for the Court Service are shown by circuit. The great majority of staff in LCD HQ and all staff in the Public Trust Office are based in London. London Weighting and equivalent

payments paid to staff in HQ and Associated Offices and in PTO have been consolidated with basic salary and are therefore included in the total paybill figures. In each case, figures are also shown for the cost of Local and Special Pay Additions currently payable.

LCD HQ (with Associated Offices)

Total staff numbers (October 1997): 910

Total paybill: £23,385,429

Local/special pay additions: £137,964

Public Trust Office

Total staff numbers (October 1997): 550

Total paybill: £10,893,836

Local/special pay additions: £40,508

Court Service

Midland & Oxford Circuit

Total staff numbers: 1,602

Total paybill: £19,042,626

London weighting: £1,776

Local/special pay additions: £21,280

Western Circuit

Total staff numbers: 908

Total paybill: £10,849,273

London weighting: £0

Local/special pay additions: £31,870

Wales & Chester Circuit

Total staff numbers: 577

Total paybill: £7,175,484

London weighting: £0

Local/special pay additions: £0

North Eastern Circuit

Total staff numbers: 1,278

Total paybill: £15,034,001

London weighting: £0

Local/special pay additions: £0

Northern Circuit

Total staff numbers: 1,261

Total paybill: £15,114,568

London weighting: £0

Local/special pay additions: £0

South Eastern Circuit

Total staff numbers: 4,295

Total paybill: £57,818,226

London weighting: £3,468,180

Local/special pay additions: £168,720

Principal Registry of the Family Division (PRFD)

Total staff numbers: 430

Total paybill: £5,596,664

London weighting: £318,136

Local/special pay additions: £13,670.

Departmental Expenditure

Mr. Swinney: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30109]

Mr. Hoon: The figures requested are given in the table.

Business area	*Hospitality*	*Stationery and small office equipment*	*Travel and subsistence*
LCD HQ	21,618	520,625	833,990
Court Service HQ	0	111,129	298,433
Public Trust Office	982	291,246	36,652
South East Circuit	558	2,218,658	929,213
Western Circuit	602	303,228	296,527
Wales & Chester Circuit	1,893	367,264	238,029
Midland & Oxford Circuit	0	1,143,241	395,085
Northern Circuit	1,255	629,753	282,902
North Eastern Circuit	649	724,394	325,141
Total	27,557	6,309,538	3,635,972

Departmental Contracts

Mr. Swinney: To ask the Parliamentary Secretary, Lord Chancellor's Department how many contracts of a value greater than £1000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each such area. [30110]

Mr. Hoon: The information is not held centrally and could be obtained only at disproportionate cost.

Child Support

Mr. Kirkwood: To ask the Parliamentary Secretary, Lord Chancellor's Department in how many child support commissioner cases appeal has been sought to the Court of Appeal; which party sought leave; and which cases were granted leave to appeal. [30060]

Mr. Hoon: Since 1995, leave to appeal has been sought on 16 child support cases in England and Wales and leave has been granted in seven. The Secretary of State, on behalf of the Child Support Officer, has sought leave in seven cases, of which two were granted; the appellant has sought leave in seven cases, of which four were granted; and the respondent has sought leave in two cases, of which one was granted.

Research Projects

Mr. Swinney: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the total value of research projects he has commissioned with bodies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales, *(f)* Northern Ireland and *(g)* the UK. [30161]

Mr. Hoon: The figures are as follows:

Breakdown of cost of research commissioned

Area	*Cost (£)*
1996–97	
London	138,110
SE England (excluding London)	18,912
England (excluding London and SE)	187,149
Scotland	4,500
Wales	6,457
Northern Ireland	—
UK Total	355,128

Breakdown of cost of research commissioned

Area	*Cost (£)*
1997–98	
London	163,857
SE England (excluding London)	32,492
England (excluding London and SE)	259,014
Scotland	2,500
Wales	—
Northern Ireland	—
UK Total	457,863

Departmental Buildings

Mr. Swinney: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30108]

Mr. Hoon: Details of accommodation charges (including rent, rates, service charges and contributions in lieu of rates), fuel and utilities charges in respect of the Departmental Headquarters Buildings for the financial year 1996–97 are as set out:

Location	*Fuels and utilities*	*Accommodation charges*
London		
Little St. James'	6,327.51	383,945.20
22 Kingsway	428.02	431,830.19
Southside	[1]—	2,231,468.63
Chancery Lane	53,460.07	1,585,795.10
Hepburn House	2,741.00	194,009.00
Conquest House	9,689.34	599,629.40
Millbank Tower	16,965.45	1,289,367.06
Rochester House	—	[2]1,453.36
Selborne House	216,466.36	2,242,379.65
Tufton Street	13,545.23	191,806.55
Bristol		
Prudential Buildings	3,574.49	66,334.30
Westbury		
Burghill Road	969.96	18,557.82
Gateshead		
Interchange Centre	1,246.83	11,600.00
Leeds		
City House	994.67	33,667.51

[1] Incorporated into accommodation charges.
[2] Final rent payment.

A total of £926,961.00 was also spent on maintenance, £15,434 on fuel (other than gas and electricity) and £3,336,614.72 on contributions in lieu of rates for the above buildings during the period 1996–97.

In addition to the Departmental Headquarters buildings, the Court Service occupied 417 buildings during the same period and spent a total of £22.1 million on building maintenance, fuel and utility costs and £99.9 million on rent (including £49.2m which represents payments within Government in respect of buildings on the Civil Estate) service charges and contributions in lieu of rates. Not all items of expenditure for the Court Service are recorded by location and this information could be provided only at disproportionate cost.

EDUCATION AND EMPLOYMENT

Hotel and Catering (Training)

Mr. Sheerman: To ask the Secretary of State for Education and Employment what is his estimate of the shortfall in trained personnel in the hotel and catering industry in the next three years. [27092]

Dr. Howells: The Hospitality Training Foundation's Report Employment Forecasts to 2004, published in 1996, provides the most recent data on this subject.

Industry's employment needs and college output 1994–99

000

	Managers	*Craft and semi-skilled*	*Operatives and others*	*Total*
Average annual replacement needs	23	86	256	356
Average annual output from colleges	5	14	3	22
Average annual shortfall of qualified staff	18	72	253	343
Proportion of newly qualified to replacement needs	22%	16%	1%	6%

The opportunities provided by NVQs/SVQs enable those working to obtain qualification. This goes some way towards making up for the shortfall in college provision. It also means that the industry can increase its skill level.

Mr. Sheerman: To ask the Secretary of State for Education and Employment what steps he is taking to address skill shortages in the catering and hotel industries. [27091]

Dr. Howells: In July 1997 the Hospitality Training Foundation (HtF) was recognised by the Secretary of State as a National Training Organisation (NTO), one of a growing number of National Training Organisations currently being established. NTOs have the key responsibility for developing education and training arrangements in their sectors.

HtF as NTO for the hospitality industry (hotel and catering) has a three year Business Plan which outlines its future direction and sets out a programme of work designed to address, directly and indirectly, the industry's skills shortages.

HtF in its former role as Industry Lead Body for hotel and catering was responsible for monitoring future skill requirements and training needs.

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for Education and Employment if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what

was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27852]

Dr. Howells: The list of major computer systems purchased by the department, associated non-departmental bodies and agencies over the past five years is given in the following Table 1. Table 2 is a list of planned purchases for the next financial year.

System	*Costs*		*Commissioning dates*	
	Initial £000	*Final £000*	*Planned*	*Actual*
(a) Departmental computer systems				
Census of employment processing system for ED/DfEE	3,900	3,920	February 1994	March 1994
Vacancy circulation system for London Careers Service	230	230	April 1996	April 1996
Personnel system for DfEE	750	760	April 1997	April 1997
(b) Non-Departmental bodies				
Manufacturing systems for Remploy	742	742	1996	1996
Human Resources system for Remploy	122	122	March 1998	March 1998
Electronic Mail System for Remploy	110	110	September 1996	September 1996
Levy Grant tracking system for Construction Industry Training Board (CITB)	393	576	April 1994	June 1994
Training and qualification record keeping system for Construction Industry Training Board (CITB)	269	283	March 1996	march 1996
Workflow management & document imaging system for Student Loans company	740	740	February 1998	February 1998
Loan repayment follow-up case and telephone call management system for Student Loans Company	507	521	April 1996	April 1996
Finance system for the Funding Agency for Schools	107	107	April 1995	April 1995
(c) Agencies				
Employment Services Communications Project	997	997	December 1997	February 1998
Personnel system for Employment Services	1,300	1,300	April 1996	May 1996
Office Automation system for ACAS	500	500	April 1993	April 1993

£000

System	*Anticipated cost*
(a) Departmental computer systems	
Resource accounting system for DfEE	500
(b) Non-departmental public bodies	
Pay & personnel for Construction Industry Training Board	150
(c) Agencies	
Nil	—

Training and Enterprise Councils

Mr. Pearson: To ask the Secretary of State for Education and Employment if he will list the *(a)* amount and *(b)* proportion of overall budget spent by each training and enterprise council on administration, in (i) 1994–95, (ii) 1995–96 and (iii) 1996–97. [28498]

Dr. Howells: I have provided figures showing spend on administration costs and the proportion ofthe overall income of each of the English Training and Enterprise Councils (TECs) as stated in their consolidated annual statutory audited accounts, a copy of which is in the Library. It is not possible to identify separately administrative expenditure attributable to DfEE budgets.

Any direct comparison of administration costs between TECs could be misleading, both because there is no statutory definition of administration costs and also because of the range of training and enterprise activities TECs undertake.

TEC/CCTE administration costs

TECS by region	*1994–95*		*1995–96*		*1996–97*	
	Admin costs £	*Admin costs/ total income (%)*	*Admin costs £*	*Admin costs/ total income (%)*	*Admin costs £*	*Admin costs/ total income (%)*
Northern						
County Durham	2,844,998	10.62	2,788,821	10.80	3,424,190	14.05
Northumberland	2,170,801	13.35	3,286,182	19.43	3,330,965	18.97
Teesside	3,501,000	12.74	4,101,000	13.67	4,036,000	13.85
Tyneside	3,928,000	9.49	3,266,000	9.03	3,110,000	7.50
Sunderland (Wearside)	1,589,414	10.22	1,561,552	10.46	1,798,644	12.08
Total	14,034,213	11.01	14,993,555	12.12	15,699,799	12.32
Merseyside						
CEWTEC	1,952,421	10.40	1,492,117	7.84	1,700,188	8.28
Merseyside	4,626,182	10.29	4,160,515	11.32	5,575,071	12.33
St. Helens	990,569	12.05	2,024,904	26.83	1,902,854	19.53
Total	7,569,172	10.45	7,677,536	12.12	9,178,113	12.16

TEC/CCTE administration costs

TECS by region	1994–95 Admin costs £	1994–95 Admin costs/ total income (%)	1995–96 Admin costs £	1995–96 Admin costs/ total income (%)	1996–97 Admin costs £	1996–97 Admin costs/ total income (%)
North West						
Bolton/Bury	'0	'0.00	'0	'0.00	'3,074,109	'20.40
Manchester	2,973,860	7.94	2,964,812	8.33	2,674,336	6.16
Wigan	1,888,508	17.36	2,541,016	24.63	3,067,908	26.90
Oldham	1,006,057	12.51	1,058,063	13.44	1,315,818	14.81
Rochdale	656,133	7.20	694,865	8.45	845,669	9.90
South & East Cheshire	1,051,417	6.16	1,066,414	6.54	1,095,807	6.67
Stockport & High Peak	898,243	8.74	795,970	8.50	775,861	6.88
Cumbria	2,060,190	10.37	1,737,220	8.77	1,787,020	7.80
ELTEC	'0	'0.00	'0	'0.00	'0	'0.00
LAWTEC	'0	'0.00	'0	'0.00	'0	'0.00
NORMID	1,203,943	7.89	1,166,455	8.08	1,138,903	7.08
Total	11,738,351	6.05	12,024,815	6.67	15,775,431	7.73
Yorks & Humber						
Barnsley/Doncaster	2,259,000	7.67	2,651,000	11.78	2,533,000	12.57
Bradford	1,514,564	8.60	1,834,388	12.91	1,867,564	11.91
Calderdale & Kirklees	2,348,460	11.47	2,391,688	13.02	2,444,082	12.17
Humberside	'3,257,145	'10.08	'3,188,684	'11.19	'3,989,577	'12.51
Leeds	2,392,053	12.43	2,639,925	14.65	2,765,170	14.83
North Yorks	1,481,000	8.99	2,438,000	16.72	2,662,000	14.50
Rotherham	1,406,127	11.78	1,520,704	12.35	1,520,892	11.94
Sheffield	1,649,000	8.09	1,635,000	9.00	1,352,000	7.85
Wakefield	1,188,133	10.24	1,014,172	10.85	1,069,032	13.20
Total	17,495,482	9.75	19,313,561	12.38	20,203,317	12.40
Eastern						
Bedfordshire	1,518,605	12.05	1,585,159	13.22	1,764,509	12.67
Cambridgeshire	1,103,244	12.06	1,029,725	13.44	1,021,075	11.93
Essex	3,156,151	9.80	3,051,851	11.00	3,184,000	10.00
Gtr. Peterborough	1,010,561	10.22	1,187,394	12.59	1,063,347	9.22
Hertfordshire	1,698,000	6.88	1,590,000	7.69	1,651,000	7.43
Norfolk & Waveney	2,841,000	13.23	3,066,000	14.50	3,450,000	15.88
Suffolk	1,148,694	7.97	1,270,670	8.72	1,107,145	7.33
Total	12,476,255	10.03	12,780,799	11.29	13,241,076	10.60
East Midlands						
Gtr. Nottingham	1,521,000	6.75	2,059,000	12.17	2,209,000	11.34
Leicester	2,293,012	9.84	2,231,128	9.68	2,616,201	10.95
Lincolnshire	'0	'0.00	'0	'0.00	'0	'0.00
Northamptonshire	1,237,785	9.12	1,346,628	11.10	1,608,134	10.89
North Derbyshire	1,935,855	13.11	2,027,060	17.20	2,245,502	16.14
North Nottinghamshire	1,364,870	5.41	1,073,908	5.31	1,035,340	5.40
South Derbyshire	1,561,000	8.76	1,527,000	9.05	2,135,000	12.28
Total	9,913,522	6.99	10,264,724	8.31	11,849,177	8.92
West Midlands						
Birmingham	2,954,000	8.81	2,921,000	9.10	3,270,000	7.94
Central England	897,848	8.25	910,320	8.18	1,049,615	9.35
Coventry/Warwick	1,336,237	4.89	1,376,763	5.68	1,571,268	5.46
Dudley	1,273,292	11.83	1,502,820	18.89	2,046,690	18.21
HAWTEC	1,153,623	8.93	1,208,427	8.77	2,531,101	16.31
Sandwell	835,866	6.61	966,895	8.13	947,523	7.62
Shropshire	1,175,098	9.26	1,210,530	9.85	2,163,446	15.01
Staffordshire	2,995,000	9.53	2,942,000	10.00	3,440,000	11.12
Walsall	1,367,391	16.08	1,219,799	15.01	1,267,271	13.80
Wolverhampton	697,000	6.66	739,000	7.91	1,216,000	11.34
Total	14,685,355	8.58	14,997,554	9.36	19,502,914	10.51
South West						
Werstec (Avon)	2,950,000	11.84	3,171,000	13.27	3,317,000	12.37
Devon/Cornwall	6,405,000	14.82	7,059,000	17.67	8,004,000	18.91
Dorset	1,442,896	9.05	1,116,695	8.13	1,055,284	6.97
Gloucester	2,726,513	17.75	1,312,168	8.84	1,556,058	9.73
Somerset	1,822,761	13.49	1,508,920	12.95	1,736,696	12.90
Wiltshire	1,792,597	13.59	1,940,660	19.33	2,109,602	17.54
Total	17,139,767	13.59	16,108,443	14.12	17,778,640	14.14

TEC/CCTE administration costs

TECS by region	*1994–95*		*1995–96*		*1996–97*	
	Admin costs £	*Admin costs/ total income (%)*	*Admin costs £*	*Admin costs/ total income (%)*	*Admin costs £*	*Admin costs/ total income (%)*
London						
AZTEC	1,856,188	13.66	2,025,883	17.25	1,605,736	11.86
CENTEC	2,878,041	12.71	4,048,449	13.23	1,605,678	13.06
CILNTEC	3,116,232	15.59	3,226,423	17.62	3,356,523	15.49
LETEC	3,814,563	11.75	3,108,749	11.22	3,246,756	10.15
North london	2,587,420	11.43	2,697,670	11.41	2,960,868	11.11
North West London	1,141,113	9.67	979,308	8.96	1,142,732	9.67
SOLOTEC	2,684,946	13.87	4,691,000	17.01	3,318,000	10.91
West London	1,747,613	9.41	1,873,074	9.91	1,897,613	8.13
Total	19,826,116	12.31	22,722,506	13.36	22,133,906	11.37
South East						
Hampshire	2,128,114	7.09	2,068,853	8.54	2,396,000	8.24
Isle of Wight	544,541	13.27	639,016	17.65	588,434	15.64
Kent	3,064,096	83.25	3,558,408	10.4	3,978,723	10.76
Milton Keynes/North Bucks	1,005,491	9.82	1,089,104	11.10	1,035,079	8.24
Heart of England	2,310,937	19.62	2,824,725	23.69	3,405,577	25.37
Surrey	2,365,167	18.62	2,474,805	22.60	2,478,369	19.90
Sussex	2,802,000	12.10	3,834,000	19.32	5,018,000	20.81
Thames Valley Ent.	2,186,361	6.99	2,151,690	6.69	2,432,870	7.45
Total	16,406,707	12.92	18,640,601	12.60	21,333,052	12.93
Grand Total	141,284,940	9.92	149,524,094	11.06	166,695,425	11.12

[1] These TECs/CCTEs have adopted a statutory accounting format which does not disclose administrative expenditure separately. The Companies Acts do not require disclosure, or a common definition of administration costs in the statutory accounts of limited companies. Therefore, it is not possible to make meaningful comparisons between TECs/CCTEs in respect of these costs.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what assessment he has made of the extent of overpayment from public funds to training and enterprise councils in 1996–97 and each of the three previous years. [29925]

Dr. Howells: The Department keeps records of overpayments arising in training and enterprise councils in England. For 1996–97 these amounted to £5,089,122.51.

Figures for the three previous years were:

1995–96: £2,320,846.51

1994–95: £4,977,004.13

1993–94: £4,616,440.57.

Teachers

Mr. Llwyd: To ask the Secretary of State for Education and Employment what percentage of teachers in *(a)* primary and *(b)* secondary schools are male. [29361]

Mr. Byers: The latest available figures show that 16 per cent. of teachers in maintained primary schools and 45 per cent. of teachers in maintained secondary schools in England in January 1997 were male.

Schools (Toilets)

Mr. Truswell: To ask the Secretary of State for Education and Employment what assessment he has made of the health implications of schools' dependence on outside toilets; and what priority he attaches to their removal. [29405]

Mr. Byers: The Education (School Premises) Regulations 1996 impose a duty upon local education authorities and the governing bodies of grant-maintained schools to ensure that the health, safety and welfare of the occupants is reasonably assured in every part of a school building. They must undertake those assessments which they deem necessary in order to fulfil this duty.

The New Deal for Schools should lead to an additional £2 billion being spent on repairing, renewing and improving school buildings, including toilets, during this Parliament.

School Governors

Mr. Llwyd: To ask the Secretary of State for Education and Employment how many representations he has received in support of the removal of local council representation on the boards of school governors; and if he will make a statement. [29380]

Mr. Byers: There will continue to be minor authority representation on all primary school governing bodies, where a governing body wants it. Regulations made under the School Standards and Framework Bill will make clear that governing bodies of all primary schools should consider co-opting a minor authority nominee. We will also, through guidance, strongly encourage LEAs to appoint minor authority nominees as LEA governors where a primary school serves a minor authority area and where the school has not already made provision for minor authority representation. We will consult fully with all the interested parties as we develop both the regulations and the guidance.

The proposals to achieve minor authority representation through co-option was made in the Technical Consultation Paper on the Framework for the Organisation for Schools, which the Department issued last August. Forty five respondents supported our proposals on co-option.

Mr. Llwyd: To ask the Secretary of State for Education and Employment what proposals involving school governors he has to improve school standards. [29356]

Mr. Byers: As we said in our White Paper "Excellence in Schools" the purpose of governing bodies is to help provide the best possible education for their pupils. Accordingly, Clause 37 of the School Standards and Framework Bill places a new requirement on governing bodies to

"conduct the school with a view to promoting high standards of educational achievement at the school".

We are supporting governors in this role by ensuring that they have access to the information they need and by providing ring fenced funding for governor training under the 1998–99 School Standards Fund. The fund includes specific funding for training in target setting, as well as training for governors alongside professional staff as part of our National Literacy Strategy.

Further Education

Mr. Öpik: To ask the Secretary of State for Education and Employment what estimate he has made of the numbers of student governors in colleges of further education; and if he will make a statement. [29532]

Dr. Howells: No record of this kind is kept centrally.

Mr. Chaytor: To ask the Secretary of State for Education and Employment how many further education colleges were in deficit for the financial year 1996–97; what percentage of colleges this represented; and what were the equivalent figures for each of the four previous financial years. [29420]

Dr. Howells: Out of 424 colleges which provided information to the Further Education Funding Council it is estimated that 234 (55 per cent.) were operating a deficit in the 1996–97 academic year. Information is not available for the 1992–93 academic year. The figures for 1993–94, 1994–95 and 1995–96 are 204 (44 per cent.), 263 (58 per cent.) and 264 (58 per cent.) respectively.

Mr. Chaytor: To ask the Secretary of State for Education and Employment how many further education colleges there are in England; and how many teaching staff are employed in these colleges *(a)* full-time, *(b)* on short-term contracts and *(c)* as agency teaching staff. [29427]

Dr. Howells: In September 1997 there were 444 colleges in the further education sector. The most recently available data for staff numbers are at July 1996. These indicate that there were 52,800 full time staff and 58,900 staff on fixed-term contracts whose primary role was teaching. Information on the numbers of agency staff is not collected.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what discussions he has had with the Further Education Funding Council about the future role of the Association of Colleges. [29301]

Dr. Howells: My right hon. Friend the Secretary of State has not had such a discussion with the Further Education Funding Council which deals with matters such as that concerning the further role of the Association of Colleges.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what estimate he has made of the total number of further education colleges running a budget deficit for the current financial year; and if he will list the current estimated deficit of each of these colleges for *(a)* 1997–98 and *(b)* 1998–99. [29421]

Dr. Howells: On the basis of returns from 424 colleges the Further Education Funding Council estimate that 211 of these colleges will be running a budget deficit in the 1997–98 academic year and 205 will be running a deficit in 1998–99. Forecast information provided by colleges to the Council is commercially sensitive and it is not the Council's practice to release forecast figures relating to individual colleges.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what plans he has to increase the total number of students within further education colleges during the financial year 1998–99; how the increase will be allocated between different regions; what methods will be used to ensure that targets are achieved; what additional funding will be available to colleges for students; and what the impact will be on the average level of funding per student throughout the sector. [29382]

Dr. Howells: My right hon. Friend the Secretary of State anticipates growth in further education colleges of some 20,000 students, in full-time equivalent terms, between the 1997/98 and 1998/99 academic years. We have announced an additional £100 million over the plans of the previous Government. The average level of funding per student will remain the same in cash terms, with the college sector as a whole absorbing only the costs of inflation. Allocations of funding to sector colleges are the responsibility of the Further Education Funding Council which will make them in the Spring. The Council's funding arrangements are designed to help ensure that college agreements are met.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what advice he has given to the Further Education Funding Council concerning the individual and collective responsibilities of the members of college corporations. [29302]

Dr. Howells: My right hon. Friend the Secretary of State expects to announce his proposals for governing bodies of further education colleges following the publication of the consultation paper on Lifelong Learning.

Mr. Chaytor: To ask the Secretary of State for Education and Employment how many redundancies of *(a)* teaching staff, *(b)* support staff and *(c)* management posts were notified by further education colleges in England in each of the last four years; and what estimate he has made of the likely reduction in each of these three categories during 1998–99. [29300]

Dr. Howells: This information is not held centrally. My right hon. Friend the Secretary of State has made no estimate of likely reduction.

National Grid for Learning

Mr. Chaytor: To ask the Secretary of State for Education and Employment what plans he has to ensure that the content of the National Grid for Learning is

accessible and relevant to teachers in *(a)* further, higher and adult education and *(b)* workplace-based learning. [29298]

Dr. Howells: The Government's proposals for developing the National Grid for Learning in all these areas of learning were set out in the consultation paper 'Connecting the Learning Society' published last October. We are considering carefully the responses to this consultation, including responses from those concerned with further, higher and adult education, and work-based training.

New Deal

Mr. Rowe: To ask the Secretary of State for Education and Employment how many people claiming unemployment benefit are not eligible for inclusion in the New Deal. [29293]

Mr. Andrew Smith: The New Deal for young people covers those aged 18–24 who have been claiming JSA for more than six months. In January 1998 there were 375,000 18–24 year olds claiming JSA, of which about 120,000 had been unemployed for more than six months. The New Deal for people aged over 25 covers those who have been unemployed for more than two years. In January 1998 there were 1.1 million people aged over 25 who were claiming JSA, of which 216,000 had been unemployed for more than two years.

The New Deals will continue throughout this Parliament, so they will help more than just the current stocks in the relevant durations. All 18–24 year olds who have been on JSA for less than six months and those aged over 25 who have been on JSA for less than two years will be eligible for the New Deal if they remain on JSA and flow through the relevant threshold. Currently between 15,000 and 20,000 18–24-year-olds pass the six months threshold each month and 5,000 to 10,000 people aged over 25 pass the two year threshold. Over the whole of the Parliament the New Deals will help several times the number in the current stock.

There will also be New Deals for lone parents and for those on long-term sickness and disability benefits. These aim to provide help to individuals currently on non-labour market benefits who want to return to work.

Careers Service

Dr. Cable: To ask the Secretary of State for Education and Employment what financial formula is being used to allocate the budget of the Careers Service *(a)* within London and *(b)* between the regions. [29209]

Dr. Howells *[holding answer 12 February 1998]:* The Department for Education and Employment allocated its 1998–99 Careers Service budget to the English regions on a formula in which:

72% of the value is represented by each region's proportion of 11 to 16-year-olds in full time education and

28% is represented by proportions of those eligible or taking part in the Work based Training programme for Young People.

The results of this formula were adjusted to give a weighting for higher costs in London and to ensure every region will have an increase on its 1997–98 budget.

The Government Office for London calculated initial 1998–99 contract values for its careers service companies using a formula in which:

72% of the value is represented by each service's proportion of 11 to 16 year olds in full time education and

28% by their proportions of 18 to 24 year olds who have been registered unemployed for more than 6 months.

The Government Office adjusted the results to ensure every careers service in London will have a cash increase on its 1998–99 budget.

Physical Education

Mr. Truswell: To ask the Secretary of State for Education and Employment what assessment he has made of *(a)* the fitness of the nation's schoolchildren, *(b)* measures within schools to improve fitness and *(c)* the effects of the proposed removal of physical education from the core curriculum. [29407]

Ms Estelle Morris: Assessments of national fitness are matters for my right hon. Friend the Secretary of State for Health. Physical Education is to remain a National Curriculum subject and will continue to be taught in all schools.

Mr. Spring: To ask the Secretary of State for Education and Employment what steps he proposes to take to ensure that primary schools set aside time for physical education following recent changes in the core curriculum. [29555]

Ms Estelle Morris: Physical Education is to remain a National Curriculum subject and will continue to be taught in all schools. The allocation of time for teaching individual subjects is for schools to decide for themselves.

Mr. Spring: To ask the Secretary of State for Education and Employment what representations he has received from the National Coaching Foundation following the changes to the core curriculum relating to physical education. [29558]

Ms Estelle Morris: None.

Jobseeker's Allowance

Mr. Öpik: To ask the Secretary of State for Education and Employment if he will abolish the 16-hour rule for the Jobseeker's allowance; and if he will make a statement. [29531]

Mr. Alan Howarth: We have taken action on the Jobseeker's Allowance rules on education and training. We have extended the JSA Workskill pilots so that there are now pilots in eight areas allowing people unemployed for six months or more to undertake employment-related courses of education and training, full or part-time, for up to a year while on JSA. The pilots aim to test whether and how different benefit arrangements help unemployed people obtain and retain employment.

We are also introducing more flexible arrangements in our New Deals for the unemployed. The New Deal for 18 to 24-year-olds includes an option of full-time education and training for up to a year. People on this option will receive a training allowance in place of JSA. Those aged 25 years and over, unemployed for two years or more, will be allowed from June 1998 to undertake full-time employment-related education and training for

up to a year while receiving JSA. Learning for Work full-time education and training is also an option in all five prototype Employment Zones.

We will further review the JSA rules on education and training in the light of the Workskill pilots and our welfare-to-work programme.

Lifelong Learning

Mr. Öpik: To ask the Secretary of State for Education and Employment what factors underlay his decision not to produce a White Paper on lifelong learning; and if he will make a statement. [29525]

Dr. Howells: My right hon. Friend the Secretary of State has always intended to consult widely on our proposals for lifelong learning. As he plans to publish separate documents responding to the reports from the Committee of Inquiry into Higher Education and the Further Education Funding Council's Widening Participation Committee, my right hon. Friend intends to publish, on 25 February, the Government's proposals on lifelong learning in the form of a consultation document.

Grant-maintained Schools

Mr. Steinberg: To ask the Secretary of State for Education and Employment (1) which grant maintained schools have received extra funding from the FAS for urgent repairs since 1 May 1997; and in each case how much; [29267]

(2) what total sum the FAS has distributed to grant maintained schools since 1 May 1997; [29269]

(3) how many grant maintained schools have received extra funding since 1 May 1997; [29270]

(4) how much extra funding has been provided per pupil to *(a)* grant maintained schools and *(b)* maintained schools in the (i) primary and (ii) secondary sectors, since 1 May 1997. [29271]

Mr. Byers: Recurrent costs at Local Education Authority (LEA) maintained schools are being funded by local authorities for the whole of 1997–98 on the basis of Local Management of Schools (LMS) schemes, determined before the beginning of the financial year. Recurrent grant for grant-maintained (GM) schools has been calculated by the Funding Agency For Schools (FAS) in accordance with The Education (Grant-maintained and Grant-maintained Special Schools) (Finance) Regulations 1997.

For capital expenditure in 1997–98, LEA maintained schools are being funded. For GM schools, capital provision of £144.9 million was made available to the FAS for the current financial year and the administration of this is the responsibility of the Agency subject to direction given by the Secretary of State.

I have written to Sir Anthony Tippet, Chairman of the FAS, to ask him to provide the recurrent and capital expenditure figures for GM schools requested.

Secondary School Places (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Education and Employment (1) what plans he has to discuss with Portsmouth City Council the provision of secondary school places to meet parental preferences; [29157]

(2) what recent representations he has received from Portsmouth City Council concerning the provision of secondary school places in the city to meet parental preferences. [29159]

Mr. Byers: My right hon. Friend is aware of concerns in Portsmouth about the provision of secondary school places; officials met with Portsmouth's Education Committee earlier this month. He has recently approved the provision of 148 new secondary school places in Portsmouth. In addition, on 10 February my hon. Friend the Minister for Local Government and Housing announced 23 more local authority PFI projects in line for revenue support, including a project to build a 1,000-place secondary school in Portsmouth using a Public Private Partnership.

Oxford and Cambridge Universities

Mr. Levitt: To ask the Secretary of State for Education and Employment if he will take steps to end the prohibition on prospective students from applying to both Oxford and Cambridge universities in the same year. [29167]

Dr. Howells: The Universities of Oxford and Cambridge are, like all higher education institutions, responsible for their own admissions procedures and Ministers are prevented by law from intervening in such matters.

Standard Spending Assessments (Buckinghamshire)

Mr. Lidington: To ask the Secretary of State for Education and Employment if he will state in respect of Buckinghamshire County Council *(a)* the education SSA for 1998–99 and *(b)* what would be the education SSA for 1998–99, calculated on the weighting and composition of the SSA formula for 1997–98 (i) in cash terms, (ii) per head of population in Buckinghamshire and (iii) per child in full-time schooling in Buckinghamshire. [28736]

Mr. Byers *[holding answer 11 February 1998]:* The following table sets out the information requested. Buckinghamshire's education SSA for 1998–99 represents an actual increase of £7.8 million or 4.4 per cent. overs its education SSA for 1997–98.

Education SSA	*£ funding per head of population*	*£ funding per pupil*
(a) £183.782 million	387	2,585
(b) £186.029 million	392	2,617

Notes:

1. The figure at *(b)* has been calculated on the basis of the 1997–98 education SSAs, but using the 1998–99 SSA national control totals.
2. The per head of population figures are based on the Registrar General's estimates as at June 1996.
3. The per pupil figures are based on the sum of pupils aged 4, 5 to 10, 11 to 15 and post-16, as defined in the Local Government Finance Report (England) 1998–99.

Lipreading

Mr. Levitt: To ask the Secretary of State for Education and Employment what assessment he has made of the effect of the insistence of the FEFC on accreditation of courses funded by them on the quantity of lipreading classes, and the number of students attending them. [29166]

Dr. Howells: My right hon. Friend the Secretary of State has not made any assessment of this kind. The FEFC has a duty to secure adequacy and sufficiency of further education provision for which it is responsible, and in doing this to have regard to the needs of students with learning difficulties and/or disabilities.

Mr. Levitt: To ask the Secretary of State for Education and Employment (1) how many local education authorities provide lipreading classes which are free of charge to users; and how many charge for the service; [29154]

(2) if he will list the number of lipreading classes in operation in each of the last five years and the approximate number of students attending such classes. [29169]

Ms Estelle Morris: This information is not centrally available.

Special Educational Needs

Mr. Martin Bell: To ask the Secretary of State for Education and Employment if proposals that *(a)* there should be quotas or targets for the number of statements issued by LEAs, *(b)* in some circumstances statements could be less detailed with regard to the specification of the provision required to meet a child's needs, *(c)* statements could be discontinued when specified outcomes had been achieved and *(d)* tribunals should have regard to LEAs' policies as well as children's needs, in the Green Paper on Special Educational Needs, were included in the draft prepared by his Department's officials and presented to the Special Needs Advisory Group on 2 September 1997. [29046]

Ms Estelle Morris: The draft Green Paper considered by the National Advisory Group on Special Educational Needs (SEN) on 2 September 1997 included proposals related to three of the four subjects mentioned. A proposal related to the fourth subject was incorporated following the Group's discussion.

The precise wording of the proposals in the Green Paper differs from that used in the question. In particular, the Green Paper proposes that there should be a national expectation of the proportion of children who might benefit from statements. It specifically states that these would not operate as strict quotas.

Dr. Cable: To ask the Secretary of State for Education and Employment how many primary schools have nurture groups for children showing early signs of emotional and behavioural difficulties with support from their local education authorities; and if he will list these local education authorities and the amount of funding they provide for such groups. [29707]

Ms Estelle Morris: The term"nurture group" may apply to a variety of forms of structured intervention with group activity in support of children with emotional and behavioural difficulties in the primary years. It is not possible to provide the information requested without disproportionate cost.

Voluntary Youth Organisations

Mr. Öpik: To ask the Secretary of State for Education and Employment if he will list those voluntary youth organisations in the New Deal pathfinder areas which are *(a)* providing opportunities to unemployed young people under the full-time employee options, *(b)* providing opportunities to unemployed young people under the voluntary sector options, *(c)* providing opportunities to unemployed young people under the Environmental Task Force option and *(d)* helping to support unemployed young people under the Gateway period of the New Deal. [29198]

Mr. Alan Howarth: The information requested is not held centrally. Many voluntary organisations are offering assistance to young people through the New Deal either as part of the additional help that can be offered to those in the Gateway; through the jobs option; or by offering placement on the Voluntary Sector option. These range from small locally based organisations to ones operating across the country such as the National Trust, Age Concern and British Trust for Conservation Volunteers. Some, such as the Councils for Voluntary Services, have been involved with the planning and development of New Deal in their area as partners and are now acting as an umbrella by bringing together and co-ordinating local voluntary organisations to deliver a full range of provision.

It is worth remembering that New Deal offers young people help to increase their employability based on their individual need and as such specific assistance will be determined to meet an agreed Action Plan drawn up by the young person and their Personal Adviser. Involvement, then, of particular organisations will vary depending upon the needs of individual young person.

Pupil Selection

Mr. Harvey: To ask the Secretary of State for Education and Employment what plans he has to abolish partial selection in maintained schools. [29984]

Mr. Byers: Our plans are clearly set out in Clauses 90–94 of the School Standards and Framework Bill. New partial selection by ability, other than for the purposes of fair banding to ensure a fully comprehensive intake, will be ruled out. The adjudicator will be able to end existing partial selection by ability where another admission authority in the area objects to its retention. Schools with a specialism will continue to be able to give priority, in filling up to 10 per cent. of their places, to children who demonstrate the relevant aptitude. The adjudicator will be able to resolve disputes between admission authorities over existing or proposed specialist places.

Literacy Initiative

Mr. Dorrell: To ask the Secretary of State for Education and Employment if he will make a statement on the division of funding between local and central government for the Literacy Initiative. [29487]

Mr. Byers *[holding answer 16 February 1998]:* For 1998–99 the Government have allocated £59 million on expenditure through the Standards Fund for the raising of literacy standards. The Government and LEAs will share equally the responsibility for funding that expenditure, providing 50 per cent. each. In addition central

government has recently provided £22 million to schools, via local education authorities, to purchase reading books, for expenditure in 1997–98.

Qualifications

Mr. Willis: To ask the Secretary of State for Education and Employment (1) what plans he has to reform the 14 to 19 qualifications structure; and if he will make a statement; [29982]

(2) what assessment he has made of the advantages of introducing a baccalaureate structure into post-16 education. [29983]

Dr. Howells: The consultation paper, "Qualifying for Success", published in October 1997, set out our proposals to take forward our manifesto commitments to broaden A levels and upgrade vocational qualifications, underpinning them with key skills. It also sought views on whether and how to move towards providing a high quality overarching certificate at advanced level, which retains achievement in existing qualifications and encourages greater breadth of learning. The consultation paper built on the recommendations in Sir. Ron Dearing's "Review of Qualifications for 16–19 Year Olds".

We expect to announce decisions next month, in the light of responses to the consultation and advice from the Qualifications and Curriculum Authority.

Higher Education

Mr. Willis: To ask the Secretary of State for Education and Employment what proportion of the recently announced access package for higher education is designed to benefit part-time students; and how this will be implemented. [29980]

Dr. Howells: The extra £165 million for higher education in 1998–99 announced on 23 September 1997 included an access package of £36 million. Within this package £2 million will enable universities and colleges to remit tuition fees for part-time students who lose their jobs after their course has started. Access funds will be doubled at a cost of £16 million in the present financial year and eligibility extended to part-time students.

It will be for higher education institutions, which administer the Access Funds, to make the decisions on individual payments to students whether full-time or part-time. We are currently considering how fee remission arrangements will be implemented.

Director of Information

Miss Kirkbride: To ask the Secretary of State for Education and Employment which firm of headhunters are presently helping with recruitment for the vacant post of Director of Information in his Department. [29582]

Dr. Howells *[holding answer 16 February 1998]:* Korn Ferry International handled the initial recruitment of the Director of Communications post. The recruitment exercise ended in December 1997 when no appointment was made. Following the reorganisation of responsibilities within the Department the post of Director of Strategy and Communications has been advertised across Whitehall. The Department is handling the recruitment for this post. AT Kearney Limited are currently handling the recruitment of the newly created Head of News post.

Training

Mr. Willis: To ask the Secretary of State for Education and Employment if he will make a statement on the future availability of training and retraining for people in employment aged over 18 years. [29989]

Dr. Howells: My right hon. Friend the Secretary of State will set out his proposals on training for employed people in his consultation paper on lifelong learning. This is to be published on 25 February, together with our responses to the reports from the Committee of Inquiry into Higher Education and the Further Education Funding Council's Widening Participation Committee.

Teacher Training

Mr. Willis: To ask the Secretary of State for Education and Employment how many applicants for primary initial teacher training there were at each higher education institution for each of the last five years. [29985]

Ms Estelle Morris: This information is not available.

Mr. Coaker: To ask the Secretary of State for Education and Employment how many applied for teacher training courses in each National Curriculum subject in the current academic year; what the target figures were; and what these figures were in the last academic year. [29240]

Ms Estelle Morris: The following table shows the applications, actual intake and target intake to initial teacher training courses, including National Curriculum subjects, for courses starting in 1996–97 and 1997–98.

Applications and target intake to initial teacher training (ITT) courses England and Wales

	1996–97 ITT				*1997–98 ITT*			
	Undergraduate applications[1]	*Postgraduate applications*	*Actual intake*	*Target intake*	*Undergraduate applications*[1]	*Postgraduate applications*[2]	*Actual intake*	*Target intake*
Primary[3]	92,293	12,583	13,819	12,700	78,117	13,217	13,020	12,200
Secondary								
Mathematics	750	1,873	1,741	2,700	589	1,579	1,538	2,370
English[4]	765	3,197	2,190	2,210	436	3,104	2,255	2,270
Science	640	3,698	3,078	3,905	517	3,265	2,941	3,460
Technology[5]	1,677	1,549	2,050	2,880	1,492	1,605	2,087	3,380
History	75	2,017	1,006	930	0	1,901	1,043	980
Geography	41	1,297	901	900	29	1,188	904	960
Music	351	594	543	650	78	549	546	650
Art	70	939	960	970	63	1,503	962	1,020
Physical Education	9,132	1,145	1,455	1,360	7,843	1,372	1,725	1,610

Applications and target intake to initial teacher training (ITT) courses England and Wales

	1996–97 ITT				1997–98 ITT			
	Undergraduate applications[1]	*Postgraduate applications*	*Actual intake*	*Target intake*	*Undergraduate applications*[1]	*Postgraduate applications*[2]	*Actual intake*	*Target intake*
Modern Foreign languages	184	2,680	1,858	2,440	109	2,561	1,936	2,860
Religious Education	142	845	672	735	77	826	675	740
Other	2,433	820	390	420	2,229	621	300	370
Total Secondary	16,260	20,654	16,844	20,100	13,462	20,074	16,912	20,670

[1] UCAS count up to six applications per applicant, whilst GTTR count one application per applicant.
[2] Provisional figures.
[3] Applications and target intake for Primary are not split by National Curriculum subject.
[4] English includes Drama,
[5] Intake targets are set for technology as a whole; this includes design and technology, information technology, business studies and home economics.
Source:
Undergraduate applications—Universities and Colleges Admissions Service (UCAS)
Postgraduate applications—Graduate Teacher Training Registry (GTTR)
Actual intake—TTA Survey of ITT Providers (England) and HESES (Wales)
Intake targets—DfEE.

Departmental Buildings

Mr. Swinney: To ask the Secretary of State for Education and Employment if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30112]

Dr. Howells: The Department (including the Employment Service) has 1,294 properties nationally. Information on the cost of each of the individual properties could be provided only at disproportionate cost.

Astra Pensions

Mr. Dawson: To ask the Secretary of State for Education and Employment, pursuant to his answer of 1 December 1997, *Official Report*, column *10*, on Astra pensioners, what further steps he has taken to press the liquidators and pension fund trustees to resolve the outstanding issues. [29848]

Dr. Howells: Following a thorough review of the issues surrounding Astra pensions, the Department has now obtained special approval for HM Treasury to offer ex-gratia payments to a small number of former members of the Department who transferred their accrued Civil Service pensions values into the Astra pension fund.

The Government Actuary's Department is engaged in calculating the individual entitlements and until these are resolved, and until the offers and payments are made, detailed figures cannot be provided to the Astra liquidators or their pension fund trustees to take into account in resolving their outstanding work.

The Department continues to work towards the earliest possible resolution to the ex-Astra issues and is also taking a number of other—non-financial—steps aimed at assisting the former Astra employees.

Departmental Contracts

Mr. Swinney: To ask the Secretary of State for Education and Employment how many contracts of a value greater than £5000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30114]

Dr. Howells: This information is not available without incurring disproportionate cost.

Teacher Supply

Mr. Coaker: To ask the Secretary of State for Education and Employment what assessment he has made of the current situation with regard to the supply of teachers. [29238]

Ms Estelle Morris: The supply of an adequate number of well-trained and well-motivated teachers is central to achieving the Government's plans to raise school standards. The Government's response to the first report of the Education Select Committee on teacher recruitment, which was published on 29 January, sets out the action we are taking on this issue.

Teacher Shortages

Mr. Coaker: To ask the Secretary of State for Education and Employment if he will estimate what shortages of teachers there are in each National Curriculum subject at *(a)* primary and *(b)* secondary level. [29239]

Mr. Byers: The following table gives the number of vacancies and the vacancy rates for classroom teachers in maintained nursery, primary and secondary schools in England, at 16 January 1997. Subject information for nursery/primary teacher vacancies is not collected because all primary teachers are trained to deliver the full range of national curriculum subjects. Vacancies for headteacher and deputy headteacher posts are not included.

	Number of classroom teacher vacancies[1]	*Vacancy rates*[2] *Percentage*
Primary[3]	739	0.5
Secondary by subject		
English	86	0.4
Mathematics[4]	74	0.4
Science	78	0.3
History	9	0.1
Geography	26	0.3
Design and Technology	56	0.3
Information Technology	16	0.7

	Number of classroom teacher vacancies[1]	Vacancy rates[2] Percentage
Languages	82	0.6
Art	16	0.2
Music	35	0.8
Physical Education	27	0.2

[1] Only those posts which were advertised at 16 January 1997 as full-time permanent posts or posts of at least one term's duration are counted as vacancies. Posts covered by temporary appointments on a contract of at least a term are not counted as vacant.

[2] The number of vacancies as a percentage of the number of full-time teachers in post.

[3] Subject detail not collected as all primary teachers are trained to deliver the full National Curriculum.

[4] Excluding computer science

Source:

DfEE annual 618G survey.

Disabled People

Mr. Wareing: To ask the Secretary of State for Education and Employment if he will take further steps to outlaw discrimination against disabled people. [29583]

Mr. Alan Howarth: On 1 October the Government announced their strategy to secure comprehensive, enforceable civil rights for disabled people. The Disability Rights Task Force, which I chair, was established in December 1997; its first task is to make recommendations on the role and functions of a Disability Rights Commission by the end of March 1998. It will make further recommendations on how best to secure civil rights for disabled people within the context of our wider society by July 1999.

Departmental Expenditure

Mr. Swinney: To ask the Secretary of State for Education and Employment if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30113]

Dr. Howells: Information in the form requested could be supplied only at disproportionate cost.

Departmental Employees

Mr. Swinney: To ask the Secretary of State for Education and Employment if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30111]

Dr. Howells: This question can be answered only at disproportionate cost.

Pupil : Staff Ratios

Mr. Dorrell: To ask the Secretary of State for Education and Employment (1) if he will list the characteristics which distinguish reception classes for four year olds from nursery classes for four year olds; [29697]

(2) what is the maximum pupil to staff ratio permitted by the regulations covering *(a)* nursery classes for four year olds, *(b)* reception classes for four year olds and *(c)* pre-school play groups for four year olds. [29698]

Ms Estelle Morris: The Department of Education Circular 2/73 on nursery education in maintained schools recommends an adult : child ratio of 2 : 26 for nursery classes attached to primary schools where one adult is a qualified teacher and the other a qualified nursery assistant. It also suggests reception classes should make provision for 4-year-olds comparable to that found in nursery classes.

Pre-school settings registered with social services departments under the Children Act 1989 may apply the same adult:child ratio if the same qualified staff are present, if not the recommended ratio for 3–5-year-olds is 1 : 8.

In reception classes, some children will be of compulsory school age; this is not the case in nursery classes.

The Department and the Department of Health will be consulting shortly on the regulation of early education and day care with the aim of creating a more uniform regime.

Mines and Quarries

Mr. Bill Michie: To ask the Secretary of State for Education and Employment how many prohibition notices have been issued against employers relating to the control of dust at work for each of the geographical areas of the Mines and Quarries Inspectorate in each of the last 20 years. [28638]

Angela Eagle: I have been asked to reply.

The Health and Safety Executive's inspectors responsible for Mines and Quarries have not issued any Prohibition Notices against employers relating to the control of dust at work in any of the geographical areas. Prohibition Notices can only be issued by inspectors when there is a risk of serious personal injury. Problems of control of dust at work are normally dealt with by Improvement Notices which require remedy within the period of the Notice. For Mines, the Coal Mines (Respirable Dust) Regulations 1975 apply and these require the owner of a coal mine to notify HM Inspectorate of Mines when the levels of dust exceeds the permitted amount. The information in respect of notifications to HSE for each year, over the last 20 ears, for each geographical area, could be obtained only at disproportionate costs. However, during the last *five* years the following notifications have been received:

	Scotland and eastern England	Wales and western England
1993	38	—
1994	33	—
1995	24	13
1996	16	7
1997	32	3

SOCIAL SECURITY

Benefit Fraud

Ms Stuart: To ask the Secretary of State for Social Security, pursuant to her Department's Appropriation Accounts 1996–97, what steps she proposes to reduce the amount of benefit fraud with particular reference to fraud on income support. [25733]

Mr. Denham: Tackling fraud and abuse is a top priority for the Government. However, questions on Benefits Agency operational matters are the responsibility of the Chief Executive, Peter Mathison. He will write to my hon. Friend.

Letter from Peter Mathison to Ms Gisela Stuart, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the steps she proposes to reduce benefit fraud.

The Benefit Agency's aim is to create a secure benefit regime administered by staff committed to providing secure and accurate services for customers who in turn recognise their rights and responsibilities. Underpinning this aim is the Security and Control Programme (SCP) which is funded on an invest to save basis. Forty-five individual projects and initiatives are currently being funded by the SCP to tackle the problem of benefit fraud in all benefits, including Income Support. The long term aim is to shift the emphasis from fraud detection to prevention and deterrence whilst maintaining a comprehensive investigative capability.

These initiatives include, increased visits and reviews on new and existing claims to benefit; increased vigilance and checks on personal details at the outset of processing claims; risk analysis to identify client groups which pose the potential to commit fraud; a programme of datamatching to identify duplicate and bogus claims; and a free and confidential telephone hotline service for general public to report suspected benefit fraud.

The department is currently re-examining its strategic counter-fraud objectives, and work is going forward aimed at supporting the Government's objectives for welfare reform, with a greater emphasis placed on risk management, use of information, effective measurement and behavioural changes. These principles apply throughout the social security system and are the means by which we aim to achieve real and permanent reductions in the level of fraud.

I hope you find this reply helpful.

Winter Fuel Payments

Mr. Flynn: To ask the Secretary of State for Social Security what estimate she has made of the administrative costs of the additional fuel payments to pensioners in *(a)* 1997–98 and *(b)* 1998–99. [26468]

Mr. Denham: Winter Fuel Payments are one of a number of initiatives the Government have taken to help vulnerable people, especially the elderly, keep warm in the winter. This is the first time any Government have made a payment to all pensioners towards their heating costs.

This is a enormous and unprecedented exercise, involving the making of around ten million payments to over seven million pensioner households at a total cost of around £200 million. Legislation has only been made for this winter's payments. We expect the scheme to be broadly similar for next winter but want to learn any lesson from the delivery of this winter's payments, before making amending legislation.

The administration of Social Security Benefits is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Paul Flynn, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question regarding what estimate has been made of the administrative costs of the additional fuel payments to pensioners in *(a)* 1997/98 and *(b)* 1998/99.

The information is not yet available in the detail requested. It is estimated that almost ten million payments will be made with a total value of around £200 million.

The current planning assumptions have estimated that the total administration cost of the 1997/98 exercise will be in the region of £20 million. This compares well with similar exercises.

Planning assumptions for the 1998–99 exercise are still being developed. The process of making payments to eligible pensioners may differ from the methods used for 1997–98. Estimates of administration costs are therefore not currently available.

I am sorry that I cannot be more helpful at this stage.

Mr. Bradshaw: To ask the Secretary of State for Social Security (1) how much additional money pensioners in Exeter have received as a result of winter fuel payments; [27658]

(2) how many pensioner households in Exeter will receive *(a)* £50 and *(b)* £20 in winter fuel payments. [27659]

Mr. Denham: Winter Fuel Payments are one of a number of initiatives the Government have taken to help vulnerable people, especially the elderly, keep warm in the winter. This is the first time any Government have made a payment to all pensioners towards their heating costs.

This is a enormous and unprecedented exercise, involving the making of around ten million payments to over seven million pensioner households at a total cost of around £200 million.

The administration of Social Security Benefits is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Ben Bradshaw, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking how much additional money pensioners in Exeter have received as a result of Winter Fuel Payments and; how many pensioner households in Exeter will receive (a) £50 and (b) £20 in winter fuel payments.

Priority has been given to issuing payments to the poorest pensioners, those who are receiving Income Support. All those payments of £50 have now been issued.

The number of £50 Winter Fuel Payments made for the area covered by the Benefits Agency office of Exeter was 6,902. This equates to a total of £345,100 paid.

Winter Fuel Payments of £20 and £10 to other eligible pensioners will start being issued in March 1998. Nationally it is estimated that over 3 million payments will be issued for £20 and almost 5 million for £10 but we are unable to report on how many are expected to be made in Exeter.

Thank you for the opportunity to explain the position.

Child Support Agency

Mr. Flynn: To ask the Secretary of State for Social Security what estimate she has made of the percentage of cases in which errors have been made by the Child Support Agency; and if she will make a statement. [26473]

Mr. Field: We are looking to ensure that the Child Support Agency provides a consistent, fair and efficient service to all its clients.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Mrs. Faith Boardman to Mr. Paul Flynn, dated 17 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security concerning errors made by the Child Support Agency.

The Agency records information on the case value accuracy of assessments, in order to measure performance against the Secretary of State target on accuracy, which for 1997/98 requires "The cash value of all assessments checked in the year to be correct in at least 85% of cases". As at 31st December 1997, the latest date for which information is available, the Agency's performance for the year stood at 85%, exactly matching the target.

The 1997/98 target differs from those of the previous two years, in that an aggregate (ie full year) figure of 85% cash value accuracy must be achieved throughout the year, rather than continuing in-month improvements culminating in achievement of the target in the final month.

Accuracy rates for the Secretary of State target are measured by quality teams within each Agency Business Unit, and the results are validated separately by an independent team overseen by the Agency's Head of Internal Audit. Whilst the Agency's reported measure of accuracy is concerned solely with the cash value of assessments performed in the period, the investigations of the National Audit Office into accuracy have encompassed other aspects of the Agency's procedures, and examined assessments made in earlier years, thereby producing results which differ from those of the Agency. The different methods of measuring accuracy are a concern for the Agency and we are currently looking at ways to address the discrepancies.

The current accuracy rate represents a considerable improvement on performance in the early years. The Agency recognises nevertheless that further improvement is necessary, and a number of initiatives are intended to achieve this. These include additional training for staff, particularly in difficult aspects of the formula, and the further development of the complete action service team technique, which brings together staff members with expertise in the different areas of casework to deal with individual cases as a team. Specific forms have been developed to assist Child Support officers to record systematically all evidence, decisions and calculations in processing an application. Also, the system of checks is to be modified, to introduce checks at various points in the assessment process, rather than at the end of the process, and the role of quality assurance teams is being extended. In addition, many of the other changes being implemented in the Agency, such as increased use of the telephone to gather information, should have a positive impact on the accuracy of the work.

I hope this is helpful.

Helen Jones: To ask the Secretary of State for Social Security how many calls to the Child Support Agency's helpline over the past 12 months have been attributable to delays in dealing with claims; and what has been the cost of dealing with such calls. [27497]

Mr. Field: We are looking for substantial and sustained operational improvements from the Agency, in particular on getting more maintenance paid, reducing the backlog and improving customer service.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Mrs. Faith Boardman to Helen Jones, dated 17 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about calls to the child Support Agency's helpline over the last twelve months.

Telephone enquiries relating to individual case are dealt with by the Agency's Client Help Line. The number of calls received by the Client Help Line over the twelve months period to 26 December 1997 was 2,579,980.

Calls to the Client Help Line service are charged to the public at local rate tariffs; the cost borne by the Agency for the calls over the twelve month period to 26 December 1997 was £943,017.85.

Whenever possible Client Help Line operators will provide an immediate response to an enquiry. Where this is not possible, operators offer a call-back service. This service helps us give our clients accurate information, whilst keeping their telephone charges to a minimum. Calls to the service can cover any aspect of an individual case, and it is not possible to say how many calls were specifically attributable to delays in dealing with claims.

To be more responsive to our customers' needs, the Agency has begun employing staff to work a wider more flexible range of working patterns over six days of the week to improve the telephone service offered. This will provide more opportunities for customers to contact the Agency and vice versa, and will enable the Agency to deliver a better standard of customer service through greater use of the telephone and faster throughput of cases.

Also, the Agency has initiated a Positive Customer Contact project which will mean that staff will increasingly be making contact with customers at a much earlier stage in our dealings with them. The aim is that much more of our business will be conducted over the 'phone rather than by correspondence, this will allow us to gather the vast quantities of information needed more quickly, and help us speed up the assessment process. Our early contact with customers will give them the opportunity to raise issues or concerns and will help to reduce the need for them to contact the Agency about their case.

Helen Jones: To ask the Secretary of State for Social Security what is the average length of time taken by the Child Support Agency to process repeat claims. [27499]

Mr. Field: We expect the Child Support Agency to provide a consistent, fair and efficient service to all its clients.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Mrs. Faith Boardman to Helen Jones, dated 17 February 1998:

I am replying to our Parliamentary Question to the Secretary of State for Social Security concerning the average length of time taken by the Child Support Agency to process repeat claims.

The Agency defines a repeat claim as a re-application to the Agency for a maintenance assessment at any stage after the original maintenance assessment has been closed.

The child maintenance formula requires the Agency to enquire, look at and consider over 100 pieces of information before an assessment can be made. On a repeat application, some new facts will need to be established, while others will already be available, and in general we would expect a repeat application to be processed more quickly than a new application. The Agency does not, however, collect information on the average processing time of new and repeat applications.

A key element of the Secretary of State target for maintenance assessment clearance time is to clear 60% of applications within 26 weeks; this has been in place for the last three years. In 1995/96, the Agency cleared 48% of applications within 26 weeks. In 1996/97 the performance achieved was 54%. In the current year, to the end of December 1997, the clearance rate stood at 72%.

I hope this is helpful.

Helen Jones: To ask the Secretary of State for Social Security how many complaints about the operation of the Child Support Agency have been received from people in the Warrington, North constituency over the past 12 months. [27498]

Mr. Field: Children are entitled to the financial and emotional support of both parents wherever they live. We are looking closely at all aspects of the child support scheme to see where improvements can be made. We aim to bring forward proposals by the Summer.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Mrs. Faith Boardman to Helen Jones, dated 17 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security concerning complaints about the operation of the Child Support Agency.

Statistics are collated on the numbers of complaints received by each of the Agency's 6 Business Units. Warrington North falls within the remit of Midlands Business Unit. In 1997, a total of 2,795 complaints were received by the Midlands Business Unit. A breakdown is not available on the number of complaints which were from people in the Warrington North constituency.

It is important to consider the level of dissatisfaction within the context of the Agency's overall business. Since inception, the Midlands Business Unit has taken on almost 360,000 cases. A relatively small proportion of the workload, therefore, results in complaints.

I am very conscious that there are still far too many justified complaints about the standards of basic customer contact and the service we provide, and we recognise that doing things right first time is the key to preventing complaints. It is an Agency Priority to improve the way in which complaints are handled; we have revised our training for all staff who deal with complaints and have introduced a new Complaints Guide, which sets out our policy and procedures for swift, effective complaints handling. We are aware that as we further tackle our backlog of cases from the Agency's first two years, there is potential for the volume of complaints to rise in the short term.

From April 1997 the Office of the Independent Case Examiner has provided an independent investigation service for those customers who consider the Agency's internal review process has not satisfactorily resolved their complaint.

In the coming years, I am committed to responding to the needs of our customers by bringing high quality levels of performance to every part of our operation as a matter of routine, thereby reducing the number of complaints received and enhancing the public perception of the Agency.

I hope this is helpful.

Mr. Duncan Smith: To ask the Secretary of State for Social Security if she will list the CSA collection service figures for the amount of uncollected maintenance owing for each month since April 1994 indicating the amount attributable to *(a)* type A interim and *(b)* other assessments. [30043]

Mr. Keith Bradley: The administration of the Child Support Agency is a matter for Mrs. Faith Boardman, the Chief Executive. She will write to the hon. Member.

Letter from Mrs. Faith Boardman to Mr. Iain Duncan Smith, dated 17 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about uncollected maintenance assessed by the Child Support Agency.

The Agency's Financial Management System was enhanced from April 1997 to provide monthly information on category A interim maintenance assessments and other assessments, and this is shown in the table attached. Prior to April 1997 this breakdown is not available.

A large proportion of the maintenance outstanding attributable to Category A interim maintenance assessments relates to the first two years of the Agency when interim maintenance assessments were more frequently imposed. The Agency is developing the way it contacts absent parents, and the emphasis is now to get in touch with absent parents as early in the assessment process as possible to reach agreement. This avoids the need to impose an interim maintenance assessment and prevents arrears of maintenance building up.

Wherever it is possible to do so, the Agency converts interim assessments to full maintenance assessments. In the last year, the Agency has also started to clear the backlog of cases that had built up during the Agency's first years, again with the emphasis being on completing full maintenance assessments without the need for interim maintenance assessments. The Agency's increased performance in this area is well illustrated by the number of full maintenance assessments completed so far this year; up to 31 January 1998, 132,724 full maintenance assessments had been completed compared to 97,542 at the same time last year. When embarking on the conversion of interim maintenance assessments and clearing the backlog we realised that this would mean that the amount of maintenance outstanding would rise. However, our overriding aim is to ensure that the flow of maintenance increases and that absent parents who can afford to do so support their children.

Of the £652,870,713 which is attributable to other assessments, approximately £309 million is the subject of agreements for repayment by instalments, which are closely monitored by the Agency. This leaves approximately £344 million of full maintenance assessment debt to be pursued.

Another exercise will be carried out in March 1998 and the results will be published in the Agency Annual Report for 1997/8.

I hope this is helpful.

£

1997/98	*Amount of uncollected maintenance attributable to Category A interim maintenance assessments*	*Amount of uncollected maintenance attributable to other maintenance assessments*
April	610,991,417	533,449,097
May	621,622,348	547,988,156
June	628,261,701	560,507,426
July	635,910,762	572,761,733
August	650,221,953	586,672,588
September	660,426,008	596,516,697
October	670,074,244	609,286,475
November	678,313,253	621,071,891
December	690,002,757	635,522,889
January	697,444,217	652,870,713

Mr. Kirkwood: To ask the Secretary of State for Social Security what assessment she has made of the value of setting up a Child Support Agency Board as part of the review of the CSA. [30167]

Mr. Keith Bradley: We are looking closely at all aspects of the Child Support scheme to see where improvements can be made. We aim to bring forward a consultation paper on our proposals by the Summer.

War Pensions

Mr. Stinchcombe: To ask the Secretary of State for Social Security how many applications for a war pension were made from 1 January 1996 to 7 April 1997; how many sought backdating of the pension beyond the date of latest application; how many applications for backdating (i) have been granted, (ii) have been refused and (iii) are awaiting determination; and how much money has been awarded in respect of backdated war pensions to the successful applicants. [26760]

Mr. Denham: One of our key aims is that delivery of service should be simpler and more efficient.

Queries on operational matters concerning the War pensions Agency are for its Acting Chief Executive, Mr. Steve Johnson. I have asked him to write to my hon. Friend.

Letter from Steve Johnson to Mr. Paul Stinchcombe, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the backdating of War Disablement Pensions.

Between 1 January 1996 and 7 April 1997 there were 87,076 claims received by the War Pensions Agency and 61,473 claims were awarded.

Information on how many War Pensioners sought backdating of their awards, the numbers granted/refused or awaiting determination and the value of the awards made is not readily available and could be obtained only at disproportionate cost.

Despite the limited information available, I hope you find my reply helpful.

Benefit Integrity Unit

Mrs. Ballard: To ask the Secretary of State for Social Security what criteria the Benefit Integrity Unit uses when deciding which claimants will be re-assessed. [27257]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mrs. Jackie Ballard, dated 17 February 1998:

The Secretary of State for Social Security has asked me to respond to your recent Parliamentary Question regarding what criteria the Benefit Integrity Unit uses when deciding which claimants will be re-assessed.

The Benefit Integrity Project (BIP) is looking again at existing DLA awards of the higher rate of mobility component combined with either the middle or highest rate of care component. Such periodic review is usual in other benefits. There are exceptions to the re-assessment criteria, these include people receiving payments under Special Rules, quadriplegics, paraplegics, people who are both deaf and blind, double amputees and those within our definition of severe mental impairment.

I hope you find the reply helpful.

Disability Living Allowance

Mr. Hancock: To ask the Secretary of State for Social Security what instructions concerning the frequency of visits by benefits officers to recipients of disability living allowance have been issued by her Department since 1 May 1997. [27180]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. Mike Hancock, dated 17 February 1998:

The Secretary of State for Social Security has asked me to respond to your recent Parliamentary Question asking what instructions concerning the frequency of visits by benefits officers to recipients of Disability Living Allowance (DLA) have been issued by her Department since 1 May 1997.

No instructions have been issued since 1 May 1997 concerning the frequency of visits to recipients of DLA.

It may be helpful if I explain that visits are currently being made in connection with the Benefits Integrity Project (BIP). Visits are arranged by the Disability Benefits Centre with responsibility for the area in which the customer lives. The customers visited are those in receipt of the highest rate of both the care and mobility components of DLA. During these visits specially trained DLA staff help the customer or their carer complete the BIP questionnaire to establish the care and mobility needs arising from their disability.

Visits are notified well in advance and customers are encouraged to have a friend or carer with them. Visits can be rearranged if inconvenient for the customer or if the customer needs more time to arrange to have someone with them. It would be unusual for more than one visit to be necessary.

I hope you find the reply helpful.

Ms Walley: To ask the Secretary of State for Social Security how many claimants of disability living allowance in the Stoke-on-Trent area receive *(a)* the higher and *(b)* the lower rate of the mobility component. [27660]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Ms Joan Walley, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many claimants of Disability Living Allowance (DLA), in the Stoke-on-Trent area, receive *(a)* the higher; and *(b)* the lower rate of the mobility component.

The number of claimants of DLA who live in the Stoke-on-Trent area and receive the higher rate of mobility component is 10,900. The number who receive the lower rate is 2,000. These figures are based on a 5% sample of cases, where benefit is in payment, carried out on 30 November 1997.

I hope you find this reply helpful.

Mr. Burstow: To ask the Secretary of State for Social Security, pursuant to her answer on 9 February 1998, *Official Report*, column *80–81* on disability living allowance for disabled people whose predominant disability is deafness, if she will break the figures down to show the claimants for each age group who are claimants of *(a)* the mobility component, *(b)* the care component and *(c)* both components. [30047]

Mr. Denham: The information is set out in the table.

People in receipt of disability living allowance whose main disabling condition is deafness

Age	Mobility only	Care only	Mobility and care	All awards
All ages	2,200	6,640	8,740	17,580
0–4[1]	—	1,740	—	1,740
5–15	580	1,780	4,980	7,340
16–24	380	680	920	1,980
25–29	80	380	360	820
30–34	160	320	360	840
35–39	80	320	480	880
40–44	120	340	220	680
45–49	120	280	280	680
50–54	80	380	420	880
55–59	260	260	140	660
60–64	180	120	400	700
65–69	80	40	160	280
70–74	80	—	20	100
75–79	—	—	—	—
80 and over	—	—	—	—

[1] Persons under 5 years not eligible for the mobility component.

Note:

Unrounded figures relate to 30 November 1997.

Source:

Analytical Services Division: 5 per cent. data.

Benefits Agency

Mr. Roy: To ask the Secretary of State for Social Security (1) how many callers *(a)* in person and *(b)* by telephone, made use of the Benefits Agency offices in (i) Lanark, (ii) Carluke, (iii) Larkhall and (iv) Wishaw over the last 12 months; [27651]

(2) if she will list the criteria used by *(a)* the Benefits Agency and *(b)* Ministers to assess the viability of local offices; [27652]

(3) how many local offices the Benefits Agency has closed after approval by the relevant Minister over the last 12 months; [27653]

(4) how many local offices her Department's Ministers have given the Benefits Agency approval to close in the past 12 months; [27654]

(5) how many local offices the Benefits Agency has sought Ministerial approval to close in the past 12 months. [27655]

Mr. Keith Bradley: The administration of the Benefits Agency is a matter for Peter Mathison, its Chief Executive. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Frank Roy, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions concerning the closure of Benefits Agency (BA) local offices and the number of callers in Lanark, Carluke, Larkhall and Wishaw.

The BA were asked by Ministers to assess the viability of local offices under the following criteria:

Wider access to our services for customers

Improved quality, accuracy and security of service

Achieving a fair balance between the needs of staff, policy and operational needs

Increased efficiency and reduced costs.

Over the last twelve months, the BA has sought Ministerial approval to close nine outlets nationally. In March 1997, approval was granted in respect of four outlets which have now been closed and decisions are pending in respect of the other five.

There is no BA office in Carluke, although Agency staff deliver Job Seekers Allowance within Carluke Jobcentre. Details of the average number of callers, in person, to the other three offices are as follows:

Lanark: 295 per week

Larkhall: 476 per week

Wishaw: 418 per week.

All customer telephone calls for the Clyde Valley District, which includes the above offices, are handled by two central telephone sections at Motherwell and Hamilton offices. Figures are not kept for the individual offices.

I hope you find this reply helpful.

Blyth Valley

Mr. Ronnie Campbell: To ask the Secretary of State for Social Security what was the estimated level of social security fraud in Blyth Valley benefits agencies in 1996–97. [28212]

Mr. Denham: Tackling fraud and abuse is a top priority for the Government.

Questions on Benefits Agency operational matters are the responsibility of the Chief Executive, Peter Mathison. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Ronnie Campbell, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the estimated level of social security fraud in Blyth Valley Benefits Agencies in 1996–97.

The estimate of the number of people claiming fraudulently is informed by an extrapolation from the results of a series of Benefit Reviews. The review programme which commenced in 1994 is looking at the extent of fraud and incorrectness in all major benefits. The reviews were conducted under the previous administration and the definition of fraud used to produce results is currently being evaluated in the light of the Benefit Review Programme.

Results from the reviews refer to Great Britain and separate estimates for specific geographical areas are not available. Copies of all the published results of the reviews are available in the Library.

An additional indicator is the number of successful investigations. These are cases where, following a fraud investigation, one or more of the following conclusions occurs: benefit is reduced or stopped, an overpayment is calculated or a prosecution instigated.

During 1996–97, 1,592 successful fraud investigations into claims administered by the Benefits Agency were carried out by Northumberland Sector Fraud, which at that time included the BA offices at Ashington, Berwick, Blyth and Hexham.

I hope you find this reply helpful.

Mr. Ronnie Campbell: To ask the Secretary of State for Social Security (1) how many families are on *(a)* income support and *(b)* family credit in Blyth Valley; [28207]

(2) how many Social Fund funeral payments were awarded in Blyth Valley in each year since 1990; [28209]

(3) how many Social Fund applications for *(a)* grants and *(b)* loans have been turned down by local benefits agencies in Blyth Valley since 1994. [28213]

Mr. Field: The administration of Social Security Benefits is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Ronnie Campbell, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking how many families are on (a) Income Support and (b) Family Credit in Blyth Valley; how many Social Fund funeral payments were awarded in Blyth Valley in each year since 1990; and how many Social Fund applications for (a) grants and (b) loans have been turned down by local Benefits Agencies in Blyth Valley.

The information is not available in the format requested. The Benefits Agency (BA), collates statistics by BA District and these Districts do not correspond to constituency boundaries or specific geographical areas. Such information as is available is in the attached tables.

I hope this reply is helpful.

Number of families in receipt of Income Support and Family Credit for the Benefits Agency's (BA's) Northumbria District

	Number
Number of customers in receipt of Income Support lone parent rate of the family premium as at 30 November 1997	[1]6,678
Families in receipt of Family Credit as at 30 September 1997[2]	7,022

[1] The Income Support data does not include those lone parent customers who are pensioners nor those registered sick who qualify for a higher rate premium such as a pensioner or disability premium. Since October 1996 unemployed customers with partners have claimed JSA.

[2] Information relating to the number of customers in receipt of Family Credit is normally only collated on a national basis. However, in September 1997 a scan of the Family Credit computer system was run by BA Service.

Note:

The information provided relates to the BA's Northumbria District (which includes the offices of Ashington, Berwick, Blyth, Hexham, North Shields and Wallsend). The information is provisional and maybe subject to change.

Social Fund statistics for the Benefits Agency's (BA's) Northumbria District

	Funeral payments awarded	*Social Fund applications refused*		
		Community Care grants	*Budgeting loans*	*Crisis loans*
1990	[1]34	—	—	—
1991	148	—	—	—
1992	222	—	—	—
1993	281	—	—	—
1994	282	—	—	—
1995	292	[2]788	[2]916	[2]494
1996	316	999	919	1,029
1997	313	1,162	1,002	1,423

[1] The data provided represent April-December 1990. Information prior to the inception of the BA in April 1990 is not available in this format.

[2] Data are only available from April 1995. Prior to this the information requested is not available.

Note:

This is the latest available information, it is provisional and maybe subject to change.

The information provided relates to the BA's Northumbria District (which includes the offices of Ashington, Berwick, Blyth, Hexham, North Shields and Wallsend).

Income Support (Pensioners)

Mr. Webb: To ask the Secretary of State for Social Security if she will provide details of the pilot schemes being launched in April designed to encourage pensioners to claim the income support to which they are entitled. [29605]

Mr. Denham *[holding answer 16 February 1998]:* We are particularly concerned about the million pensioners who are not claiming Income Support. We have already commissioned research into the reasons why pensioners do not claim their entitlement. This is due to report in the Autumn.

In addition, we intend to run a series of local take-up pilots designed to test different ways of identifying potential claimants and the most effective and efficient ways of encouraging them to claim, including simplifying the claim process. Following a consultation meeting officials had with Help the Aged, Age Concern and others, we are finalising the design of the pilots. We will announce further details of the pilots shortly.

Benefit Integrity Project

Mrs. Browning: To ask the Secretary of State for Social Security, pursuant to her answer to the hon. Member for North Tayside (Mr. Swinney) of 9 February 1998, *Official Report*, column *76*, relating to the disability living allowance, in what ways the additional evidence will be collected; and if those who have had their benefits removed will be entitled to have their cases reassessed on the basis of the additional evidence. [30046]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mrs. Angela Browning, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question regarding the pursuant to her Answer to the hon. Member for Tayside North, of 9 February, Official Report, column 76, relating to the Disability Living Allowance (DLA), in what ways the additional evidence will be collected; and if those who have had their benefits removed will be entitled to have their cases reassessed on the basis of the additional evidence.

The Benefit Integrity Project (BIP) is looking again at some awards of DLA, through a programme of visits and postal enquiries to collect up to date information about the care and mobility needs of some disabled people and to make sure that the correct amount of benefit is being paid.

From 9 February, no case likely to result in the reduction or removal of benefit will be passed to an Adjudication Officer (AO) for review without further evidence in addition to that supplied by the customer on the BIP questionnaire. This extra safeguard is to improve confidence in the decisions made by the BIP and to help safeguard the position of severely disabled people.

Further evidence about a customer's care and mobility needs may include factual medical evidence from a General Practitioner or hospital or other health care professional, a full examination by a qualified medical practitioner or information from carers. The source

of the additional evidence will be determined by the officer acting on behalf of the Secretary of State in the light of the individual circumstances of the case.

Although there are no plans to re-examine all benefit reductions made to date under the BIP, anyone whose benefit is reduced or disallowed, whether or not this follows receipt of the further evidence now being sought, is entitled to request a review by another AO. The AO will consider afresh the full circumstances of the award, based on all the evidence available.

I hope you find the reply helpful.

Mr. Swinney: To ask the Secretary of State for Social Security, pursuant to her answer of 9 February 1998, *Official Report*, column *75*, if she will list the categories of additional evidence which will be taken into account by adjudication officers involved in the Benefit Integrity Project; and if she will make a statement. [30159]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. John Swinney, dated 17 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking if she will list the categories of additional evidence which will be taken into account by Adjudication Officers (AOs) involved in the Benefits Integrity Project (BIP).

From 9 February 1998, if information obtained from a Disability Living Allowance (DLA) beneficiary as part of the BIP indicates that there has been a change of circumstances which may lead to a reduction or removal of entitlement to DLA, additional further evidence will be obtained before the case is passed to an AO for review.

This additional information may be factual medical evidence from a General Practitioner, hospital or other health care professional, a full medical examination by a qualified medical practitioner or information from a carer. The most appropriate source of additional evidence will be used in the light of the individual circumstances of the case.

I hope you find the reply helpful.

Mr. Burstow: To ask the Secretary of State for Social Security, pursuant to her answer of 8 July 1997, *Official Report*, column *464*, concerning the Benefit Integrity Project, what are the outturn savings figures to date; and what is her current estimate of the total savings in 1997–98. [30222]

Mr. Denham: The information requested is not available at present. In the light of my right hon. Friend, the Secretary of State's recent announcement of additional safeguards and other factors statisticians have been asked to re-examine the estimated savings from the Project and to produce validated figures for the current financial year. I will write to the hon. Member again as soon as this information becomes available.

Child Support

Mr. Kirkwood: To ask the Secretary of State for Social Security in what proportion of child support appeals one of the parties has requested an oral hearing; how often one or both parties has attended; and in what proportion of cases a full decision has been requested in each of the last three years. [30057]

Mr. Keith Bradley: The operation of the appeals system is a matter for the Independent Tribunal Service (ITS).

The information is not available in the format requested. Such information as is available from the ITS is as follows.

From December 1996 to December 1997 a total of 8,434 Child Support appeals were received and there were 5,949 requests for oral hearings. Current year-to-date figures show that 85 per cent. of Child Support appeals are heard orally and 15 per cent. are heard on papers, although this latter percentage has increased as the year has progressed.

During the period December 1996 to December 1997 a total of 8,569 Child Support appeals went to hearing, and in 818 (10 per cent.) of those cases a full decision was subsequently requested by one or other of the parties.

Mr. Kirkwood: To ask the Secretary of State for Social Security how much child support maintenance estimated in 1996–97 as not offsetting benefits savings was received by *(a)* family credit claimants and *(b)* private clients. [30055]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is as follows.

Regular payments of child maintenance can transform the lives of lone mothers and their children, providing a stable income which can help them off Income Support and into work. In 1996/97, an estimated £110 million was paid to family credit claimants which did not offset their benefit entitlement.

Mr. Kirkwood: To ask the Secretary of State for Social Security what proportion of appeals to child support appeal tribunals are made by *(a)* absent parents and *(b)* parents with care; what proportion are referrals by (i) child support officers and (ii) the Secretary of State; and what proportion of appeals to child support commissioners are made by (1) absent parents, (2) persons with care and (3) the child support officer. [30059]

Mr. Keith Bradley: The information is not available.

Mr. Kirkwood: To ask the Secretary of State for Social Security how many persons with care have left income support for employment as a result of receiving a Child Support Agency assessment in each year for which figures are available. [30132]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is that between April and December 1997, 2,897 parents with care made a successful claim for the child maintenance bonus when they left Income Support for work.

Mr. Kirkwood: To ask the Secretary of State for Social Security what research she is undertaking on the effect of a reduced benefit direction on children in the family since the increase in the benefit penalty in October 1996. [30139]

Mr. Keith Bradley: The Department is continually monitoring and evaluating reduced benefit directions which apply only where a parent with care has failed to co-operate with the Child Support Agency without good cause. Although the Department has not conducted any research into the effect of the reduced benefit direction since October 1996, following a recommendation of the Social Security Select Committee, the Child Support Agency undertook detailed research on the requirement to co-operate provisions and the results were published in April 1996 in "The Requirement to Co-operate: A Report on the Operation of the "Good Cause" Provisions. Department of Social Security in-house report 14".

We are looking closely at all aspects of the Child Support scheme to see where improvements can be made and we aim to bring forward a consultation document on our proposals by the Summer.

Mr. Kirkwood: To ask the Secretary of State for Social Security in how many child support appeal cases the appeals are over the 28 day time limit; and what proportion of these appeals are allowed to proceed. [30058]

Mr. Keith Bradley: The operation of the appeals system is a matter for the Independent Tribunal Service who report that from April 1997 to December 1997 a total of 1,962 Child Support Appeals were received which were over the 28 day time limit. During the same period 320 appeals were not admitted. Figures are not kept on the actual number of appeals allowed to proceed.

Mr. Kirkwood: To ask the Secretary of State for Social Security (1) how many departure applications have been refused by the Child Support Agency on preliminary consideration; what number of applications have been *(a)* successfully and *(b)* unsuccessfully made under each of the grounds for departure; and what plans she has to extend the grounds for departure; [30061]

(2) how many applications for departure have been made to the Child Support Agency from absent parents and persons with care with new assessments since December 1996; how many such applications have been made by parents with pre-December 1996 assessments; how many of each of these were successful; and what was the average change in the assessment; [30125]

(3) how long departure applications to the Child Support Agency are taking to process; what proportion of applications have been referred to an appeal tribunal by the CSA; and what proportion or departure decisions have been appealed. [30126]

Mr. Keith Bradley: As at 31 January 1998 13,374 departure direction applications had been refused on preliminary consideration.

Numbers of Successful and Unsuccessful Applications by Grounds

Application grounds	*Successful*	*Unsuccessful*
Travel to work	1,418	6,171
Contract costs	1,129	6,786
Illness and disability	51	1,700
Debts of the relationship	653	7,253
Pre-1993 commitments	120	2,109
Step-children	89	1,719
Property and capital transfers	165	1,760
Assets capable of producing income or greater income	59	1,395
Diversion of Income	0	840

Numbers of Successful and Unsuccessful Applications by Grounds

Application grounds	*Successful*	*Unsuccessful*
Lifestyle	3	5,502
Unreasonably high housing costs	56	2,586
Attributable housing costs	1,026	3,887
Unreasonably high travel costs	6	229
Travel costs to be disregarded	11	187

Source:
Child Support Agency management information statistics.

Numbers of applications from existing absent parents and parents with care at December 1996 and from new absent parents and parents with care

	Applications relating to assessments in force prior to 2 December 1996	*Applications relating to assessments made on or after 2 December 1996*
Absent Parents	14,881	7,297
Parents with care	4,890	1,738

Source:
Child Support Agency management information statistics.

Information is not available about the proportions of such cases which were successful.

The average reduction is the level of the maintenance assessment following applications from absent parents is £8.32 per week. The average increase in the level of the maintenance assessment following applications from parents with care is £14.67 per week.

The average processing time for applications which

(i) fail on preliminary consideration stage is 42 days

(ii) are refused following full consideration is 93 days

(iii) succeed is 168 days.

139 applications, (0.5 per cent of all applications) have been referred direct to the appeal tribunal for determination. Around 9 per cent of decisions have been appealed.

There are no current plans to extend the grounds for a departure. However we are looking closely at all aspects of the child support scheme to see where improvements can be made.

Mr. Kirkwood: To ask the Secretary of State for Social Security if he will publish the benefits savings made as a result of Child Support Agency activity for the first half of 1997–98, the desired level of benefits savings required before a child maintenance disregard on income support is to be introduced and the estimated loss in benefits savings if the maintenance disregard was set at £5 a week. [30133]

Mr. Keith Bradley: Benefit savings as a result of child support activity in the first half of 1997/98 were estimated to be £223 million. We have not set a specific level of benefit savings which we expect to see before a maintenance disregard could be introduced. The longer term programme cost of a £5 disregard of maintenance in income support is estimated to be £65 million for a full year.

Departmental Expenditure

Mr. Swinney: To ask the Secretary of State for Social Security if she will give a regional breakdown of her Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30117]

Mr. Field: The information is not available in the format requested and could be provided only at disproportionate cost.

Such information as is available is set out in the table.

Expenditure information for the Department's individual executive agencies for 1996–97

£

	Hospitality	Printing and stationery	Travel
DSS HQ	7,159.84	2,150,958.03	1,033,982.41
ISBs	3,009.55	1,839,438.85	854,466.20
Benefits Agency	22,330.53	47,408,861.26	18,305,628.16
Contributions Agency	7,066.31	2,028,915.64	2,860,525.35
Child Support Agency	4,621.89	3,820,404.92	3,676,374.97
War Pensions Agency	2,006.67	252,226.25	314,450.64
ITSA	nil	729,162.97	872,804.10
Total	46,194.79	58,229,967.92	27,918,241.83

Departmental Buildings

Mr. Swinney: To ask the Secretary of State for Social Security if she will list the location and running costs in the last year for which figures are available of each of her Department's buildings. [30116]

Mr. Field: The information requested is not held centrally in the format requested and could be obtained only at disproportionate cost.

Departmental Contracts

Mr. Swinney: To ask the Secretary of State for Social Security how many contracts of a value greater than £10,000 her Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30118]

Mr. Field: The information is not readily available and can be obtained only at disproportionate cost.

Departmental Employees

Mr. Swinney: To ask the Secretary of State for Social Security if she will list the number of her Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30115]

Mr. Field: The information is set out in the table.

Number of staff and salary bill for the UK and economic planning regions

UK and economic planning regions	Number of employees	Salary bill £000	London allowances and weightings £000
UK: Total	107,667	1,538,296	12,355
Scotland	10,794	151,028	—
Northern	17,091	240,976	—
Yorkshire and Humberside	8,622	127,207	—
North West	23,436	324,887	—
East Midlands	4,638	64,292	—
West Midlands	8,125	113,229	—
Wales	4,952	69,728	—
East Anglia	1,889	26,292	—
South East	21,803	337,526	12,355
South West	6,304	82,950	—
N. Ireland	13	181	—

Notes:

1. The number of employees is correct at April 1997. Figures show number of individuals rather than whole unit equivalents.
2. Economic Planning Regions are the only available geographical designation by which this data can be divided.
3. The wage bill and London Allowances/Weightings figures represent an annualised figure as at April 1997.
4. The wages bill covers annual salary, National Insurance and superannuation. London allowances are shown separately.
5. The London Allowances included are London Weighting and London Recruitment and Retention Allowance.

Disabled People (Appeals)

Mr. Wareing: To ask the Secretary of State for Social Security how many disabled people are awaiting appeals against reductions in their *(a)* incapacity benefit and *(b)* disabled living allowance; what is the average waiting time for their appeals to be heard; and what estimate she has made of the savings to public funds arising from the reductions in benefits during the waiting period. [29585]

Mr. Denham: The operation of the appeals system is a matter for the Independent Tribunal Service (ITS).

The information is not available in the format requested. Such information as is available has been provided by the ITS and is as follows.

Appeals relating to Incapacity Benefit are heard by Social Security Appeal Tribunals (SSATs). Statistics do not differentiate between which appeals are against reduction in benefit and which are against some other aspect of entitlement, such as refusal. There was a total of 109,400 outstanding appeals to SSATs in July 1997, of which 51,624 concerned some aspect of entitlement to Incapacity Benefit.

In the quarter ended 30 September 1997, the average clearance time for SSATs as a whole was 28.9 weeks, whilst for Incapacity Benefit appeals it was 29.3 weeks.

Appeals relating to Disability Living Allowance are heard by Disability Appeal Tribunals (DATs). Again, statistics do not differentiate between appeals against reduction in benefit and those against other aspects of entitlement. Neither do they distinguish between appeals

to DATs concerning Disability Living Allowance and those concerning other benefits. In July 1997 there was an overall total of 29,566 outstanding appeals to DATs and an overall average clearance time of 30 weeks.

Where an appeal tribunal determines that entitlement exists for all or part of the period between the date of the decision appealed against and the date of the tribunal hearing, benefit is paid in accordance with that determination.

Benefits Reviews

Mr. Wareing: To ask the Secretary of State for Social Security if she will list each disability benefit currently subject to review, prior to the publication of a green paper; and if she will make a statement. [29584]

Mr. Denham: Our Comprehensive Spending Review covers all Social Security benefits paid on account of incapacity for work, disability and caring. No decisions have yet been reached.

Mr. Wareing: To ask the Secretary of State for Social Security if she will list the disabled people's organisations that have made representations to her in respect of the review of welfare benefits; what has been the nature of their representations; and if she will make a statement. [29586]

Mr. Denham: The Government are committed to reforming the welfare system in consultation with the people. We continue to hear views from sick and disabled people, and the groups who represent and support them, both through meetings and in correspondence, about how we can spend wisely and best direct help to enable disabled people to live with independence and dignity.

Written Answers to Questions

Thursday 19 February 1998

HOUSE OF COMMONS

Office Costs Allowance

Mr. Oaten: To ask the President of the Council how many hon. Members have used up all of their office costs allowance to date. [30307]

Mrs. Ann Taylor: To date, no Members have used up all of their Office Costs Allowance.

Child Care

Mr. Barnes: To ask the President of the Council what data she has collated concerning child care provision in other parliaments. [29849]

Mrs. Ann Taylor: None.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Waste Management

Mr. Peter Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to publish the revised guidance in WMP4; and if he will make a statement on its impact on rural areas. [29547]

Angela Eagle: Section 51 of the Environmental Protection Act 1990 places a duty on waste disposal authorities (eg County Councils) to arrange for places to be provided at which persons resident in their area may deposit their household waste free of charge. The fulfilment of this duty is a matter for each authority.

The previous Government initiated a consultation exercise on a proposal to amend the guidance in Waste Management paper No. 4 (WMP4) as it relates to the waste management licensing of sites provided under section 51 of the 1990 Act. These sites are known as "civic amenity sites". The effect of the proposal would be to give the Environment Agency, in England and Wales, and the Scottish Environment Protection Agency, in Scotland, discretion to license un-manned civic amenity sites in rural and remote areas in certain circumstances. The representations made in response to the consultation exercise are being considered and our conclusions on the proposal to amend WMP4 will be announced as soon as we are in a position to do so.

Container Refuse

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to encourage a reduction in the amount of container refuse distributed by fast food outlets. [29701]

Angela Eagle: Fast food outlets are likely to incur an obligation to contribute to the cost of disposing of the containers which they sell as a consequence of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 which came into force in March last year. The regulations place obligations on producers of packaging, from raw materials manufacturers to sellers, to recover and recycle specified tonnages of packaging waste based on the amount of packaging they handle. The targets set by these Regulations, taken from the EC Directive on packaging and packaging waste, will require the UK rate of packaging waste recovery to almost double to 50% by 2001 (it is currently around 27%).

To be obligated, businesses must have a turnover of more than £5 million and handle more than 50 tonnes of packaging annually. In 2000, the former threshold will go down to £1 million. These Regulations therefore ensure that businesses that place packaging on the market, including fast food outlets, make a substantial contribution to the costs of disposal of these products and this obligation acts as an incentive to minimise the weight of packaging used.

Drink Driving

Mrs. May: To ask the Secretary of State for the Environment, Transport and the Regions how many road deaths were attributable to drink driving in the last year; and in how many of those cases the driver was above the 80 milligram limit by a factor of two or more. [29764]

Ms Glenda Jackson: It is provisionally estimated that, in 1996, there were 540 deaths in a drink-drive accident, defined as a road accident in which at least one driver failed a breath or blood alcohol test, or refused to provide a test specimen. In drink-drive accidents where the driver was killed and subjected to a blood alcohol test, it is estimated that about half the drivers involved exceeded the 80 milligram limit by a factor of two or more. Information is not available on the extent to which drivers who were involved in fatal accidents but were not themselves killed, and who failed a breath test, exceeded the legal alcohol limit.

Emergency Tugs

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the cost of providing all year round cover with emergency tugs for the Western approaches to the Pembrokeshire coastline. [29686]

Ms Glenda Jackson: A table giving the estimate of costs for the provision of Emergency Towing Vessels is included in the Cost Benefit Analysis (paragraph 9), which was undertaken by the Coastguard Agency. A copy was placed in the House Library on 10 February 1998.

Roads

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of the total land area of the United Kingdom is taken up by roads. [29808]

Ms Glenda Jackson: The land take of roads is estimated to be approximately 1.4 per cent. of the total land area of the United Kingdom.

Oil Spillages

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions what measures he is taking to ensure the continuation of monitoring and research into the long-term effects and impact of oil spillages on the British coastline. [29818]

Angela Eagle: The UK Government have recognised the need for a plan to minimise the effects of oil spills since 1967. This National Contingency Plan was developed in consultation with all interested parties and is operated by DETR's Marine Pollution Control Unit.

In the event of a major spill, the Marine Pollution Control Unit establish, in consultation with the various authorities, whether to initiate sampling of sea water, sediments and flora/fauna over an extended period to determine the long-term fate of the oil and its consequences for the environment. They also recommend if resources need to be made available for longer-term ecological studies (including the shoreline) if appropriate.

The Government have been alive to the need to develop a comprehensive view of the environmental impacts of major oil spills. Following the wreck of the *Braer* in 1993, the Government funded the work of the Ecological Steering Group on the oil spill in Shetland and is continuing to monitor and to research into the environmental effects. Following the grounding of the *Sea Empress*, we funded the work of the Sea Empress Environmental Evaluation Committee (SEEEC). The SEEEC report was published on 11 February.

The Government are considering SEEEC's recommendation that an Environmental Impact Assessment Group should be established whenever a serious oil spill occurs. We are also considering what further monitoring and research should be set up to establish what the long-term effects of the *Sea Empress* spill are and what measures may be needed to alleviate any possible consequences.

My Department continues to fund the Continuous Plankton Recorder operated by the Sir Alister Hardy Foundation. This was started in 1931 and provides a unique insight into the effects of all pollutants on these "indicator" species. More recently, the Department has funded a research contract into the biological fate of dispersed oil which assesses the nature, rate and extent of the biodegradation of oil droplets. The final report of this contract is expected shortly. In addition, monitoring of the long-term effects and impact of oil spillages (and other substances) on the British Coastline is carried out under the auspices of the Marine Pollution Monitoring Management Group.

Assaults (Trains)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many prosecutions have been brought and convictions secured for assaults committed on trains in each year since 1990. [29861]

Ms Glenda Jackson: The numbers of prosecutions for assault on railway property, including trains, for the years 1991 to 1997 are provided in the table. I am unable to provide the number of convictions as the British Transport Police do not hold the figures in this form.

Year	*Prosecutions*
1991	903
1992	1,428
1993	459
1994	599
1995	616
1996	618
1997	543

Airport Planning

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions if his Department will review the appropriateness of the predict and provide approach to airport infrastructure planning and provision. [29931]

Ms Glenda Jackson: Integration between the Government's transport policies, including those on aviation, and the Government's environmental policies will be one of the central themes in the Integrated Transport White Paper.

Compulsory Purchase Houses

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many houses his Department owns, by county, which were originally subject to compulsory purchase or otherwise acquired to facilitate road-building schemes which *(a)* have definitely been cancelled and *(b)* are subject to the present Trunk Roads Review. [30303]

Ms Glenda Jackson: On 1 February, the Highways Agency owned the following residential properties which have been acquired by compulsory or discretionary purchase to facilitate road building schemes. Properties held for cancelled schemes will generally be sold over a three-year period, to avoid adversely affecting the local housing market and maximise benefits to the taxpayer.

County	*(a) for schemes already*	*(b) for schemes subject to the present trunk roads review*
Avon	7	0
Bath	1	0
Bedfordshire	1	65
Berkshire	2	19
Buckinghamshire	12	1
Cambridgeshire	4	9
Cheshire	12	4
Cornwall	0	7
Cumbria	1	0
Derbyshire	17	1
Devon	8	6
Dorset	21	0
East Sussex	11	8
East Yorkshire	0	1
Essex	13	5
Greater Manchester	201	100
Greater London	217	416
Herefordshire	0	4
Hertfordshire	195	21
Kent	27	6
Kingston-upon-Hull	0	5

County	(a) for schemes already	(b) for schemes subject to the present trunk roads review
Leicestershire	8	0
Lincolnshire	22	0
North Yorkshire	11	11
Northamptonshire	0	3
Nottinghamshire	28	17
Rutland	3	0
Somerset	1	1
Staffordshire	11	12
Surrey	15	31
Tyne and Wear	0	5
Warwickshire	13	0
West Midlands	48	23
West Sussex	140	2
West Yorkshire	0	17
Wiltshire	6	3
Worcestershire	53	0

British Rail Land (Newhaven)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 16 February 1998, *Official Report*, column *462*, if he will take steps to ensure that the British Rail land for sale in Newhaven is sold only to a party with railway interests. [30408]

Ms Glenda Jackson: No; that would effectively entail a subsidy by the taxpayer. But British Rail would welcome bids from railway interests.

Departmental Child Care

Mr. Barnes: To ask the Secretary of State for the Environment, Transport and the Regions what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30011]

Angela Eagle: Child care provision enables staff to combine their work and domestic responsibilities and helps promote and sustain equal opportunities policies. My Department supports child care facilities in accordance with existing central guidance. Parents are required to make a contribution towards the costs but subsidies up to a maximum of 50 per cent. of the cost of places are provided. Child care vouchers are not currently made available to staff. Current support for places at inter-departmental nurseries is as follows:

Location	Number of Places	Contractor	Subsidy per week per place
Westminster	10 (divided between two nurseries)	Westminster Children's Society	£73 or £78 depending on nursery ie 50% subsidy
Bristol	3.5	Acorn	£38 for under twos ie 35% subsidy and £28 for over twos ie 29% subsidy
Hastings	4	Kinderquest	£32 ie 33% subsidy

Inter-departmental holiday play schemes are operated at various locations throughout the country including Westminster, Bristol, Birmingham and Bedford. Apart from the Westminster scheme, full details are not held centrally but subsidies are made available. The Westminster scheme details are as follows:

Location	DETR places	Contractor	DETR subsidy
Westminster	Varies—up to 15 places	Kinderquest	£8.05 per child per day ie 50%

Chief Executives are responsible for the implementation of equal opportunities policies in DETR agencies, including child care provision. Details are not held centrally.

Public Interest Reports

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions how many district auditors' public interest reports were published last year; and on which local authorities. [30306]

Mr. Raynsford: I understand from the Audit Commission that during 1997 district auditors published a total of twenty public interest reports. The local authorities concerned were:

Allerdale Borough Council
Bassetlaw District Council
Bristol City Council
Bath and North East Somerset Council
Coggeshall Parish Council
Denbighshire County Council
Doncaster MBC
Hemsworth Town Council
Hertfordshire County Council
Lambeth LBC
Middlesborough Borough Council
Newark and Sherwood District Council
Nottinghamshire County Council
Redbridge LBC
St. Neots Town Council
Sheffield City Council
Walsall MBC
Waltham Forest LBC
West Wiltshire District Council
Whitworth Town Council.

Drinking Water

Mr. Ian Stewart: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to release the report commissioned by his Department on the cost benefit analysis of reducing lead in drinking water. [30917]

Mr. Meacher: This report has now been published and I have arranged for copies to be placed in the Library of the House. This is an interesting study which attempts to cost the health and non-health benefits associated with reducing levels of lead in drinking water to the 25 µg/l and 10 µg/l levels required by the new EC Drinking Water Directive.

The report indicates that in some circumstances it is cost-effective to replace lead water pipes, although if the cost of pipe replacement could be reduced the case for action would be clearer. It also concludes that it is cost-effective to introduce water treatment to reduce exposure even when benefits appear to be low.

The report provides a useful input to the debate about the costs and benefits of reducing lead levels in water. However, this is a difficult area and further work will be necessary on the assumptions and approaches used.

Genetically Modified Organisms

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 4 February 1998, *Official Report*, columns *641–42*, if he will make a statement on the ethical and wider public interest considerations which he wishes to be taken into account in the revision of Directive 90/220/EEC on the deliberate release of genetically modified organisms; and if he intends to press for a requirement to show a need for the genetically-modified organism. [29712]

Mr. Meacher: The report of the 1997 National Biotechnology Conference published in September last year highlighted that some aspects of the development of biotechnology raise wider issues, including ethical concerns. These included concerns about the spread of genes into wild populations and the effects of the introduction of genetically modified crops into our natural and agricultural environment. Other concerns include whether social need justifies the risk being taken in developing a GMO and whether the technology employed is appropriate and the safest available. The Government are preparing their response to the report of the conference, which should be published shortly. In responding, we shall be considering both how best to address these concerns and the constraints on action and their relevance to the revision of the directive 90/220.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 4 February 1998, *Official Report*, columns *641–42*, if he will list the Government's concerns about the current procedures relating to the marketing and release of genetically modified organisms as laid down in Council Directive 90/220/EEC. [29711]

Mr. Meacher: My concern has been partly over comitology and the lack of a timetable and transparency of the decision making process, but also about the failure for wider aspects of the public interest to be taken into account.

INTERNATIONAL DEVELOPMENT

Montserrat

Mr. Chope: To ask the Secretary of State for International Development which firms were invited to bid for the provision of pre-fabricated units for Montserrat. [29988]

Clare Short: The following firms were invited to bid for the supply of pre-fabricated units for Montserrat:

1. Davy Hill Modular Housing

UK

Conport Structures Ltd.
Ecometal-Ecohome Ltd.
Emergency Housing Int'l Ltd.
Evotec
ISO Homes
Kalliope Ltd.
Kudos 2000 Ltd.
Landbase International Ltd.
Multipurpose Int'l Ltd.
PDQ Emergency Homes Ltd.
Premier Transline Building Systems Ltd.
Tilden Industries Ltd.

US

Horton Homes Inc.
H. R. Lubben
International Building Systems Inc.
Sun Formula Inc.
Universal Services Inc.

Jamaica

Areocon
Quality Affordable Homes Ltd.
West Indies Home Contractors Ltd.

Canada

Digigraph Inc.

Germany

MAGU Gmbh

2. Temporary Schools

UK

Conport Structures Ltd.
Ecometal-Ecohome Ltd.
Evotec
Kalliope Ltd.
Kudos 2000 Ltd.
PDQ Emergency Homes Ltd.
Stonebridge Facilities
Tilden Industries Ltd.

US

International Building Systems Inc.
H. R. Lubben
Horten Homes Inc.
Sun Formula Inc.
Universal Services Inc.

Jamaica

Quality Affordable Homes Ltd.
West Indies Home Contractors Ltd.

Canada

ATCO Structures Inc.

3. Government Offices

UK

Conport Structures Ltd.
Denholm Coates and Co. Ltd.
Ecometal-Ecohome Ltd.
Elliott Group Ltd.
Emergency Housing Int'l Ltd.

Evotec
Horsfall International Ltd.
John Reid and Sons Ltd.
Kalliope Ltd.
Kudos 2000 Ltd.
Multipurpose International Ltd.
PDQ Emergency Homes Ltd.
Premier Transline Building Systems Ltd.
Tilden Industries Ltd.
US
H. R Lubben
Horton Homes Inc.
International Building Systems Inc.
Universal Services Inc.
Canada
ATCO Structures Inc.
Netherlands
Transmo Special Products

4. Emergency Offices
UK
Conport Structures
Kalliope Ltd.
Tilden Industries
US
International Building Systems Inc.
Austria
Containex Gmbh
Canada
ATCO Structures Inc.

Russia

Sir Alastair Goodlad: To ask the Secretary of State for International Development what assistance programmes her Department is currently funding in Russia. [30200]

Clare Short: The Department for International Development's programme of bilateral assistance to Russia is channelled via the Know How Fund. This strategic technical assistance is provided across a variety of sectors. We expect expenditure in the 1997–98 financial year to be approximately £28 million.

The Department also contributes substantially to the support provided to Russia by the multilateral agencies, in financial terms most conspicuously via the European Union's TACIS programme.

Multilateral Agreement on Investment

Mr. Stephen Twigg: To ask the Secretary of State for International Development what consultation she has held with relevant non-governmental organisations in advance of the signing of the Multilateral Agreement on Investment. [30229]

Clare Short: I met representatives of non-governmental organisations (NGOs) in July to discuss the Multilateral Agreement on Investment (MAI) and will be doing so again shortly, before the negotiations are concluded in April. My officials have been in contact with NGOs throughout the intervening period. My Department has also consulted with NGOs on our study of the development implications of the MAI.

Development Assistance

Sir Alastair Goodlad: To ask the Secretary of State for International Development what percentage of programme bilateral developmental assistance, excluding emergency assistance, will go to *(a)* upper middle income groups, *(b)* lower middle income groups and *(c)* low income groups in (i) 1997–98 and (ii) 1988–99. [30195]

Clare Short: Expenditure for 1997–98 will be reported by the Department in British Aid Statistics around November 1998. Future allocations are currently being considered in the Department's resource allocation round. An objective is to re-direct more of the available resources to poverty elimination.

Sir Alastair Goodlad: To ask the Secretary of State for International Development (1) what percentage of bilateral programme development assistance will be devoted to *(a)* non-project technical co-operation, *(b)* CDC exchequer advances, *(c)* emergency aid, *(d)* mixed credits, *(e)* financial aid, *(f)* programme aid and *(g)* technical co-operation excluding mixed credits in (i) 1997–98 and (ii) 1998–99; [30196]

(2) what percentage of her Department's budgets for *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 will be devoted to (i) bilateral and (ii) multilateral assistance; [30202]

(3) what percentage of programme developmental assistance will go to *(a)* Africa, *(b)* the Pacific, *(c)* America, *(d)* Europe and *(e)* Asia in (i) 1997–98 and (ii) 1998–99; [30197]

(4) what are her Department's cash plans for (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000 in respect of *(a)* total DFID resources, *(b)* planning resources, *(c)* resource allocations for bilateral country programmes broken down by continent, *(d)* other bilateral allocations, *(e)* multilateral allocations, *(f)* aid administration, *(g)* running costs, *(h)* RTA and CDC and Crown Agents borrowing and *(i)* unallocated contingency reserves. [30203]

Clare Short: The Department's estimated outturn in 1997–98 will be published in the Departmental Report in late March. Plans for future years are currently being considered in the Department's resource allocation round.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for International Development if she will list the engagements she undertook in the United Kingdom in the course of her duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28944]

Clare Short: I had many engagements within my Department which required no transport. Those outside the Department are listed below.

Date	*Engagement*	*Locality*	*Mode of Transport*
12 January	Hilton Park Conference	Sussex	Car
13 January	World Aware Business Awards	London	Car
14 January	BBC Marshall Plan of the Mind	London	Car

Date	Engagement	Locality	Mode of Transport
20 January	NGO's UK Presidency Project	London	Car
22 January	Reception for outgoing President of EBRD	London	Car
28 January	Lunch with African Development Bank	London	Car
29 January	Institute of Civil Engineers	London	Car

Anti-corruption Assistance

Sir Alastair Goodlad: To ask the Secretary of State for International Development in which states her Department has assisted anti-corruption activities during the current financial year; and what are her plans for 1998–99. [30199]

Clare Short: I will write to the right hon. Member.

Child Care

Mr. Barnes: To ask the Secretary of State for International Development what provision her Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if she will list the organisations used by her Department for child care; and if child care vouchers are made available to staff. [30007]

Clare Short: The Department for International Development operates holiday play schemes at both its locations in East Kilbride and London.

In East Kilbride, the play scheme is operated by a partnership of DFID, the Inland Revenue and Scottish Nuclear. DFID does not subsidise the scheme, which costs £6.50 per day.

In London the play scheme is operated by Kinderquest. The scheme costs £16.10 per day. Parents pay 50% of the costs.

The Department does not provide nursery places nor does it make child care vouchers.

PRIME MINISTER

Correspondence

Mr. Ian Bruce: To ask the Prime Minister how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27044]

The Prime Minister *[holding answer 2 February 1998]:* It is not possible for me to deal personally with all of the letters I receive and I must therefore refer most of them to the Minister and Department with responsibility for the policy or matter in question.

My office aims to acknowledge Members' correspondence within three working days and, where a reply is due from my office, to provide a substantive response within 15 days. My office estimates that 98 per cent. receive acknowledgement within target and 45 per cent. receive substantive reply within target.

We are aiming to improve the performance against the target for a substantive reply. The delays have been caused by the significant increase in the amount of correspondence received by my office. Currently, my office receives an average of some 8,000 letters a week compared with 3,000 before 1 May.

Sir Teddy Taylor: To ask the Prime Minister, pursuant to his answer of 3 February 1998, *Official Report*, column 582, for what reasons a record was not kept of the registered letter sent to him on 17 August 1997, and sent by fax that day at 10.52 am by Mr. Graham Horwood of 66 St. Andrews Road, Shoeburyness; and if he will review the procedures for dealing with mail from the general public. [29005]

The Prime Minister: My office currently receives some 8,000 letters per week. It is not physically possible to track each and every item once it has been sent to a Department for reply. As I said in my previous answer, on receipt of Mr. Horwood's later letter, further action was initiated and a response sent.

Helms-Burton Act

Mrs. Virginia Bottomley: To ask the Prime Minister what discussions he had with President Clinton regarding the effects of the Helms-Burton Act on United Kingdom citizens and their families. [29291]

The Prime Minister: I have raised US extraterritorial legislation with President Clinton on a number of occasions. My colleagues and I continue to take every opportunity to make it clear to the US Administration and Congress that we reject such legislation.

Millennium Compliance

Mrs. Gillan: To ask the Prime Minister if the year 2000 problem was discussed at the meetings between President Clinton and the Prime Minister; and if he will make a statement. [29504]

The Prime Minister *[holding answer 13 February 1998]:* I discussed the problem briefly in a private meeting I had with President Clinton. We agreed on the need to raise awareness of this problem and to co-operate internationally on efforts to solve it.

Social Exclusion Unit

Mr. Gareth Thomas: To ask the Prime Minister what plans he has to publish an annual poverty report to measure the performance of the Social Exclusion Unit. [29822]

The Prime Minister: The Government's annual report will include passages on what has been achieved in tackling poverty, and what more needs to be done. I have asked the Social Exclusion Unit to draw up key indicators of social exclusion and recommend how these can be tracked.

FOREIGN AND COMMONWEALTH AFFAIRS

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs, (1) pursuant to his answer of 21 January 1998, *Official Report*, column *539*, if he will publish the programme of Mrs. Derek Fatchett when she accompanied her husband to Australasia and the Pacific from 12 to 22 September 1997 at public expense; [25817]

(2) if he will publish the programme of Miss Geraldine Daly when she accompanied the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) to Luxembourg from 25 to 26 October at public expense. [25818]

Mr. Robin Cook *[holding answer 27 January 1998]:* Mrs. Fatchett undertook a programme which included visits in the fields of healthcare and culture, as well as accompanying Mr. Fatchett to a number of official engagements. Miss Daly took part in the programme organised by the Luxembourg Presidency for partners of Ministers attending, which included cultural and social visits. It is normal practice and a courtesy to the host nation that those accompanying Ministers on visits take part in official programmes organised by the host country or the Embassy. This is in line with the previous Administration's practice.

Departmental Entertainment

Mr. Hawkins: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral answer of the Prime Minister of 28 January 1998, *Official Report*, column 342, what was the expenditure of his Department on entertaining from *(a)* 1 May 1997 to 1 February 1998 and *(b)* the equivalent period in 1996–97. [26854]

Mr. Fatchett *[holding answer 2 February 1998]:* The cost of official hospitality given by Foreign and Commonwealth Ministers from 1 May 1997 to 1 February 1998 was £157,850: the cost of such hospitality given from 1 May 1996 to 1 February 1997 was £163,474.

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26664]

Mr. Tony Lloyd *[holding answer 5 February 1998]:* This Department purchases a range of newspapers and magazines. Expenditure on these was as follows:

1995–96: £102,109

1996–97: £115,322

1997–98: £95,934: year to 31 December 1997

1997–98: £119,000: full year estimate.

China

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what recent research he has *(a)* commissioned and *(b)* evaluated regarding the Chinese judicial system; [30219]

(2) if he will make it his policy to encourage an independent judicial system in China. [30218]

Mr. Fatchett: My Department regularly monitors developments in the judicial system in China, such as the recent revision of criminal laws. Both we and the EU have training and exchange programmes for Chinese lawyers and judges which aim to assist in the development of the judicial system.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to encourage the Chinese Government to implement legislation to allow non-governmental organisations to operate legally without a permit from governmental departments. [30221]

Mr. Fatchett: We have no such plans. Nonetheless we value and support the work of NGOs in China.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to encourage the Chinese Government to strengthen the powers of the National People's Congress and local government in China. [30220]

Mr. Fatchett: We would welcome closer contact between British parliamentarians and the National People's Congress. The EU has agreed a programme of technical assistance which aims to support and develop China's system of village governance.

Embassies

Mr. Sheerman: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that British embassies present an approachable and accessible profile to individuals and businesses seeking to develop better trade links. [30217]

Mr. Fatchett: Providing effective support to British business abroad is one of our key aims. 217 posts provide a global network of commercial services. We issued guidelines in October last year to posts on best practice. These include ideas on how best to provide an accessible service which meets the customer's needs. Our programme of attachments of business people to posts is also helping to create a more business-like culture.

EU/Tibet Co-ordinator

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will seek to secure during the British Presidency of the EU the appointment of the EU/Tibet co-ordinator proposed in the recent resolution adopted by the European Parliament. [30407]

Mr. Fatchett: A delegation of EU Troika Ambassadors and the European Commission will visit Tibet during the UK Presidency in order to make an assessment of the situation. Neither we nor our EU partners could realistically consider the appointment of a co-ordinator ahead of that visit.

Departmental Child Care

Mr. Barnes: To ask the Secretary of State for Foreign and Commonwealth Affairs what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday

play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30015]

Mr. Tony Lloyd: This Department currently subsidises nursery places for 23 children (aged three months to five years) of FCO staff as well as places at a holiday play scheme which are available to all staff.

The Department subsidies places by 50 per cent. at two nurseries in London run by the Westminster Children's Society. It subsidises places at an in-house nursery in Hanslope Park by 30 per cent. and subsidises places at the Civil Service Westminster Holiday Play Scheme, run by Kinderquest Ltd, by 50 per cent.

The provision of subsidised child care by this Department is one of a number of family policies designed to promote the retention of staff during their child caring years. The Department does not provide child care vouchers to staff.

NORTHERN IRELAND

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for Northern Ireland how many non-career civil servants have been appointed to her Department since 1 May 1997. [25846]

Mr. Paul Murphy: In the Northern Ireland office and the Northern Ireland Departments, the number of people appointed on fixed-term contracts or as casuals since 1 May 1997 is 1,335.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for Northern Ireland what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by her Department in (i) 1996 and (ii) 1997; and for what purpose. [28389]

Mr. Paul Murphy: The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

(i) Nil.

(ii) Two pairs of fire doors and fire extinguisher cover boxes at Hillsborough Castle; sixteen computer workstations finished in mahogany to match existing suites of furniture as part of the Parliament Buildings refurbishment project; the replacement of one mahogany bookcase which was lost in a fire; and a suite of mahogany finished reproduction office furniture.

All materials used were from sustainable sources.

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for Northern Ireland how long on average it takes her Department to answer letters from hon. Members; what target date her Department sets; what percentage receive replies within the target date; and what assessment she has made of how long it takes to deliver a letter after it has been typed. [27032]

Mr. Paul Murphy *[holding answer 2 February 1998]:* When answering Ministerial Correspondence, a standard 10 day turn around target is set. Of the 2,603 Ministers cases dealt with in 1997, 1,684 were answered within the target time which is an average success rate of 65 per cent. The main reasons for missing the target were the time taken for transmitting papers to and from the Minister/Minister not in NI and difficulties in obtaining information from various sources. No information is available regarding delivery times for letters.

Sheep Dips

Mr. Charles Kennedy: To ask the Secretary of State for Northern Ireland what monitoring of the impact of synthetic pyrethroid sheep dips on *(a)* the aquatic environment, *(b)* the soil environment and *(c)* fisheries (i) has been carried out and (ii) is planned by her Department; and if she will make a statement. [29730]

Mr. Paul Murphy *[holding answer 16 February 1998]:* The level of use of synthetic pyrethroid sheep dips in Northern Ireland has been low and there are no recorded incidents of environmental pollution from that source.

DOE and DANI officials are aware of the particular risk posed to the environment by inappropriate disposal of synthetic pyrethroid sheep dips and are keeping the situation, particularly regarding levels of usage, under review. If appropriate, specific monitoring of the impact of those sheep dips on the environment will be arranged.

Mr. Charles Kennedy: To ask the Secretary of State for Northern Ireland what advice her Department gives to farmers on the disposal of synthetic pyrethroid sheep dips. [29729]

Mr. Paul Murphy *[holding answer 16 February 1998]:* The Department of Agriculture of Northern Ireland gives advice to farmers on the handling and disposal of sheep dips, including synthetic pyrethroid sheep dips, through booklets, TV and radio programmes, newspaper articles and farm visits. The current advice covers the circumstances in which used dip may be spread on suitable land at low application rates. As regards synthetic pyrethroid sheep dips, emphasis is given to the need for particular care in handling and disposal in view of the risk which that material poses for the environment.

Civil Servants

Mr. Mallon: To ask the Secretary of State for Northern Ireland how many civil servants currently on the list of transfer applicants, have indicated Newry as their preferred location for employment. [29034]

Mr. Paul Murphy *[holding answer 16 February 1998]:* 124 non-industrial staff on the Northern Ireland Civil Service Central Transfer List have indicated Newry as their first preference for relocation.

HOME DEPARTMENT

Fire Service Call-outs

Mrs. Gorman: To ask the Secretary of State for the Home Department what estimate he has made of the percentage of fire service call outs which were due to road traffic accidents in each of the last five years. [29548]

Mr. George Howarth: The readily available information is given in the table.

Road traffic and total incidents attended by local authority fire brigades, 1992–96

United Kingdom

Thousands[1]

Type of incident	*1992*	*1993*	*1994*	*1995*	*1996*[4]
Fires[2]	425.8	451.5	479.5	604.1	532.5
Fire false alarms	448.5	455.8	488.3	506.8	490.4
Special service incidents[3]	159.1	164.7	172.1	199.1	195.6
Total	1,033.5	1,072.0	1,139.8	1,310.1	1,218.5
of which:					
Fires resulting from accidental vehicle crashes or collisions[2]	1.2	1.0	1.1	1.0	1.0
Road traffic accidents (no fire)[3]	31.5	31.5	31.4	34.4	34.9
Total	32.7	32.6	32.5	35.4	35.9
Percentage	3%	3%	3%	3%	3%

[1] Figures are rounded and the components do not necessarily sum to the independently rounded totals.

[2] From 1994 includes "late" call and heat and smoke only incidents.

[3] Special service incidents (for example road traffic accidents and incidents of flooding or spilling of toxic substances) are counted for calendar years up to and including 1992 (England and Wales), 1993 (Scotland) and 1996 (Northern Ireland) and for financial years subsequently.

[4] Provisional.

Emergency Services

Mr. Beith: To ask the Secretary of State for the Home Department what was the average response time to emergency calls by the police, per police force covering *(a)* urban and *(b)* rural areas, in each of the last four years for which figures are available; and if he will make a statement. [29776]

Mr. Michael: The latest complete year for which information is available on the performance of all forces in responding to emergency calls from the public is 1996–97. Details of that year's performance for all forces was published in the annual report of Her Majesty's Chief Inspector of Constabulary in October 1997 and in the annual publication of the Audit Commission on local authority performance indicators in January 1998.

Clearly, it is of great importance to the public that the police respond as promptly as possible to emergency calls, having established that the call is a genuine emergency. That is why I decided to keep it as a key objective for the police in 1998–99 to respond promptly to emergency calls from the public.

One of the key performance indicators for this objective is the percentage of responses within the local target time to incidents requiring immediate response. Targets are set locally by individual forces to reflect local circumstances, such as traffic conditions. Some forces set separate targets for urban and rural incidents to take account of the different timescales within which it is possible to respond to such incidents.

Mr. Beith: To ask the Secretary of State for the Home Department how many *(a)* fire officers and *(b)* retained fire officers were in post in each force, by sex and age group, in each of the last five years for which figures are available; and if he will make a statement. [29814]

Mr. George Howarth: Information on the number of wholetime and retained firefighters in each fire brigade for England and Wales is published annually in the reports of Her Majesty's Chief Inspector of Fire Services, copies of which are held in the Library. The latest report, for 1996–97, Cm 3791, contains on page 12 a table giving the required information as at 1 January 1997. Details in respect of the age groups are not held centrally. Corresponding information for earlier years can be found in the annual reports for 1992 (Cm 2275—page 14), 1993–94 (Cm 2679—page 14), 1994–95 (Cm 2998—page 12) and 1995–96 (Cm 3493—page 14).

Secure Training Centres

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his answer of 4 December 1997, *Official Report*, column *299*, if he will make it his policy to publish the average annual payment which will be paid to each private sector contractor for each child detained in a secure training centre when the contracts are confirmed; if he will list the criteria used to ascertain best value; and if he will make a statement. [29811]

Mr. Michael: Consideration will be given to making information available on the contract payments once all of the contracts for secure training centres have been awarded. In assessing best value, bids are evaluated on the basis of the quality, performance and safety of the design and construction and operating proposals; the quality of service relative to price, the adequacy and robustness of financing proposals; the deliverability of the whole project; and the degree of risk transfer.

Police Manpower

Mr. Beith: To ask the Secretary of State for the Home Department what assessment he has made of the number of police officers per head of population in London relative to those in *(a)* New York and *(b)* Paris; and if he will make a statement. [29786]

Mr. Michael: I have not seen any generally helpful comparisons of the levels of policing between difference capital cities. There are such wide variations in the volume and type of crime and in the roles of police officers, civilians and other bodies that any comparisons have to be made with great caution.

Money Laundering

Mr. Beith: To ask the Secretary of State for the Home Department how many convictions there have been for offences related to money laundering in each of the last 10 years for which figures are available; and if he will make a statement. [29789]

Mr. Michael: Available information is given in the table.

Number of offenders convicted of money laundering offences by type of offence, 1987–1996, England and Wales

Legislation/Offence	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*
Drug Money Laundering Offence										
S49 Drug Trafficking Act 1994 (previously S14 Criminal Justice (International Co-operation Act 1990)—Concealing or transferring the proceeds of drug trafficking	[1]—	[1]—	[1]—	[1]—	—	—	—	1	—	—
S50 Drug Trafficking Act 1994 (previously S24 Drug Trafficking Offences Act 1986)[3]—Assisting another person to retain the benefit of drug trafficking	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	4	4	3	2
S51 Drug Trafficking Act 1994 (previously S23A Drug Trafficking Offences Act 1986 as inserted by S16 Criminal Justice Act 1993)—Acquisition, possession or use of other proceeds of drug trafficking	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—	—	3
S52 Drug Trafficking Act 1994—Failure to disclose knowledge or suspicion of money laundering	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—	—	—
S53 Drug Trafficking Act 1994—Disclosure of information likely to prejudice an investigation ("Tipping off")	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—	—	—
Offence of Laundering Proceeds of other Crime										
S93A Criminal Justice Act 1988[4] as inserted by S29 Criminal Justice Act 1993—Assisting another to retain the benefit of criminal conduct	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—	—	2
S93B Criminal Justice Act 1988[4] as inserted by S30 Criminal Justice Act 1993—Acquisition, possession or use of proceeds of criminal conduct	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—	—	6
S93C Criminal Justice Act 1988[4] as inserted by S31 Criminal Justice Act 1993—Concealing or transferring proceeds of criminal conduct	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—	—	—
S93D Criminal Justice Act 1988[4] as inserted by S32 Criminal Justice Act 1993—Disclosure of information likely to prejudice an investigation ("Tipping off")	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—	—	—

[1] Not applicable.
[2] Not available.
[3] Court proceedings data prior to 1993 cannot separately identify offences under S24 Drug Trafficking Offences Act 1986 (since consolidated and replaced by S50 Drug Trafficking Act 1994) from other drug offences. For the years 1993, 1994 and 1995, a special exercise was undertaken to identify this specific offence. However as a 100 per cent. response from the courts was not achieved 'estimates' for these three years were made.
[4] Sections 93A to 93D Criminal Justice Act 1988 came into force in February 1994.

Private Finance Initiative

Mr. Beith: To ask the Secretary of State for the Home Department for which of the private finance initiative contracts entered into by his Department and its agencies there was a public sector comparator; if he will indicate whether the comparator was calculated before or after private sector bids were received; and if he will make a statement. [29788]

Mr. Straw: My Department and its Agencies have prepared public sector comparators for the following private finance initiative (PFI) contracts:

Contract	*Comparator calculated before or after bids received*
Coldingley Prison workshop	Before
Prisons	
Bridgend	After
Fazakerly	After
Lowdham Grange	Before
United Kingdom Passport Agency: dealing with applications and printing passports	After
Immigration and Nationality caseworking project[1]	Before
Secure Training Centre: Cookham Wood[1]	After

[1] In both cases, comparison could only be made in respect of part of the contract content, and constituted a test for value for money, but not a full public sector comparator.

A comparison with the estimated public sector cost of delivering a similar product, taking account of risk transferred in a Private Finance Initiative deal, is made wherever it is realistic to do so. It is used to test whether competitive bids offer value for money.

Alcohol (Smuggling)

Mrs. Lait: To ask the Secretary of State for the Home Department how many licences have been withdrawn from pubs, hotels, restaurants, cafes and off licences for selling bootlegged or smuggled alcohol in each of the last three years. [30419]

Mr. George Howarth: This information is not collected centrally.

Countryside Rally (Policing)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what is the anticipated cost of policing the Countryside Rally in London on 1 March. [29860]

Mr. Michael: The Commissioner of Police of the Metropolis tells me that the basic policing cost for the Countryside Alliance Protest March on 1 March 1998 is expected to be £187,239. In addition, there may be some overtime and support services costs which cannot be calculated until after the event.

Animal Procedures Committee

Mr. Baker: To ask the Secretary of State for the Home Department if he will list the occasions on which the Animal Procedures Committee has met groups or individuals opposed to *(a)* xenotransplantation and *(b)* vivisection; and if he will make a statement. [30302]

Mr. George Howarth: Since May, the Animal Procedures Committee has formally met with representatives of one such group. In January 1998, members of the British Union for the Abolition of Vivisection (BUAV) made a presentation to the Committee.

In addition, there is a range of opinion on the Committee concerning the use of animals in scientific procedures, including xenotransplantation.

Departmental Child Care

Mr. Barnes: To ask the Secretary of State for the Home Department what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30010]

Mr. Straw: Provision is made for spending £380,000 on subsidised child care in the current financial year for Home Office staff (including the Agencies) at various locations. This makes available 164 nursery day care places for children under 5 years of age and around 170 holiday play scheme places for children aged between 5 to 12 years. These arrangements involve a subsidy of up 50% of the contractual running costs depending on local circumstances. Subsidised child care provision is provided only if it can be justified on value for money grounds.

The Department uses the following contractors to provide child care: Beehive Nurseries; Buffer Bean Limited; Jancett Group of Day Nurseries; Kids Unlimited; Kinderquest Limited; Nurseryworks Limited; and the Westminster Children's Society.

The Department does not provide child care vouchers to staff.

Probation Services (Birmingham Prisons)

Mr. Burden: To ask the Secretary of State for the Home Department if he will list the changes in the level of delivery of probation services in Birmingham prisons in the last two years; and what plans he has for further changes. [29871]

Ms Quin: The numbers of probation staff at Birmingham prison in the last two years were:

1996–97: 1 Senior Probation Officer and 6 Probation Officers

1997–98: 1 Senior Probation Officer and 4 Probation Officers (including one funded by the West Midlands Probation Service)

The level for 1998–99 has not yet been set. The Governor recognises the value and importance of the work done by the Probation Service, while nonetheless having to prioritise other important demands within his overall budget.

Sex Offenders

Mr. Burden: To ask the Secretary of State for the Home Department what plans he has to provide additional funding for sex offenders' treatment programme courses. [29872]

Ms Quin: During the financial year 1997–98, an additional £1 million was provided by the Prison Service for accredited offending behaviour programmes, which include the sex offender treatment programme.

My right hon. Friend has now made available a further £112 million for the Prison Service in addition to its existing budget for 1998–99. Part of these funds will be used for the provision of regime activities, including the sex offender treatment programme.

Mr. Burden: To ask the Secretary of State for the Home Department (1) if he will list the criteria for selection of sex offenders' treatment programmes for prisoners; [29873]

(2) what account is taken of previous convictions in providing convicted sex offenders with access to sex offenders' treatment programme courses. [29874]

Ms Quin: The basic criteria for the selection of prisoners for the sex offender treatment programme are:

the prisoner is currently serving a sentence for a sexual offence, or has a previous conviction for a sexual offence and has asked for treatment, or is a life sentence prisoner who may not have been convicted of a sexual offence, but whose criminal behaviour involves a sexual element;

the prisoner is willing to participate in the programme; and

is serving a sentence long enough in which to complete it.

Life sentence prisoners who have a current or previous conviction for a sexual offence, or whose criminal behaviour involves a sexual element, are required to undertake treatment in order to progress towards release.

A risk assessment is made on all convicted sex offenders entering prison. Those who are considered to be high risk and who satisfy the other criteria will be given priority for a place. Information about previous convictions will inform the risk assessment made of each sex offender.

Mr. Burden: To ask the Secretary of State for the Home Department what are the reoffending rates for prisoners who have previously completed sex offenders' treatment programme courses. [29875]

Ms Quin: The long-term effects of the sex offender treatment programme are not yet known, but similar programmes in the United States and Canada have reduced the rate of reoffending by about 25%.

Over-lenient Sentences

Mr. Fabricant: To ask the Secretary of State for the Home Department what plans he has to review the appeals procedure in respect of over-lenient sentences. [28782]

Mr. Michael: We are in discussion with colleagues about the best way to implement our manifesto commitment to extend the Attorney-General's powers to refer cases to the Court of Appeal for review where it appears to him that the sentence is unduly lenient.

Trials (Juries)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what guidance he gives to judges on whether a case coming to trial could be heard by a judge without a jury. [28784]

Mr. Michael: No such guidance has been issued, since in England and Wales a judge has no power to conduct a criminal trial without a jury. A consultation paper published on 16 February to which I referred in my reply to my hon. Friend the Member for Broxtowe (Dr. Palmer), on 16 February 1998, *Official Report*, column *475*, canvasses four alternatives to traditional jury trial in serious and complex fraud cases, one of which is trial by a judge sitting alone, but we have made it clear that we have a genuinely open mind about which option would be best and about whether such a change should go ahead.

Lotteries (Frequent Draws) Bill

Mr. Sanders: To ask the Secretary of State for the Home Department if he will publish a list of the submissions received in response to the publication of the draft Lotteries (Frequent Draws) Bill and place in the Library copies of those submissions that are marked as being for publication. [30305]

Mr. George Howarth: When reporting on the outcome of the consultation, we will place in the Library a list of submissions and copies of those submissions whose authors did not object to publication.

Ashford Remand Centre

Mr. Wilshire: To ask the Secretary of State for the Home Department if he will make a statement about the future of the site of the former Ashford (Middlesex) Remand Centre. [30261]

Ms Quin: Prisoner population pressures continue to require the construction of new establishments. The Prison Service owns the site of the former Ashford Remand Centre and has planning consent for the construction of a new prison. Consideration is currently being given as to how this should be taken forward. I will write to the hon. Member when a decision has been made.

MINISTER WITHOUT PORTFOLIO

Millennium Experience

Mr. Edward Davey: To ask the Minister without Portfolio how the eight year old consultant on the Millennium Dome was appointed; how many other applicants were considered; and what criteria were used for the appointment. [28027]

Mr. Mandelson: I understand that Work, one of the eleven design companies contracted to the New Millennium Experience Company (NMEC) to develop the content of the Millennium Experience Dome, occasionally ask an eight year old boy to comment on their plans in order to gauge the level of their appeal to young people.

In the next few months, the NMEC have established its own network of Regional Junior Boards (in Scotland, Wales, Northern Ireland and the nine English regions) each comprising about twenty 9–16 year olds nominated by local education establishments and agencies. The intention is that one member of each Regional Junior Board, together with representatives from the major national youth organisations and agencies, will form a National Junior Board. These boards will ensure that advice and the views of young people on the Millennium Experience project are directly and regularly considered.

DUCHY OF LANCASTER

Departmental Child Care

Mr. Barnes: To ask the Chancellor of the Duchy of Lancaster what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30012]

Mr. Kilfoyle: The child care facilities provided in the department, Agencies and other areas which fall to the Cabinet Office Vote are as follows:

	Facilities	*Subsidy*	*Organisation used*
Cabinet Office (OPS)	The Westminster holiday playscheme	50%	Kinderquest Ltd
Civil Service College	Nursery places	Subsidy varies between nil and £35 per week depending upon grade	Edith Rose Day Nursery Ltd
Central Office of Information	The Westminster holiday playscheme	50%	Kinderquest Ltd
Property Advisers to the Civil Estate	Nursery places for staff in Leeds	39%	Peter Bennett Nursery
	The Westminster holiday playscheme	50%	Kinderquest
The Buying Agency	Holiday playscheme	100%	MOD Kidz Club

	Facilities	Subsidy	Organisation used
Central Computer and Telecommunications Agency	None	—	—
Security Facilities Executive	None	—	—
Government Car and Despatch Agency	None	—	—

Child care vouchers are not available to staff.

Public Appointments (Ethnic Minorities)

Mr. Vaz: To ask the Chancellor of the Duchy of Lancaster, pursuant to the answer to the hon. Member for Taunton (Mrs. Ballard) of 4 February 1998, *Official Report*, column *703*, on public appointments, what progress has been made by the public appointments unit towards increasing the proportion of individuals from ethnic minority backgrounds who are appointed to public bodies. [30174]

Dr. David Clark: The Public Appointments Unit is keen to maintain the progress which has already been achieved, with 3.6% of appointments being held by members of the ethnic minorities in 1997 compared with 2% in 1992.

The Unit actively promotes equal opportunities in public appointments through its various programmes of work, which have included a series of regional seminars to encourage more members of the ethnic minorities to participate in public life.

The Unit is currently drawing together individual Departmental plans designed to increase the representation of women and members of the ethnic minorities on public bodies. The plans will cover the period 1998–2001 and will be made publicly available.

Freedom of Information

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster what restrictions will be placed on Ministers' powers to withhold information relating to themselves under the terms of the Official Secrets Acts by the forthcoming legislation on freedom of information. [30300]

Dr. David Clark: It is not intended that the proposed Freedom of Information Act should amend the provisions of the Official Secrets Act 1989.

TREASURY

Inheritance Tax

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what are the minimum requirements concerning public access which have to be satisfied before a landowner can be granted conditional exemption from inheritance tax. [27978]

Dawn Primarolo: The law requires owners of conditionally exempt assets to provide reasonable public access. Each case is considered on its own merits, and the factors taken into account include the extent and nature of any existing access. The Inland Revenue's booklet, "Capital taxation and the national heritage", IR67 (available in the House of Commons Library), provides general guidance on matters relating to public access.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27726]

Mrs. Liddell *[holding answer 5 February 1998]:* Over these years, expenditure on Ministerial cars and drivers, and on taxis, is as follows:

£000

	Ministerial cars and drivers	Taxis
1995–96	295	58
1996–97	360	59
1997–98 (year to date)	364	76
1998–99 (full year)	397	83

Income Tax

Mr. Evans: To ask the Chancellor of the Exchequer how many people are currently paying income tax at *(a)* the basic rate and *(b)* higher tax rates in each county of England and Wales. [29480]

Dawn Primarolo: The table shows estimates of the number and percentage of basic and higher rate taxpayers by county in England and unitary authority in Wales 1995–96, the latest year for which there is information.

'000

	Number of basic rate taxpayers	Number of higher rate taxpayers
North East		
Cleveland	170	10
Durham	161	13
Northumberland	107	12
Tyne & Wear	309	22
North West & Merseyside		
Cheshire	310	39
Cumbria	177	14
Greater Manchester	735	58
Lancashire	416	29
Merseyside	361	29
Yorkshire & The Humber		
Humberside	275	23
North Yorkshire	244	31
South Yorkshire	367	21
West Yorkshire	613	51
East Midlands		
Derbyshire	308	21
Leicestershire	306	33
Lincolnshire	199	13
Northamptonshire	204	24
Nottinghamshire	298	26

'000

	Number of basic rate taxpayers	Number of higher rate taxpayers
West Midlands		
Hereford & Worcester	255	30
Shropshire	151	17
Staffordshire	354	34
Warwickshire	157	20
West Midlands	755	58
Eastern		
Bedfordshire	194	19
Cambridgeshire	232	29
Essex	480	79
Hertfordshire	335	77
Norfolk	239	23
Suffolk	159	18
London	2,100	374
South East		
Berkshire	260	58
Buckinghamshire	259	52
East Sussex	207	28
Hampshire	551	83
Isle of Wight	44	[1]—
Kent	501	60
Oxfordshire	203	37
Surrey	341	95
West Sussex	210	34
South West		
Avon	315	34
Cornwall	129	13
Devon	328	25
Dorset	204	23
Gloucestershire	185	19
Somerset	154	13
Wiltshire	201	23
Wales		
Aberconwy and Colwyn	27	2
Anglesey	[1]—	[1]—
Blaenau Gwent	[1]—	[1]—
Bridgend	58	[1]—
Caernarfonshire and Merionethshire	31	[1]—
Caerphilly	39	[1]—
Cardiff	72	11
Cardiganshire	14	[1]—
Carmarthenshire	48	4
Denbighshire	19	[1]—
Flintshire	55	5
Merthyr Tydfil	[1]—	[1]—
Monmouthshire	26	3
Neath and Port Talbot	35	[1]—
Newport	47	[1]—
Pembrokeshire	31	[1]—
Powys	46	1
Rhondda, Cynon, Taff	59	[1]—
Swansea	44	5
Torfaen UA	27	[1]—
Vale of Glamorgan	31	5
Wrexham	40	1

[1] Sample size too low to make reasonable estimate.

Technology Companies

Mr. Gibb: To ask the Chancellor of the Exchequer what was the total quantity of agreed *(a)* trading tax losses and *(b)* capital losses in (i) technology companies and (ii) biotechnology companies, in the last year for which figures are available. [29411]

Mr. Geoffrey Robinson: I regret that the tax records held centrally by the Inland Revenue do not categorise companies to the industries requested.

Working Families Tax Credit

Mr. Lilley: To ask the Chancellor of the Exchequer how many households currently in receipt of family credit would experience a shift in net income to the principal wage earner if family credit were replaced by a working families tax credit payable through the pay packet to the principal earner. [29187]

Dawn Primarolo *[holding answer 12 February 1998]:* The current system of Family Credit involves a declaration by the man and the woman in a household. If the Working Family Tax Credit replaced Family Credit, the Government would ensure that the family could elect to whom the tax credit was paid—to the woman or the man in the household.

Abortions

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer how many people each week in the United Kingdom contribute to conceptions that are terminated legally and deliberately in the United Kingdom. [29673]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange a reply to be given.

Letter from Tim Holt to Mr. Peter Bottomley, dated 19 February 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics, to reply to your recent question on the number of people in the United Kingdom who contribute to conceptions that are terminated legally and deliberately in the United Kingdom.

Over the period July 1996 to June 1997, the latest 12 months for which information is available, there were an average of 3,460 abortions each week notified as being performed in Great Britain on residents of the United Kingdom.

The Abortion Act 1967 applies to England, Wales and Scotland. The Act does not apply to Northern Ireland, where less than a hundred legal abortions are performed each year on medical grounds in health service hospitals under case law, as was the legal situation in England and Wales before the 1967 Act.

Tax Allowances

Mr. MacShane: To ask the Chancellor of the Exchequer what would be the cost of revalorising the non-aged personal allowance; and what increase in *(a)* the non-aged married couple's allowance and *(b)* the additional personal allowance could be achieved for such a sum. [28986]

Dawn Primarolo *[holding answer 13 February 1998]:* Indexing the non-aged personal allowance is estimated to cost £850 million in 1998–99. The same amount could be spent on increasing the non-aged married couple's allowance, the additional personal allowance and the widow's bereavement allowance by £590.

Duty Free Sales

Mr. Blunt: To ask the Chancellor of the Exchequer what estimate he has made of the employment consequences in the United Kingdom of the ending of the European duty free trade on 1 January 1999. [29922]

Dawn Primarolo: No estimate has been made of the possible consequences of the abolition of intra EU duty free trade. It is due to be abolished on 30 June 1999.

Departmental Expenditure

Mr. Swinney: To ask the Chancellor of the Exchequer if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30095]

Mrs. Liddell *[holding answer 18 February 1998]:* The Treasury's total expenditure on hospitality, stationery and travel in the UK in 1996–97 was £112,000, £289,000 and £217,000, respectively. A regional breakdown of procurement would mean each invoice would have to be examined. This could be carried out only at disproportionate cost.

Departmental Child Care

Mr. Barnes: To ask the Chancellor of the Exchequer what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30017]

Mrs. Liddell: The Treasury participates in the Westminster Holiday Play Scheme which provides child care for children between the ages of five and twelve during school holidays. A 61 per cent. subsidy is provided to staff. The current provider is Kinderquest Ltd. Nursery places are not provided nor are child care vouchers offered.

Professionals (Income Tax Changes)

Mr. Bermingham: To ask the Chancellor of the Exchequer if the proposed income tax changes for professionals referred to in an Inland Revenue press statement of 22 December 1997 will result in barristers being liable to pay income tax to the Government on fees due to the barrister by the Legal Aid Board before those sums have been received by the barrister from the Legal Aid Board. [30397]

Dawn Primarolo: The precise effects of the proposal to withdraw the cash basis practices available to professionals will depend on the individual circumstances and the final detail of the proposal. It has been the subject of a consultation process which ended on 14 February 1998. We are now reviewing the proposal in the light of the comments received. The final shape of the proposed legislation will not be announced in advance of my right hon. Friend's Budget.

Mr. Bermingham: To ask the Chancellor of the Exchequer what estimate he has made of the likely acceleration in the income tax and national insurance paid by persons affected by the proposed income tax changes for professionals referred to in an Inland Revenue press statement of 22 December 1997 and of the amount of additional income tax and national insurance which will be so accelerated. [30395]

Dawn Primarolo: The purpose of consultation was to enable those affected to voice their concerns. The consultation process ended on 14 February 1998. We are now reviewing the proposal in the light of the comments received. The final shape of the proposed legislation will not be announced in advance of my right hon. Friend's Budget.

Mr. Bermingham: To ask the Chancellor of the Exchequer when the Government plan to require one-off payments to be made in respect of the acceleration in the income tax and national insurance paid by persons affected by the proposed income tax changes for professionals referred to in an Inland Revenue press statement of 22 December 1997. [30396]

Dawn Primarolo: The proposal to withdraw the cash basis practices available to professionals has been the subject of a consultation process which ended on 14 February 1998. We are now reviewing the proposal in the light of the comments received. The final shape of the proposed legislation, including the phasing of its implementation, will not be announced in advance of my right hon. Friend's Budget.

Mr. Bermingham: To ask the Chancellor of the Exchequer what plans the Government have to introduce relief for professionals affected by the proposed changes parallel to the cash accounting scheme for VAT consequent upon proposed income tax changes for professionals referred to in an Inland Revenue press statement of 22 December 1997. [30398]

Dawn Primarolo: The proposal to withdraw the cash basis practices available to professionals is the subject of a consultation process which was started by the issue of an Inland Revenue Press Release on 22 December 1997. Comments were invited by 14 February 1998. Now we are in the process of reviewing the proposal in the light of the comments received. The outcome of that review will not be announced before my right hon. Friend's Budget.

Mr. Bermingham: To ask the Chancellor of the Exchequer what estimate he has made of the level of income tax which the Treasury will receive on a professional's profits over the course of a professional's career under the proposed income tax changes for professionals referred to in an Inland Revenue press statement of 22 December 1997 relative to the current procedures. [30401]

Dawn Primarolo: The proposal to withdraw the cash basis practices available to professionals does not affect the total amount of income chargeable to income tax, but changes the timing of when it has to be returned for income tax purposes. Estimates of the effect on Treasury receipts from year to year will depend on the final detail of the proposal. It has been the subject of a consultation process which ended on 14 February 1998. We are now reviewing the proposal in the light of the comments received. The final shape of the proposed legislation will not be announced in advance of my right hon. Friend's Budget.

Customs Information System

Mr. Timms: To ask the Chancellor of the Exchequer if the Government have designated a competent authority to have direct access to the Customs Information System as referred to in Article 29(2) of EC Regulation 515/97 on mutual administrative assistance. [30915]

Dawn Primarolo: I have designated HM Customs and Excise as the competent authority to have direct access to the Customs Information System.

WALES

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for Wales if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27738]

Mr. Ron Davies *[holding answer 5 February 1998]:* No items valued at more than £25 have been stolen or lost from the Department since 1 May 1997.

Welsh Development Agency

Mr. Wigley: To ask the Secretary of State for Wales (1) if he will place in the Library the guidelines and terms of reference issued by his Department to the consultants who assisted with the recruitment of the Chief Executive of the Welsh Development Agency; [28990]

(2) how many applicants there were for the post of Chief Executive to the Welsh Development Agency when the present incumbent was appointed; how many were interviewed; and how many of those interviewed withdrew their application prior to an appointment being made. [28991]

Mr. Hain: The appointment of the present Chief Executive was made by the Board of the Welsh Development Agency with the consent of my right hon. Friend the Secretary of State. I have asked the Chairman of the Agency to write to the right hon. Member, and will arrange for a copy of his reply to be placed in the Library of the House.

Correspondence

Mr. Alan Williams: To ask the Secretary of State for Wales what is the normal practice in his Department in relation to consulting the author of a private and confidential letter to his Department about giving copies of it to third parties. [29232]

Mr. Ron Davies: My Department's normal practice is to comply with the requirements of the Code of Practice on Access to Government Information, and the advice given in the Guidance on Interpretation, Second Edition (1997).

Optec DD

Mr. Barry Jones: To ask the Secretary of State for Wales when the Optec DD factory at Buckley will close and with how many redundancies; and if he will make a statement. [29435]

Mr. Hain: The company have not yet announced the actual date when the factory will close. However, there will be 76 redundancies.

The Welsh Development Agency is working closely with Flintshire County Council and is exploring a number of options. We are content that everything possible is being done to help the company and its employees.

Mr. Barry Jones: To ask the Secretary of State for Wales what initiatives (i) he and (ii) the Welsh Development Agency will take to find a new tenant for the current Optec DD factory at Buckley, Flintshire; and if he will make a statement. [29434]

Mr. Hain: The Welsh Development Agency, the TEC and Flintshire County Council are aware of the closure and have discussed the matter fully with the company. Following the discussions it has been agreed that the Council, through its Economic Development Department, will take the lead on giving advice to the company and its employees. The Welsh Development Agency is in regular contact with the local authority and is currently considering a number of options.

We are happy that everything possible is being done to help the company and its employees.

Manufacturing Redundancies

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the number of manufacturing redundancies announced in 1998 to date; and if he will make a statement. [29432]

Mr. Hain: No reliable estimates of manufacturing redundancies in Wales are available. Information on redundancies generally is available from the quarterly Labour Force Survey, which estimates the number of people who were made redundant in the three months prior to the survey. However, data for the first quarter of 1998 will not be available until late summer. The Spring 1997 survey estimated that 11,000 people in Wales were made redundant in the three months prior to interview. The Summer 1997 survey gave an estimate below 10,000 (the Labour Force Survey threshold for publication).

Beef and Lamb Prices

Mr. Wigley: To ask the Secretary of State for Wales what representations he has received on the difference between the carcase price for beef and lamb paid to farmers and the price charged by retailers. [29591]

Mr. Win Griffiths: This issue has been raised in recent discussions between my right hon. Friend and the farming unions. The Welsh Affairs Committee has also taken an interest in this matter and the Welsh Office provided a memorandum to the Committee on 14 January 1998. I subsequently gave evidence to the Committee on 16 February.

National Assembly for Wales

Mr. Wigley: To ask the Secretary of State for Wales when he expects to be able to announce the locations of regional centres within Wales at which there may be held meetings of the regional committees of the National Assembly and occasional full committee meetings or plenary sessions of the National Assembly; and if these centres will be equipped with video conferencing equipment in time to be fully operational by May 1999. [29596]

Mr. Ron Davies: I will announce in due course the location of the regional offices where the public will be able to gain access to the National Assembly proceedings. Subject to the relevant technology being available and affordable, I would want these offices to have operational

video conferencing facilities in May 1999. It will be for the National Assembly members to determine the location of regional centres where they might wish to meet.

Rural Roads

Mr. Wigley: To ask the Secretary of State for Wales what evaluation he has made of the dangers of driving on narrow, winding, rural roads and the possibility of reducing speed limits on such roads. [29593]

Mr. Hain: The Department has not undertaken any formal evaluation but, together with the Department of the Environment, Transport and the Regions, we have commissioned extensive research on road safety and the particular problems on rural roads. This shows that few drivers exceed the national speed limit in these areas, and that accidents tend to be the result of speed which is inappropriate for road conditions. Local Highway Authorities already have powers to lower speed limits on roads where appropriate.

Class Sizes

Mr. Barry Jones: To ask the Secretary of State for Wales how much money released by the abolition of the assisted places scheme will be used to reduce class sizes in infant schools in the next school year. [29803]

Mr. Hain: All the savings in 1998–99 from the abolition of the Assisted Places Scheme, which are expected to amount to £1.35 million, are to be used for the reduction of infant class sizes.

Departmental Child Care

Mr. Barnes: To ask the Secretary of State for Wales what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30021]

Mr. Ron Davies: My Department is a partner in a public sector consortium which provides a 60 place nursery for staff. The Consortium covers the cost of rent, rates and utility charges which currently amounts to approximately £700 per place per annum. An Easter and summer play scheme is supported by a financial contribution of some £100 per place per annum. Parents using these child care schemes are required to make a contribution towards the costs which mainly cover the management costs involved in running and staffing the schemes.

The Nursery is managed on behalf of the Consortium by Cardiff City Council under contract. The play scheme is an open scheme run by SPICE for Cardiff City Council and the Department contracts for places on the scheme.

Child care vouchers are not made available to staff.

My Department considers the provision of child care arrangements as important to the promotion of equality of opportunity for all staff.

Further Education

Mr. Dafis: To ask the Secretary of State for Wales if he will make a statement on *(a)* the (i) recurrent and (ii) capital funding and *(b)* target student numbers for further education in Wales set out in (1) December 1996 and (2) December 1997; and if he will make a statement on the efficiency gains per student in real terms over this period. [30269]

Mr. Hain: In December 1996, the further education recurrent provision for the financial year 1997–98 was £162.547 million; capital provision was £14.477 million; and the target full-time equivalent student number was 58,500. In December 1997, recurrent and capital provision for further education was combined giving a total sum available of £172.541 million for the financial year 1998–99, against target full-time equivalent student numbers of 63,000.

The forecast outturn for 1997–98 is £179.475 million, funding 62,400 full-time equivalent students. Against the resources to be made available in 1998–99 and the student target for that year, the projected efficiency gain per student, in real terms, over this period is 7.3 per cent.

Mr. Dafis: To ask the Secretary of State for Wales what plans he has to alter the level of funding for further education in *(a)* 1998–99 and *(b)* 1999–2000. [30250]

Mr. Hain: I have already announced an increase in funding for further education of £5.4 million over the plans set out by the previous administration. Decisions on the funding to be made available for the sector in 1999–2000 will be taken in the light of the outcome of the Comprehensive Spending Review.

Mr. Dafis: To ask the Secretary of State for Wales how many colleges of further education in Wales are categorised as *(a)* financially unsatisfactory, *(b)* marginal and *(c)* satisfactory; and what were the equivalent figures in February 1997. [30249]

Mr. Hain: Currently within the further education sector in Wales, eight colleges are categorised by the FEFCW as financially unsatisfactory, eight as marginal and 13 as satisfactory. The corresponding figures in February 1997 were four, seven and 18 respectively.

Health Service Funding

Mr. Gareth Thomas: To ask the Secretary of State for Wales if he has reached a decision concerning the allocation of resources to health authorities in Wales for 1998–99. [30914]

Mr. Ron Davies: I announced on 10 December 1997, *Official Report*, columns *580–83* that I would be providing an additional £113 million for the NHS in Wales in 1998–99. This will bring total spending to £2,455 million. £1,725 million of this will be used to fund the Hospital, Community and Family Health Services.

Hospital, Community and Family Health Services will receive an additional £77 million in revenue resources—a cash increase of 4.9 per cent. Within this amount, the five health authorities, GPs and GP fundholders will receive revenue funding of £1,585 million—£71 million, or 4.7 per cent., more than in 1997–98 plans. In real terms, this is an overall increase of 1.9 per cent. Within these resources, I have been able to give health authorities an extra £62 million, which represents a 4.3 per cent. cash increase on discretionary purchasing power, and £4 million to cash limited General Medical Services, which is a 7.8 per cent. cash increase.

I am expecting health authorities and trusts to continue to generate efficiency savings and in 1998–99 these should amount to at least 2.4 per cent. This will release some £34 million which, together with the new money, will be available to meet inflationary and other pressures, and to increase investment in patient care.

Health authorities and trusts will also receive £97 million to fund capital development. Included with this is £2.7 million to fund estimated capital costs in the first year of the replacement of the linear accelerators at Velindere NHS Trust, a scheme that will cost £4.4 million over the next three years. In addition, I have made available an extra £3.5 million for Trust minor discretionary capital expenditure to support the maintenance and replacement of equipment and estate. This is an increase of 8.1 per cent. or 5.3 per cent. after taking account of inflation.

The settlement also provides £5 million for new developments, most notably £2.4 million for the support and expansion of cancer services through the Cancer Service Co-ordinating Group, £0.5 million to tackle prescription fraud and £0.8 million to meet the cost of implementing Calman Specialist Registrars.

A table of provisional NHS Trust External Financing Limits (EFLs) follows:

Provisional trust external financing limits 1998–99

	£000
North Wales	
Clwydian Community	(68)
Glan Clwyd	7,620
Gwynedd Community	1,540
Gwynedd Hospitals	(946)
Wrexham Maelor	(601)
Dyfed Powys	
Carmarthen and District	(779)
Ceredigion and District	154
Pembs Derwen	(358)
Llanelli/Dinefwr	(439)
Powys	(287)
Morgannwg	
Bridgend	(374)
Glan-Y-mor	(1,109)
Morriston	(1,695)
Swansea	(937)
Bro Taf	
Cardiff Community	(393)
East Glamorgan	18,552
Llandough	(1,854)
North Glamorgan	(1,376)
Rhondda	(346)
University Dental Hospital	3,285
UHW	13,509
Velindre	2,564
Gwent	
Glan Hafren	3,174
Gwent Community	326
Nevill Hall	(613)
Ambulance	
North Wales	(535)
West Wales	96
Mid Glamorgan	383
SEWAT	(509)
Total Trusts	37,984

Welsh Development Agency

Mr. Gareth Thomas: To ask the Secretary of State for Wales what is his policy regarding the appointment of members to the Board of the enhanced Welsh Development Agency; and if he will make a statement. [30918]

Mr. Ron Davies: I am today announcing that Mr. David Rowe-Beddoe will be Chairman and Mr. Brian Willott the Chief Executive of the new organisation when it is established in the Autumn of this year, subject to the passage of the Government of Wales Bill.

I intend to make further appointments to the Board at a later date. The existing Board of the Welsh Development Agency (WDA), the Development Board for Rural Wales (DBRW) and the Land Authority for Wales (LAW) have made a valuable contribution to economic development in Wales and I applaud their achievements. I am, however, keen that the opportunity to serve on the Board of the new Powerhouse agency is canvassed as widely as possible in line with the guidance from the Office of the Commissioner for Public Appointments. I therefore intend to advertise these appointments so that the composition of the Board following the merger will benefit from a blend of new talent as well as the experience of existing members. The terms of office of existing Board members will be extended until the merger.

CULTURE, MEDIA AND SPORT

Correspondence

Mr. Steinberg: To ask the Secretary of State for Culture, Media and Sport if he will make it his policy that he and his Ministers personally read the letters sent to them by hon. Members on constituency matters. [27667]

Mr. Chris Smith: It is already my policy that my fellow departmental Ministers and I read all correspondence from hon. Members.

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26629]

Mr. Tom Clarke *[holding answer 5 February 1998]:* The Department for Culture, Media and Sport spent £20,033 on newspapers and magazines in 1993–94, £34,806 in 1994–95, £22,000 in 1995–96, and £25,863 in 1996–97. To date, the Department has spent £20,269 in 1997–98 and expects to spend £26,770 in the 1997–98 full year. The Department purchases a range of publications.

Market Research

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and

(iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26625]

Mr. Tom Clarke *[holding answer 5 February 1998]:* The totals of expenditure relating to the Department, its agencies and Non Departmental Public Bodies are in the following table.

£

	Opinion Polling[1]	*Focus Groups*[2]	*Other Forms of Market Research*[3]	*Total*
1996–97				
Department	0	0	6,241	6,241
Agencies	0	15,360	307,581	322941
NDPBs	247,669	307,581	1,719,839	2,275,089
From 1.5.97				
Department	0	0	0	0
Agencies	0	5,000	69,578	74,578
NDPBs	256,931	524,673	1,383,472	2,165,076

[1] Opinion Polling: This was usually carried out through interviews or surveys carried out by the NDPB or contracted out to an opinion polling organisation.
[2] Focus Groups: This was usually carried out in small groups discussing specific aspects of the NDPB or Agency.
[3] Other Forms of Market Research[4]: Various types of research—questionaires, interviews detailed studies, etc carried out either in-house or through market research organisations.
[4] Some forms of the market research may use opinion polling and/or focus group techniques.

I have placed details of the Department, its agencies and NDPBs information on expenditure on the types of surveys requested for the periods specified in the Libraries of the House.

Public Opinion Research

Mr. Duncan: To ask the Secretary of State for Culture, Media and Sport how many contracts for public opinion research his Department has awarded since 1 May; if he will indicate the *(a)* purpose, *(b)* cost, *(c)* value and *(d)* duration of each contract; and which companies (i) bid for and (ii) were awarded each contract. [28867]

Mr. Tom Clarke *[holding answer 10 February 1998]:* The Department for Culture, Media and Sport has let only one contract for public opinion research since 1 May. The details relating to purpose, cost, duration and bidding companies are set out. With regard to the value of the research, its main benefit has been to provide a factual background to address some of the problems of the British Film Industry in the light of the major Film Policy Review.

Contract purpose	*Contract cost*	*Duration*	*Bidding companies*
Film Review: Consumer research study to provide data for the Film Policy review	Commercial in confidence	2 months	SRU Ltd. (Successful Company) Research Surveys GB L&R Consultancy Hydra Associates Ltd. David Graham Associates HPI Research Group

Grants

Mr. Swinney: To ask the Secretary of State for Culture, Media and Sport (1) how many grants of a value greater than £10,000 were made to bodies in *(a)* London, *(b)* the South East of England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland by his Department in the last year; and what was the total value of such grants in each area; [30062]

(2) how many institutions in *(a)* London, *(b)* the South East of England and *(c)* England receive funding from his Department; and what is the total level of funding for institutions in each area. [30063]

Mr. Tom Clarke: *[holding answer 18 February 1998]:* The information requested is not held centrally and could be obtained only at disproportionate cost. Details of non-departmental public bodies and other bodies sponsored by my Department are contained in the DNH 1997 Annual Report Cm: 3611.

Non-governmental Agencies

Mr. Swinney: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the financial support he provides to non-government agencies. [30065]

Mr. Tom Clarke *[holding answer 18 February 1998]:* My Department has provided support to the following bodies during the current financial year:

£000

	1997–98
Royal Geographical Society	54
Royal National Institute for the Blind	200
National Manuscripts Conservation Trust	70
Arts and Entertainment Training Council	30
Business in the Arts	25
Theatres Trust	55
Access for Disabled people to Arts Premises Today	43
British Chess Federation	49
Churches Conservation Trust	2,479
British Screen Finance Ltd.	2,000
European Film Co-production	2,000
British Film Commission	850

Note:
Non-Departmental Public Bodies, Executive Agencies, Public Corporations and bodies sponsored on an ad-hoc basis have been excluded.

Departmental Expenditure

Mr. Swinney: To ask the Secretary of State for Culture, Media and Sport if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30084]

Mr. Tom Clarke *[holding answer 18 February 1998]:* My Department is based in London. The available information for the financial year 1996–97 is in the following table:

	£000
Hospitality	41
Stationery	87
Travel and subsistence	242

Departmental Buildings

Mr. Swinney: To ask the Secretary of State for Culture, Media and Sport if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30083]

Mr. Tom Clarke *[holding answer 18 February 1998]:* My Department occupies the four following properties:

2–4 Cockspur Street
London SW1Y 5DH;

Grove House
2–6 Orange Street
London WC2H 7ED;

6th Floor
Haymarket House
London SW1Y 4EE;

Novello House
2 Sheraton Street
London W1V 4BH.

The running costs set out in the table cover all the above properties together as the figures cannot easily be broken down.

£

Expenditure	*1996–97*
Rent	1,654,016.06
Rates (CILOR)	1,193,966.80
Service Charges	165,922.01
Fuel and Utilities	37,498.18
Maintenance	224,083.07
Security	234,517.09
Central Services	872,418.70

Departmental Employees

Mr. Swinney: To ask the Secretary of State for Culture, Media and Sport if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30082]

Mr. Tom Clarke *[holding answer 18 February 1998]:* The total paybill and average number of staff in post within the Department for Culture, Media and Sport and agencies in 1996–97 are shown in the table:

	1996–97 paybill £ million	*Average number of staff in post in 1996–97*
DCMS	10.75	361
Historic Royal Palaces	10.645	518
The Royal Parks	7.324	257

Extracting historic information from the Chessington Payroll Centre on London allowances and weightings can be obtained only at disproportionate cost. DCMS consolidated the Inner London Weighting Allowance of £1,776 into basic pay with effect from 1 November 1996. Local Pay Additions continue to be paid as a separate allowance. The Agencies currently continue to pay separate London weighting and allowances.

The offices of the Department for Culture, Media and Sport and agencies are all London based.

Departmental Child Care

Mr. Barnes: To ask the Secretary of State for Culture, Media and Sport what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30018]

Mr. Tom Clarke: As part of an overall Equal Opportunities Policy, the provision of child care facilities within my Department is two-fold: (i) one nursery place for a child aged between 6 months and 5 years at the Stepping Stones Nursery, based at Napier Hall, Pimlico. The Department subsidises the cost of this place by 50 per cent.

(ii) DCMS staff can also use places at the Westminster Holiday Playscheme which caters for children between 5 and 12 years old and which operates during all the main school holidays at various locations in Whitehall and Victoria. The Department again meets half the cost of any places taken up on this scheme.

Child care vouchers are currently not available to staff.

HEALTH

NHS White Paper

Mr. Maples: To ask the Secretary of State for Health, pursuant to his White Paper on the NHS if he will make a statement describing the proposed role of local authorities in the NHS structure. [29062]

Mr. Milburn: Local authorities are indispensable partners to the National Health Service in the tasks of improving health and delivering high quality services. The White Paper "The New NHS" sets out how health authorities and local authorities will be expected to work together.

Cannabis and Ecstasy

Mr. Timms: To ask the Secretary of State for Health what research his Department has conducted into the effect on health of long-term use of *(a)* cannabis and *(b)* ecstasy. [30153]

Ms Jowell: The Department has commissioned two reviews of research, one on cannabis and one on ecstasy. No primary research has been commissioned.

Brain-damaged Children

Mr. Wigley: To ask the Secretary of State for Health what representations he has received from *(a)* parents and *(b)* doctors concerning a possible link between vaccinations, antibiotics and brain damage in children. [29259]

Ms Jowell: We have not received any representations from doctors about a possible link between vaccinations, antibiotics and brain damage and have recently received correspondence from one parent on this subject. The United Kingdom health departments' memorandum

"Immunisation against Infectious Disease" states in paragraph 7.6 that treatment with antibiotics is not a contraindication to immunisation.

We are not aware of any concern among the medical profession about this matter, nor of any scientific evidence about such a link. The incidence of adverse reactions following immunisation have been found to be the same in children with or without the following mild illnesses: upper respiratory tract infection; diarrhoea or otitis media (an ear infection). It seems likely that some of the children in these studies were taking antibiotics around the time of immunisation.

Departmental Child Care

Mr. Barnes: To ask the Secretary of State for Health what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30006]

Ms Jowell: The Department has made provision for subsidised nursery places and an on-site holiday play scheme in London, and an on-site nursery and a holiday play scheme, funded jointly with the Benefits Agency, in Leeds.

The Department provides subsidies as follows:

(a) 50 per cent. of the cost of 25 nursery places in London and £30 per place per week for staff using a 30 place on-site nursery in Leeds;

(b) £10.68 per place per day at a 24 place holiday play scheme in its headquarters building in London;

around £6 per place per day at a 40 place holiday play scheme jointly funded by the Department of Health and the Benefits Agency in Leeds;

£6 per place for National Health Service Pensions Agency staff at a holiday play scheme in Fleetwood.

The following organisations are used by the Department of Health for child care:

Parents at Work'

Kinderquest Ltd.

Nurseryworks Ltd.

Radius Educational Services Ltd.

Childcare Partners Ltd.

Westminster Children's Society

' information service.

Child care vouchers are available to staff in the South and North Thames Regional Offices of the NHS Executive.

Drug Users

Mr. Simon Hughes: To ask the Secretary of State for Health what was the NHS expenditure on services to drug users in each of the last five years for which figures are available. [30246]

Mr. Milburn: Health authorities purchase drug services from general Hospital and Community Health Service allocations. Funding for drug services is also provided under a special allocation, which is a contribution, not a cash limit. Health authorities can draw on general allocations for further money if they so decide, and will also fund treatment from other budgets. Health authorities are not required to return records of their total expenditure on drug services and a total figure for annual National Health Service expenditure on drug services is not held centrally.

In each of the last five years, the special allocation for drug services was as follows:

Year	*£ million*
1997–98	37.19
1996–97	33.39
1995–96	26.75
1994–95	25.50
1993–94	24.37

As part of its contribution to the Cross-Departmental Review of Illegal Drugs, the Department is working with the Substance Misuse Advisory Service to commission a survey of health and local authority expenditure on drug services in the financial year 1996–97. The results of the survey will inform the development of the new Anti-Drugs Strategy.

Nursery Education

Mr. Paice: To ask the Secretary of State for Health what guidance his Department issues concerning the ratio of staff to pupils expected in *(a)* private and *(b)* local authority nursery classes for three to five year-olds. [30432]

Mr. Boateng: Early years settings registered with local authority social services departments under the Children Act 1989 to provide day care are expected to comply with the adult to child ratios set out in Guidance and Regulations issued by the Department. These recommend an adult to child ratio of 1:4 for children aged 2–3 years and 1:8 for children aged 3–8 years regardless of whether they are managed by the private sector or the local authority.

Under the Children Act 1989, where half the staff in these settings are qualified teachers (as recognised by department for Education and Employment) and support is provided by nursery assistants with qualifications in child care and education (and the setting is open during the school term to provide nursery education for 3–5 year olds), nurseries may apply a ratio of 2:26. I understand from my hon. Friend the Under-Secretary of State for Education and Employment that the Department of Education Circular 2/73 on nursery education in maintained schools recommends an adult to child ratio of 2:26 for nursery classes attached to primary schools where one adult is a qualified teacher and the other a qualified nursery assistant. It also suggests reception classes should make provision for 4 year olds comparable to that found in nursery classes. There are no recommended adult to child ratios for schools in the independent sector.

DfEE and the Department of Health will shortly issue a joint consultation document which tackles the current diverse arrangements for the regulation of early education and child care, including the issue of adult to child ratios. We intend to introduce a more uniform system of regulation following this consultation.

NHS Trusts (Dismissals)

Mr. Streeter: To ask the Secretary of State for Health if he will list the names of the appointees to NHS trusts who have been dismissed in the last three years and the reasons for their dismissals; and if he will make a statement. [30410]

Mr. Milburn: No National Health Service trust chairmen or non-executives have been removed from office in the last three years.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Health if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28935]

Mr. Dobson *[holding answer 10 February 1998]:* I undertook seven engagements by car (all within London); four engagements by train; there were no other engagements by any other mode of transport. In addition, I made daily trips to and from my office by car.

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Secretary of State for Health what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26603]

Ms Jowell *[holding answer 5 February 1998]:* Total Departmental expenditure, including agencies, on refurbishment of its buildings, building fabric and building services is £3.63 million (1995–96), £4.73 million (1996–97), £0.93 million (1997–98 to December 1997) and £3.56 million (1997–98 full year estimate). Prior to 1 April 1996, some refurbishment costs were met directly by Property Holdings, Department of Environment. The costs quoted represent the total expenditure on our building services and fabric excluding routine maintenance work and repairs. The expenditure represents many individual projects, some large, some small, spread across the whole Departmental estate rather than a single project in one particular building.

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for Health what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26602]

Ms Jowell *[holding answer 5 February 1998]:* Estimates for the Department of Health expenditure on newspapers and magazines for the years requested are given in the table:

Year	*£000*
(a) 1995–96	354
(b) 1996–97	[1]368
(c) 1997–98 to date (31/1/98)	309
(d) 1997–98 full year	320

[1] Regional Offices became part of the Department of Health in 1996; their expenditure on newspapers and magazines has been included in the Department's costs for 1996–97 and subsequent years.

Copies of a list of newspapers and magazines purchased or subscribed to on a regular basis by the Department of Health have been placed in the Library.

Nurses

Mr. Paterson: To ask the Secretary of State for Health how many qualified nurses are currently registered as unemployed and seeking work *(a)* in England and *(b)* North Shropshire. [29970]

Mrs. Liddell: I have been asked to reply.

The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Owen Paterson, dated 18 February 1998:

I have been asked to reply, as Director of the Office for National Statistics, to your recent question on how many qualified nurses are registered as unemployed and seeking work.

The information you have requested can only be derived from the monthly claimant count of people claiming unemployment-related benefits (i.e. Jobseekers Allowance or National Insurance credits). Essentially, all people who were claiming these benefits on the count day are counted.

The information requested is given in the table:

Number of nurses claiming unemployment benefit by occupation, January 1998

	[1]*Sought*	[2]*Usual*
North Shropshire PC	0	0
England	1,180	1,308

[1] Sought occupation: a claimant has to specify the occupation in which they are seeking work.

[2] Usual occupation: a claimant does not have to provide details of usual or previous occupation.

TRADE AND INDUSTRY

Radio Communications Agency

Mr. Breed: To ask the President of the Board of Trade what are the promotion criteria within the Radio Communications Agency; what probation term successful candidates have to complete before they are eligible for promotion; what changes in this policy there have been since agency status was established; and what consultations were held with the trade unions on these policies. [29677]

Mrs. Roche: In order to secure promotion, a candidate must satisfy the Selection Panel that he/she has the skills and experience required for the post at the higher range/grade and is the best candidate for the post.

A probation term must be progressing satisfactorily in order that the probationer may be considered for another post. "The Guide" to employment in the DTI provides that a probationer may complete his/her probation period (normally 12 months) in a higher grade where the officer is promoted through normal promotion procedures while on probation.

Since achieving agency status in 1990. the Agency's promotion procedures have changed three times, on which consultations were held with the trade unions. The position of probationers has arisen only in the last few months and has been the subject of discussions with the trade unions. Revised procedures for the filling of vacancies in the Agency are currently being discussed with the trade Unions.

Mr. Breed: To ask the President of the Board of Trade how many claims for unfair dismissal from the Radio Communications Agency have been taken before industrial tribunals; what were the outcomes; and what compensation has been paid. [29676]

Mrs. Roche: One claim for unfair dismissal was taken before an Industrial Tribunal. The case was dismissed and therefore no compensation was paid.

Export Licences

Mr. Drew: To ask the President of the Board of Trade how many licences have been granted for the export of military, security or police equipment to Kenya in the last two years. [25133]

Mrs. Roche: The Export Control Organisation's computer databases have been interrogated and the results are as follows. Between 1 January 1996 and 12 January 1998, 79 standard individual licences and 37 Open Individual Licences were issued for the export to end users or consignees in Kenya of goods controlled by Part III of Schedule 1 to the Export of goods (Control) Order (the so-called "Military List"). The entry in the legislation under which the export of goods is controlled is known as their rating.

Number of individual licences issued for exports to Kenya covering goods on the Military List

Rating	*Standard individual export licences*	*Open individual export licences*
ML1	23	0
ML2	2	0
ML3	13	0
ML4	4	2
ML5	2	3
ML6	8	2
ML9	1	0
ML10	7	12
ML11	8	2
ML13	1	4
ML15	2	0
ML18	0	1
ML22	0	1

Number of individual licences issued for exports to Kenya covering goods on the Military List

Rating	*Standard individual export licences*	*Open individual export licences*
PL5001	1	1
PL5002	0	1
PL5017	1	2
PL5018	5	0
PL5021	3	0

Individual export licences often cover a range of goods, controlled under several entries in the legislation. Where this is so the licence is included in the Table in the total shown against each of the relevant ratings.

This information should be considered in light of my answer to a question from my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

Dr. Tonge: To ask the President of the Board of Trade if she will list the countries to which goods covered by Category PL5001 under Export of Goods (Control) orders have been exported since 1 May 1997. [28001]

Mrs. Roche: The Export Control Organisation's computer databases have been interrogated, and the following results were obtained. Between 2 May 1997 and 12 January 1998, individual export licences covering goods controlled under entry PL5001 of the Export of Goods (Control) Order are recorded as having been issued to the following countries: Australia, Canada, Cyprus, France, Germany, Jamaica, Jordan, Malaysia, the Republic of Ireland, Singapore, South Korea, Sri Lanka, Sweden, Switzerland, the United Arab Emirates and the United States of America.

However, this information should be considered in light of the answer I gave on 30 October 1997 to my hon. Friend the Member for Don Valley (Caroline Flint), *Official Report*, columns *870–71*.

Mobile Telephones

Mr. Vaz: To ask the President of the Board of Trade what representations she has received on the cost of the use of mobile telephones. [30190]

Mrs. Roche: I have received very few representations on the cost of the use of mobile telephones; these are normally made to the Director General of Telecommunications. In March 1997, following concerns over prices expressed by consumers, OFTEL published a Consultative Document on the Price of Calls to Mobile Phones. This report sought views on the proposal that the price to consumers of calling mobile phones on the Vodaphone and Cellnet networks was too high. OFTEL is considering the responses it received to the consultation and is expected to announce its conclusions shortly.

Medical Research Council

Mr. Vaz: To ask the President of the Board of Trade when representatives from her Department last met the Chief Executive of the Medical Research Council. [30473]

Mr. Battle: I met Professor Radda, Chief Executive of the Medical Research Council (MRC) at the end of January. The Director General of the Research Councils, Sir John Cadogan, and the Director of the Science and Engineering Base Group attended the February meeting of the MRC Council. Sir John Cadogan also holds regular monthly meetings with the Chief Executives of all seven Research Councils, most recently on 12 February.

Transco

Mr. Vaz: To ask the President of the Board of Trade when officials from her Department last met the General Manager of Transco East Midlands. [30187]

Mr. Battle: My officials have not met the General Manager of Transco East Midlands, but regularly meet national Transco officials as I did recently.

Mr. Vaz: To ask the President of the Board of Trade when she last met the Chief Executive of Transco. [30186]

Mr. Battle: Ministers meet the Chief Executive of BG plc (of which Transco is part) from time to time (as I did recently).

Mr. Vaz: To ask the President of the Board of Trade what assessment she has made of the effect of the Monopolies and Mergers' Commission inquiry on the operation of Transco. [30189]

Mr. Battle: Assessment of the Monopolies and Mergers Commission report into the Transco price control is a matter for the Director General of Gas Supply to whom the report was submitted.

EU Structural Funds

Mr. Burns: To ask the President of the Board of Trade if she will make a statement on the future of the KONVER programme; and what alternative funding the Government will make available to help those made redundant from defence related industries when the KONVER programme ends. [27539]

Mrs. Roche *[holding answer 5 February 1998]:* The current framework for Structural Fund Community Initiatives is due to expire at the end of 1999. In its communication, "Agenda 2000" published on 16 July 1997, the European Commission outlined its approach to a new regulatory framework for the Structural Funds for the period 2000–06. The Commission has proposed that a new Objective 2 should replace current Community Initiatives that address industrial restructuring, such as KONVER, and it expected to publish the new draft Structural Funds regulations in March or April. In negotiating these regulations, the UK will press for an Objective 2 which allows Member States to target funds effectively at areas of need—such as those which have been subject to industrial restructuring. The Government are currently undertaking regional consultations with interested parties to hear their views on the implications in the UK of Structural Fund reform.

Consultants

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is her estimate of the expenditure of her *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies on external consultants in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year; and if she will also estimate the cost savings resulting from the employment of such consultants for each of the above years. [26593]

Mrs. Beckett *[holding answer 5 February 1998]:* The value of contracts let centrally to external consultants for 1995–96 was £4.37 million, for 1996–97 was £1.13 million, and for 1997–98 to date is £1.21 million. The estimated forecast for the full year 1997–98 is £4.54 million.

It is not possible to identify separately any cost savings resulting from the engagement of external consultants, whose work typically contributed to broader consultation exercises.

Information in respect of expenditure by non-departmental public bodies on external consultants is not kept centrally and could not be compiled without disproportionate cost.

The above information excludes external consultancies let independently by the Department's Executive Agencies. I have asked Agency Chief Executives to reply separately.

Letter from Peter Joyce to Mr. Malcolm Bruce, dated 19 February 1998:

The President of the Board of Trade has asked me to reply to your question about the estimated expenditure on external consultants and the estimated cost savings resulting from their employment by the Insolvency Service.

The costs of external consultants engaged by The Service are as follows:

£

	1995–96	*1996–97*	*1997–98 (to date)*	*Forecast 1997–98 (full year)*
Shreeveport Ltd	460,492	—	—	—
Bevan Ashford	35,653	—	—	—
Bond Pearce	6,392	—	—	—
Ernst & Young	7,284	—	—	—
Ibbotson Twigg	84,890	—	—	—
Bowrings	2,937	—	—	—
Impact	122,311	—	—	—
Psychological Services	—	13,512	12,128	16,240
Birmingham Tec	—	—	2,562	5,000
Kathy Beavers	—	—	7,612	10,200
Beamans Management Consultants	—	23,427	7,593	11,353
TQM International	—	—	2,514	7,914

The expenditure in 1995–96 was principally in respect of The Service's contracting out study. Ministers decided that the administrative work of Official Receivers should remain in-house, and in 1996–97 a saving of 8% on the unit cost of case administration, representing some £2 million that year (and subsequently), was achieved.

Expenditure in 1996–97 and in the current year principally relates to The Service's commitment to the achievement of IIP accreditation and to the introduction of a new grading and pay system for Service staff.

Letter from Dr. Seton Bennett to Mr. Malcolm Bruce, dated 19 February 1998:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about expenditure on external consultants.

The last consultant employed by this Agency was in 1995/96, at a cost of £3,800. No consultant has been employed by us in the two subsequent years. The 1995/96 consultancy was a rather small exercise and the resultant cost savings cannot readily be estimated.

Letter from Roger Louth to Mr. Malcolm Bruce, dated 19 February 1998:

1. Margaret Beckett, President of the Board of Trade, has asked me to reply on behalf of the Radiocommunications Agency to your Parliamentary Question about expenditure on external consultants.

2. Agency expenditure is as follows:

£

Financial year	*Expenditure*
1995/96	256,000
1996/97	860,831
1997/98 to date	1,478,698
1997/98 full year	2,359,819

3. All the expenditure involves the provision of strategic advice. Savings resulting from decisions taken in response to such advice will not be quantifiable for some time. When engaging external consultants "value for money" is the Agency's prime consideration.

Letter from John Holden to Mr. Malcolm Bruce, dated 19 February 1998:

I have been asked to reply to your recently tabled Parliamentary Question to the President of the Board of Trade on consultancy contracts; the information you require is as follows:

Expenditure on external consultants

£000

Year	*Expenditure*
1995/96	130
1996/97	1,000
1997/98 to date	900
1997/98 full year estimate	1,200
	(year to date—9 months grossed up)

Consultants have only been employed—principally in the field of IT—where they represented the most cost-effective, and in some cases the only, solution to deliver a defined business benefit in excess of their cost.

Letter from P. R. S. Hartnack to Mr. Malcolm Bruce, dated 19 February 1998:

I am replying for the Patent Office to your Parliamentary Question to the President of the Board of trade about use of external consultants.

In 1995/6 the Patent Office spent £138,000 on external consultants and in 1996/7 £124,000. So far it has spent £39,000 in 1997/8 and that is likely to be the total spend. There have been reductions in staff and accommodation costs and efficiency gains through streamlined work practices consequent on these consultancy studies. It is difficult to quantify savings in each and every case but reductions in accommodation needs have, for example, led to continuing annual savings of nearly £140,000 from 1995/6.

Letter from Ian Jones to Mr. Malcolm Bruce, dated 19 February 1998:

I have been asked by the President of the Board of trade to reply, in respect of the Employment Tribunals Service (ETS), to your question about expenditure on external consultants.

The ETS did not assume responsibility for letting its own contracts until it gained agency status on 1 April 1997. Expenditure on external consultants in the financial year 1997/98 has so far amounted to £64,250.30. The figures you requested for expenditure in earlier years are covered by replies from the Department for Education and Employment (for the former Employment Department) and the Department of Trade and Industry. Planned expenditure for this financial year in full is estimated at £72,250.30.

Savings resulting from decisions taken in response to consultancy work will not be quantifiable for some time. When engaging external consultants "value for money" is the Agency's first consideration.

I hope that this is helpful.

ATTORNEY-GENERAL

Serious Fraud Office

34. **Mr. Lock:** To ask the Attorney-General if he will make a statement on the steps being taken by the Serious Fraud Office to tackle fraud in the City. [28779]

The Attorney-General: The Serious Fraud Office aims to deter fraud and maintain confidence in UK business and financial institutions through effective investigation and prosecution of serious and complex fraud. Since 5 April 1997, the SFO has prosecuted 36 defendants, of whom 34 have been convicted.

Crown Prosecution Service

35. **Mr. Dismore:** To ask the Attorney-General what is the present position concerning the review of the Crown Prosecution Service; and if he will make a statement. [28780]

The Attorney-General: I refer the hon. Member to my oral answer today to the hon. Member for Clwyd, West (Mr. Thomas).

36. **Mr. Ian Bruce:** To ask the Attorney-General what has been the trend in the time it takes the Crown Prosecution Service to bring criminal cases before the courts over the last six months; and what steps he is taking to reduce the time taken. [28781]

The Attorney-General: Data relating only to the Crown Prosecution Service are not available. However, the Lord Chancellor's Department collects data on the time between offence and completion of magistrates courts proceedings.

The latest available figures from offence to completion show that, in June 1997, the average time for defendants in indictable cases (including triable either way cases) was 136 days. This is a rise from 133 days in June 1996 and 132 days in June 1995.

Data collected by the Court Service show that the average time between committal and arraignment or start of the first main hearing in the Crown Court in 1997 was 12 weeks. This is a fall from 13 weeks in 1996 and 16 weeks in 1995.

The Government are determined to tackle delays in the criminal justice system as a whole. It will achieve this through the measures contained in the Crime and Disorder Bill, which will be reinforced by the extension of the statutory time limits regime.

Iraq

37. **Mr. Dalyell:** To ask the Attorney-General what representations from international lawyers he has received as to the legality of a preventive war against Iraq. [28783]

The Attorney-General: I have received no such representations. The Government are aware of the requirements of international law.

Departmental Child Care

Mr. Barnes: To ask the Attorney-General what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30023]

The Attorney-General: The provision made by my Departments is as follows:

The Treasury Solicitor's Department and the Legal Secretariat to the Law Officers

The Treasury Solicitor's Department makes provision, also open to staff in my own office, for the children of its staff to use the Westminster Holiday Playscheme. This scheme is run on behalf of the Cabinet Office. The Department meet half the daily cost of attendance.

No subsidy is provided for nursery places nor are child care vouchers made available.

The Government Property Lawyers

The Government Property Lawyers Agency avails itself of similar arrangements. The children of staff are able to use a holiday play scheme organised and run by Crown Departments in Taunton. Child care vouchers are not made available.

The Serious Fraud Office

The Serious Fraud Office does not provide child care facilities or subsidies. However, if parents are required to make a temporary change to their normal working routine, for example, if an investigator is required to be away from home overnight or for a more protracted period, the practice is to reimburse them for the additional cost of child care.

The Crown Prosecution Service

The Crown Prosecution Service provides no child care facilities or creches at any of its premises. Financial support, through subsidies, is provided to staff who meet certain eligibility criteria towards the cost of:

(a) child care for infants below school age; and

(b) school age children attending after-school clubs and holiday play schemes.

These facilities are provided by numerous organisations throughout the Service's Areas.

The amount of the subsidy, up to a maximum of 50%, is calculated by reference to the individual's salary and the level of costs incurred. Child care vouchers are not currently provided.

AGRICULTURE, FISHERIES AND FOOD

Beef Ban

8. **Mr. Townend:** To ask the Minister of Agriculture, Fisheries and Food if he will assess the advantages of withdrawing the ban on T-bone steaks and oxtails. [28752]

Dr. John Cunningham: The scientific evidence is kept under regular review.

Beef Consumption

16. **Mr. Hanson:** To ask the Minister of Agriculture, Fisheries and Food what initiatives he is supporting to promote the consumption of British beef. [28760]

Mr. Rooker: The Government have continued to support various initiatives to help promote consumption and restore consumer confidence in beef. As a result, we have seen significant improvements in the level of beef consumption, indicating the return of consumer confidence.

Unpasteurised Milk

17. **Mr. David Heath:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his policy with regard to the sale and consumption of unpasteurised milk and milk products. [28761]

Mr. Rooker: We are reviewing policy in England, Wales and Northern Ireland in respect of unpasteurised cows' drinking milk. We are also currently undertaking microbiological surveillance of other unpasteurised milk for drinking, and of certain raw milk products, and will consider the policy implications in the light of the results.

Livestock Farming

18. **Mr. Gray:** To ask the Minister of Agriculture, Fisheries and Food when he last met the elected President of the National Farmers Union to discuss livestock farming. [28762]

Dr. John Cunningham: I met the newly elected President of the NFU on 10 February and we discussed a number of issues including livestock farming.

Arable Area Payments

19. **Sir Teddy Taylor:** To ask the Minister of Agriculture, Fisheries and Food how much was paid in area payments in the most recent annual period for which figures are available; and what is the policy objective of making these payments. [28763]

Mr. Morley: Payments in the UK under the 1997 Arable Area Payments Scheme are estimated to be £1,216 million. The European Union introduced the Scheme to compensate arable farmers for the reduction in support prices arising from the 1992 reform of the Common Agricultural Policy.

Pesticides

20. **Ms Moran:** To ask the Minister of Agriculture, Fisheries and Food what advice his Department gives farmers on the safe use of pesticides. [28764]

Mr. Rooker: The statutory Code of Practice for the Safe Use of Pesticides on Farms and Holdings, known as the "Green Code", provides comprehensive guidance to farmers.

Fisheries

21. **Mr. Wilkinson:** To ask the Minister of Agriculture, Fisheries and Food if he will ensure that vessels of applicant countries for membership of the EU are not allowed to fish within 200 nautical miles of the British coast or within the median line with neighbouring states if closer than this following their entry into the EU. [28765]

Mr. Morley: I refer the hon. Member to the reply given to him on 4 February 1998, *Official Report*, column 686.

Farm Assurance Schemes

22. **Mr. Kidney:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the advantages to farmers of farm assurance schemes. [28767]

Mr. Morley: I very much welcome the initiative of the food industry, including farmers, in tackling consumer concerns on food through the creation of farm assurance schemes. To command the confidence of consumers, such schemes must have measurable standards acceptable to all and be subject to independent third party verification to internationally recognised standards. My officials have been advising, and will continue to advise, the industry on these issues.

Food Standards Agency

23. **Mr. Lansley:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the role of the Food Standards Agency in advising the public on nutrition. [28768]

Mr. Rooker: Our proposals on the Food Standards Agency are set out in the White Paper "The Food Standards Agency: A Force for Change" (Cm 3830) which was published for consultation on 14 January.

BSE

24. **Judy Mallaber:** To ask the Minister of Agriculture, Fisheries and Food if he will allow officials in his Department to volunteer their own evidence to Lord Justice Philip's inquiry into BSE. [28769]

Mr. Rooker: Certainly. The Permanent Secretary has already informed all members of the Department that they should feel entirely free to make representations directly to the Inquiry.

26. **Mr. Pike:** To ask the Minister of Agriculture, Fisheries and Food what is his current estimate of the total cost to *(a)* his Department, *(b)* the farming industry and *(c)* the meat processing industry of the BSE crisis. [28771]

Mr. Rooker: The estimated cost to the Department of the BSE crisis is £3.7 billion over the period 1996/97 to 1999/2000. The Department has commissioned an independent study with the aim of providing a comprehensive assessment of the economic impact of BSE across the whole UK economy and within particular regions. It is intended for publication soon.

Common Fisheries Policy

27. **Mrs. Browning:** To ask the Minister of Agriculture, Fisheries and Food what are the Government's priorities with regard to reform of the common fisheries policy. [28772]

Mr. Morley: I refer the hon. Member to the answer I gave the hon. Member for Ruislip-Northwood (Mr. Wilkinson) on 22 January 1998, *Official Report*, column *675*.

Cattle Traceability Scheme

28. **Mr. Lock:** To ask the Minister of Agriculture, Fisheries and Food when he expects the cattle traceability scheme to be operational. [28773]

Mr. Rooker: During the summer. This will be well in advance of the EU deadline of 31 December 1999.

Beef Export Ban

29. **Mr. Laurence Robertson:** To ask the Minister of Agriculture, Fisheries and Food what progress has been made towards achieving a lifting of the beef export ban. [28774]

Mr. Rooker: I refer the hon. Member to the oral answer I gave to the hon. Member for Rochdale (Ms Fitzsimons) earlier today about the Export Certified Herds Scheme.

We have also submitted proposals to the Commission for a Date Based Export Scheme to permit the export of UK beef from cattle born after 1 August 1996. The Scientific Steering Committee has given a positive response to the principle of this scheme. Following further discussion with the Commission, officials formally responded, on 29 January, to the Scientific Steering Committee's opinion. We await the Commission's response.

Countryside Access

Sir David Madel: To ask the Minister of Agriculture, Fisheries and Food what consultation has taken place with the farming community with regard to the Government's proposed countryside access legislation. [28770]

Mr. Morley: I refer the hon. Member to the reply given to the hon. Member for Reigate (Mr. Blunt) on 22 January 1998, *Official Report*, column *682*.

Departmental Child Care

Mr. Barnes: To ask the Minister of Agriculture, Fisheries and Food what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30022]

Mr. Morley: Staff in the Department, including the Agencies, now have access to 130 nursery places at six sites throughout the country and to holiday play schemes at 11 sites. Subsidies for both nurseries and play schemes vary depending upon local circumstances but are generally in the range 25 to 50 per cent. A proportion of the child care places are in inter-departmental nurseries where the Department is not the lead Department and has not therefore awarded the contract. Organisations with which the Department has its own contracts for nursery provision are Childcare Enterprise Ltd. and Kinderquest Ltd. Child care vouchers are not available to staff.

Days-at-Sea Allocations

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will institute an appeals system for fishermen dissatisfied with their days at sea allocation. [30428]

Mr. Morley: No, such a system would not be relevant to the present situation. In discussions with the fishing industry, the Government have invited Producer Organisations in the beam trawl and pelagic segments to manage their own fishing effort to meet MAGP IV targets.

Under these arrangements, it will be for Producer Organisations themselves to determine the basis on which this is done. I shall be announcing further details shortly.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will permit beam trawlers operating in Area 7 to fish for non-pressure stocks when their annual days at sea allocation has been exhausted; and if he will make a statement. [30427]

Mr. Morley: No. The effort allocations for the beam trawl segment in 1998, further details of which I shall be announcing shortly, apply to all fishing activity by the vessels concerned.

Beam Trawler Effort Limitation Scheme

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will meet the hon. Member for Totnes and representatives of the Brixham Beam Trawler Fleet to discuss the Beam Trawler Effort Limitation scheme. [30425]

Mr. Morley: I am planning to meet industry representatives, including the Chief Executive of the South Western Fish Producers' Organisation, during my visit to the South West next week. I shall be happy to discuss this or any other matters of current concern with them.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what representations he has had from *(a)* the Dutch Government, *(b)* the Spanish Government and *(c)* the French Government regarding the Beam Trawler Effort Limitation scheme. [30426]

Mr. Morley: None. Under Council Decision 97/413/EC, it is for individual Member States to decide, subject to Commission approval, the means by which to achieve their objectives under the fourth Multi-Annual Guidance Programme (MAGP IV).

Meat Imports

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 13 February 1998, *Official Report*, column *436*, on meat imports, if he will provide a breakdown by country of the imports listed as other. [30459]

Mr. Rooker: Overseas Trade Statistics shows that small values of beef, sheep meat, pig meat (including bacon and ham) and poultry meat were dispatched for import into the UK between January and October 1997 from the countries in the table. The values are provisional and subject to amendment. They will be subject to a degree of statistical error. The overall level of errors will be low, but these errors will have a much greater proportional effect on countries with small values of trade. Therefore, great care is needed when interpreting the data in the tables as they will inevitably include a number of errors.

£000

Country	*Value*
Beef	
Paraguay	192
Uganda	84
Romania	40
South Africa	40
Greece	22
Japan	21
Malaysia	21
Canada	11
Belize	4
Finland	2
Sweden	2
Total	440
Pig meat	
Argentina	650
Hungary	528
Finland	288
Austria	260
Greece	104
South Africa	13
New Zealand	1
Total	1,843
Sheep meat	
Iceland	314
Brazil	207
USA	147
Denmark	96
South Africa	55
Austria	37
China	36
Singapore	22
Finland	18
Italy	9
Total	941
Poultry meat	
Uruguay	385
Hungary	278
Greece	83
USA	56
Singapore	40
Norway	25
Sweden	8
Finland	5
Portugal	2
Hong Kong	1
New Zealand	1
Total	884

Departmental Contracts

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food how many contracts of a value greater than £10,000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30100]

Mr. Rooker *[holding answer 18 February 1998]:* The information requested could be provided only at disproportionate cost.

Departmental Employees

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30097]

Mr. Rooker *[holding answer 18 February 1998]:* The tables set out the numbers of staff in the Department and its Agencies by region. Gross salaries (basic salary plus any pay additions and specialist allowances) have been used for the wage bill.

The Farming and Rural Conservation Agency has not been in existence for a 12 month period so it is not possible to provide salary data on an annual basis. In the month to 31 December 1997, the gross salaries amounted to £1,122,500.

In core-MAFF and its Agencies, London Weighting and the London Allowance no longer exist as separate allowances. On 1 April 1997, both allowances were consolidated into the basic pay of those staff receiving them.

Government Office Region	*Total staff*	*Gross salaries (£)*
Core MAFF		
Eastern	449	6,130,100
E. Midlands	358	4,651,300
Merseyside	2	39,900
North East	93	1,228,500
North West	600	7,180,000
Scotland	83	2,342,900
London	1,790	39,024,000
South East	1,099	18,965,200
South West	966	11,927,200
Wales	132	2,250,500
W. Midlands	328	4,251,500
Yorks/Humberside	732	9,984,600
Total	6,632	107,975,700
Pesticides Safety Directorate		
Yorks/Humberside	208	3,883,300
Total	208	3,883,300
Veterinary Medicines Directorate		
South East	110	2,403,300
Total	110	2,403,300
Veterinary Laboratories Agency		
Eastern	33	574,900
E. Midlands	38	616,700
North East	24	342,900
North West	50	758,100
Scotland	24	470,500
South East	768	11,912,200
South West	56	1,028,000
Wales	33	562,300
W. Midlands	67	1,009,900
Yorks/Humberside	30	458,800
Total	1,123	17,734,300
Central Science Laboratory		
Eastern	134	1,894,700
Yorks/Humberside	448	8,806,700
Total	582	10,701,400
Centre for Environment, Fisheries and Aquaculture Science		
Eastern	313	5,725,200
North West	3	56,100
South East	64	1,059,300
South West	63	1,032,300
Wales	22	433,600
Total	465	8,306,500

Region[1]	*Total staff*	*Gross salaries (£)*
North	275	6,468,000
Scotland	168	3,871,000
South and East	214	5,323,000
South West	180	4,151,000
Wales	149	3,518,000
Central	182	4,347,000
Yorks/Humberside	46	1,254,000
Total	1,214	28,932,000
Farming & Rural Conservation Agency		
Eastern	157	not known
Northern	179	not known
Western	143	not known
Wales	82	not known
London	29	not known
Total	590	not known

[1] Regional boundaries differ from Government Office Regions.

Genetically Modified Soya

Mr. Singh: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the percentage of baby food products sold in the United Kingdom in 1997 which contained unlabelled genetically modified soya. [30417]

Mr. Rooker: This information is not recorded. However, the Food Manufacturers Federation, the British Retail Consortium and the Institute of Grocery Distribution announced in November 1997 that their members, which include all the major food manufacturers and retailers, would be labelling products containing genetically modified soya or maize from January this year.

Slaughterhouses

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what *(a)* studies and *(b)* evaluations have been carried out by his Department into (i) the microbiological standards of the finished product from slaughterhouses and cutting plants and (ii) the scores achieved by those plants under his hygiene assessment system. [30214]

Mr. Rooker *[holding answer 18 February 1998]:* No studies or evaluations have been carried out by the Ministry with the sole objective of measuring the microbiological standards of the finished product from slaughterhouses and cutting plants, against their hygiene Assessment System (HAS) scores. However, as part of a wider MAFF funded research project, Bristol University has published results *(Veterinary Record (1996) 139, 587–589, W. R. Hudson, G. C. Mead, M. H. Hinton)* of a study which concluded that HAS scores are a useful tool in predicting the ability of an abattoir to produce carcases to sound microbiological status, especially the categories concerned with slaughter and dressing, and personnel and practices.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what microbiological tests are made during the assessment of slaughterhouses and cutting plants under his hygiene assessment system. [30213]

Mr. Rooker *[holding answer 18 February 1998]:* Microbiological testing does not form part of the assessment of slaughterhouses and cutting plants under

the Hygiene Assessment System (HAS) whose scores are a general guide to long-term hygiene performance at meat plants.

Quarantine

Mr. Hesford: To ask the Minister of Agriculture, Fisheries and Food if he plans to implement changes in the quarantine requirements for animals coming into this country before the end of 1998; and if he will make a statement. [29743]

Mr. Rooker: The Advisory Group on Quarantine is expected to report by late Spring, after which we plan to hold a full public consultation. Even if the assessment shows that changes to the current quarantine rules appear justified, it is unlikely that any new arrangements could be in place before the end of 1998. It is also possible that any changes could be introduced by EU, rather than national, legislation.

Beef Exports

Mrs. Ballard: To ask the Minister of Agriculture, Fisheries and Food what research his Department has conducted into the relationship between the incidence of BSE in foreign countries and *(a)* the export of meat and bonemeal from Britain for use in animal feed and *(b)* the use of similar procedures in the production of meat and bonemeal for animal feed in those countries. [29722]

Mr. Rooker: The Department is not undertaking any such research as it is up to individual countries to conduct their own research. Alternatively, in the case of BSE in EU Member States, the Commission may carry out research centrally.

In a report of a Commission Mission to France between 17 and 21 March 1997, the French authorities are quoted as attributing at least 18 of their BSE cases to consumption of meat and bonemeal of UK origin.

Sheep Dip

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food what evidence he has assessed of damage to the *(a)* aquatic and *(b)* soil environments from synthetic pyrethroid sheep dips; where this damage has occurred; what assessment he has made of its implications for fisheries and wildlife; and if he will make a statement. [29728]

Angela Eagle *[holding answer 16 February 1998]:* I have been asked to reply.

The Environment Agency is responsible for monitoring of, and assessing any damage to the environment in England and Wales. The Agency has initiated a monitoring programme to determine whether there is evidence of widespread impact on the aquatic environment from all types of sheep dipping compounds, including synthetic pyrethroids. A full report of the findings will be published by the Agency later this year. There has been no specific assessment of effects on soil.

DEFENCE

Iraq

Mr. Mackinlay: To ask the Secretary of State for Defence what support he has received from Poland in respect of the United Kingdom's stance in relation to the crisis with Iraq. [30559]

Mr. George Robertson: I took the opportunity to exchange views with Dr. Janusz Onyszkiewicz, the Polish Defence Minister, during his visit to the UK, from 10 to 12 February, on the crisis in Iraq which has been caused by Saddam Hussein's failure to comply with Security Council resolutions and to cooperate with UNSCOM.

The Government and Poland are clear that the highest priority must be on a diplomatic solution to the crisis. However, the Polish Government support the UK's position that, in the last resort, it may be necessary to consider military action. In that event, the Polish Government have indicated that they would be prepared to make a military contribution, and would be ready to deploy chemical defence specialists to the region.

Dr. Onyszkiewicz and I issued a joint press statement to this effect on 11 February.

Poland is one of a growing number of countries which has either deployed forces to the Gulf to operate alongside US and UK forces or is planning to do so. The precise details of national contributions are properly a matter for the countries concerned, but we understand that Australia already has tanker aircraft and an advance party of troops in the Gulf; that warships from Canada, the Netherlands and Belgium are en route; that New Zealand is planning to deploy troops and surveillance aircraft; and that Denmark, Argentina, Romania, Poland and Norway have indicated they would make military contributions to the coalition. This list is expected to grow.

In addition, many of the Gulf Cooperation Council States and Turkey, Germany, Spain, Portugal, Hungary and the Czech Republic are either providing basing and support for coalition forces or have offered to do so.

Mr. Vaz: To ask the Secretary of State for Defence what steps he has taken to define the objectives of any possible military action against Iraq. [29578]

Mr. George Robertson: The objectives of any possible military action against Iraq have been carefully defined and are as presented:

Our aim is to prevent Saddam from maintaining or developing a Weapons of Mass Destruction (WMD) capability that would threaten the region and international order.

We seek to achieve this by ensuring Saddam's full compliance with UN Security Council Resolutions, including restoration of a fully effective UNSCOM.

We wish to secure his compliance by diplomatic means if possible; but, if these fail, we should be ready to use armed force.

The aim of any military action would be to diminish significantly Saddam's military capabilities, including his ability to deploy, conceal and recreate his WMD capability or threaten his neighbours.

Military action would significantly set back Saddam's WMD programmes, whether or not UNSCOM was immediately reinstated. This would be a better outcome than a "gutted" UNSCOM.

Saddam would be held at continuing risk of further military action if he attempted again to recreate his WMD capability.

Polish Minister of Defence

Mr. Mackinlay: To ask the Secretary of State for Defence if he will make a statement on his discussions with Poland's Minister of Defence. [30558]

Mr. George Robertson: I was delighted to be able to welcome my colleague Dr. Janusz Onyszkiewicz to the UK during his visit of 10 to 12 February. I am pleased to say that we enjoyed a frank and open discussion, which touched on a wide range of issues of mutual interest.

Naturally, we took the opportunity to exchange views on the crisis in Iraq. Dr. Onyszkiewicz agreed that, while the highest priority must be to find a diplomatic solution, neither the British nor the Polish Government would shrink from the task should it become necessary in the last resort to consider the military option. In that event, Dr. Onyszkiewicz declared Poland's readiness to make a military contribution and that they would be prepared to deploy a team of chemical defence specialists to the region.

Regarding NATO enlargement, we exchanged views on Poland's preparation's for membership of the Alliance and the future role she might play once she is a member. Britain has been a strong supporter of Poland's NATO candidature and our bilateral defence relationship is excellent. I took the opportunity to reinforce our desire to help Poland integrate into the Alliance as smoothly as possible and to explore new avenues for cooperation between the armed forces of Britain and Poland.

We spoke also of the rapidly evolving trilateral UK/Poland/Ukraine defence relationship, which continues to gain momentum. Following the great success of last year's airborne exercise "Cossack Steppe" in the Ukraine, involving British, Polish and Ukrainian forces, we hope to repeat the exercise this year in the UK during May. During our talks, I suggested to Dr. Onyszkiewicz that he visit me again during May so that we might view the exercise together with our colleague General Olexsandr Kuzmuk, the Ukrainian Defence Minister.

Army Messing Contracts

Mr. Key: To ask the Secretary of State for Defence where NAAFI files and records are currently located which relate to the publicly funded messing contract. [29288]

Mr. Spellar: My Department's files on this issue are held by the Naval Bases and Supply Agency at Bath. NAAFI files and records are a matter for that company, but I understand that files relating to their former contract with my Department are held in more than one location.

Army Medal Office

Mr. Nicholls: To ask the Secretary of State for Defence what representations he has received about the performance of the Army Medal Office; what is the average time for dealing with applications concerning campaign medals; if he will make extra staffing resources available to the Army Medal Office; if he will introduce a fast track procedure for the processing of applications which takes account of the age and health of the applicant; and if he will make a statement. [29785]

Mr. Spellar: During the period commemorating the end of the Second World War there was a considerable upsurge in requests to the Army Medal Office (AMO). This led to a backlog and a delay of more than 12 months in processing applications. As a consequence my Department received a number of letters from MPs and the public regarding the delay. I have investigated this with the AMO and major efforts are being made to reduce the waiting time which I am pleased to report now stands at 8½ months. We are working to ensure a further reduction. My Department has considered, but decided against, employing extra staff to reduce the waiting time as it would take six months to train new staff fully and would divert experienced staff from their primary task of assessing medal entitlements. The Army Medal Office already has a policy in place for processing applications from those ex-Servicemen over the age of 90 or those who are terminally ill. These cases are processed immediately and normally completed within three weeks of receipt.

Mr. Bernard Grey

Mr. Keith Simpson: To ask the Secretary of State for Defence when his Special Adviser, Mr. Bernard Grey signed the Official Secrets Act. [30257]

Mr. George Robertson: The most recent occasion on which Mr. Bernard Grey signed a declaration acknowledging the provisions of the Official Secrets Act was 6 November 1997.

Drug Smuggling

Mr. Wilshire: To ask the Secretary of State for Defence what procedure has to be followed when a commanding officer of the West Indies guard ship and the United States Coast Guard officers on board wish to obtain permission to board a vessel they suspect of being involved in drug smuggling. [30259]

Dr. Reid: Permission must be sought from UK HQ FLEET and the US Coastguard Authority before the West Indies Guard Ship can stop, and her US Law Enforcement Detachment can board and search, a suspect vessel. It is for the US Coastguard Authority to confirm that the flagged state to which the suspect vessel belongs is content for the operation to be undertaken.

Mr. Wilshire: To ask the Secretary of State for Defence if he will list *(a)* the number of requests to board vessels suspected of being involved in drug smuggling made by the commanding officer, *(b)* the number of requests agreed to, *(c)* the number of occasions when evidence of drug smuggling was found and *(d)* the quantities and types of drugs found in respect of the West Indies guard ship for each of the past three years. [30260]

Dr. Reid: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Collaborative Projects

Mr. Key: To ask the Secretary of State for Defence if he will list defence equipment collaborative projects involving the United Kingdom at 1 April 1997 by country and by projects *(a)* in production or in service, *(b)* in the development phase and *(c)* in the study phase categorised as (i) naval equipment, (ii) land equipment, (iii) missiles, (iv) air systems and (v) other equipment. [29450]

Mr. Spellar *[holding answer 16 February 1998]:* The information requested is contained in the table, which shows those collaborative projects for which a signed Memorandum of Understanding between the participating nations existed at 1 April 1997. One other co-operative project, which is conducted under the auspices of an MOU, has been omitted under exemption 1 (Defence, security and international relations), of the Code of Practice on Access to Government Information.

Collaborative Projects Involving the UK at 1 April 1997

Projects in Production or in Service

Naval Equipment

Sea Gnat Decoy System: Denmark/ USA

NATO Ships Inertial Guidance System: Canada/ Netherlands/ Spain

Barra Sonobouy: Australia

Land Equipment

FH 70 Howitzer: Germany/ Italy

M483A1 Artillery Shell: Netherlands/ Turkey/ USA

Combat Vehicle Reconnaissance (Tracked): Belgium

Multiple Launch Rocket System Phase I: France/ Germany/ Italy/ USA

Multiple Launch Rocket System Phase II: Germany

M3 Amphibious Bridging System: Germany

Missiles

Sidewinder Air-to-Air: Germany/ Italy/ Norway

Milan Anti-Tank (including improvements): France/ Germany

Sea Skua Support: Germany

Air Systems

Jaguar: France

Lynx: France

Puma: France

Gazelle: France

Tornado: Germany/ Italy

Harrier AV8b/GR5/7: USA

EH101 Merlin Helicopter: Italy

RTM322 Helicopter Engine: France

Joint Tactical Information Distribution System: USA

Other Equipment

Navstar Global Positioning System (GPS): Belgium/ Canada/ Denmark/ France/ Germany/ Greece/ Iceland/ Italy/ Netherlands/ Norway/ Portugal/ Spain/ Turkey/ USA

Projects in the Development Phase

Naval Equipment

Intercooled Recuperated (ICR) Gas Turbine Engine: USA

Co-operative Outboard Logistics Update (COBLU): USA

Land Equipment

COBRA (Counter Battery Radar): France/ Germany

Aimed Controlled Effect Anti-Tank Mine: France/ Germany

Missiles

Long Range TRIGAT (Third Generation Anti-Tank Guided Weapon): France/ Germany

Medium Range TRIGAT (Third Generation Anti-Tank Guided Weapon): Belgium/ France/ Germany/ Netherlands

Air Systems

Eurofighter: Germany/ Italy/ Spain

Joint Strike Fighter: USA

Other Equipment

Universal MODEM for Satellite Communications: USA

Allied Data Systems Interoperability Agency—NATO Procedural Interoperability Standards: France/ Germany/ Netherlands/ Norway/ Spain/ USA

Projects in Study Phase

Naval Equipment

HORIZON: France/ Italy

Surface Ship Torpedo Defence System: USA

NATO Improved Link Eleven: Canada/ France/ Germany/ Italy/ Netherlands/ USA

NATO Submarine Rescue System (NSRS): France/ Italy/ Norway/ USA

1.25MW Complex Cycle Gas Turbine Generator: Netherlands

Trimaran Demonstrator: USA

Land Equipment

Future Tank Main Armament:

France/ Germany/ USA

Very Short Range and Short Range Air Defence System Programme:

France/ Germany/ Italy/ Netherlands/ Norway/ Turkey/ USA

Electro Magnetic Launcher: USA

Missiles

Principal Anti-Air Missile System: France/ Italy

Air Systems

Allied Standards Avionics Architecture Initiative:

France/ Germany/ USA

Active Electronically Scanned Radar for Airborne Multimode Solid-State Actine-Array Radar: France/ Germany

Advanced Aeroengine Technology: France

ASRAAM P31: USA

CONDOR—Covert Night/Day Operation: USA

Other Equipment

Next Generation IFF: France/ Germany/ Italy/ USA

Communications Systems Network Interoperability: Canada/ France/ Germany/ Italy/ Netherlands/ Norway/ Portugal/ Spain/ USA

Future Military Satellite Telecommunications Systems, TRIMILSATCOM (SKYNET 5): France/ Germany.

Dockyard Workers

Mrs. Ewing: To ask the Secretary of State for Defence (1) what research he has evaluated into the incidence of cancer in nuclear dockyard workers; [29453]

(2) how many *(a)* past and *(b)* present Rosyth Dockyard employees have had a full medical check under the Government's health check scheme; [29439]

(3) what action he has taken to investigate the health of workers involved in nuclear work at Rosyth dockyards. [29452]

Mr. Spellar *[holding answer 16 February 1998]:* My Department takes careful account of national and international epidemiological studies concerning radiation workers and of the professional advice of the National Radiological Protection Board. The Ministry of Defence is a major contributor to the National Registry of Radiation Workers, which provides source data for national epidemiological studies.

The numbers of past and present Rosyth Dockyard employees who have received full medical checks cannot be determined without disproportionate cost. Before 1986, all Classified Radiation Workers at Naval Dockyards were given medical examinations before taking up employment and at least every 14 months thereafter, as the law then required. Since the Ionising Radiation Regulations 1985 came into force, annual health reviews by Appointed

Doctors have been mandatory for all Classified Radiation Workers; these annual reviews include medical examinations if the Appointed Doctors consider them necessary. Some former and present Rosyth Dockyard radiation workers have sought and received medical counselling, under the scheme available to all Dockyard radiation workers (both classified and unclassified) since 1990 or under the extended scheme which I announced in June 1997.

Nuclear Dosage Records

Mrs. Ewing: To ask the Secretary of State for Defence (1) what actions he has taken to speed up the handling of requests for nuclear dosage records held by his Department; [29454]

(2) how many nuclear dosage records in his Department are *(a)* known to be missing and *(b)* known to be incomplete. [29455]

Mr. Spellar *[holding answer 16 February 1998]:* The law requires my Department to keep radiation dose records for Classified Radiation workers for 50 years (formerly 30 years). There is no reason to believe that any are incomplete or missing.

The law requires radiation records for non-classified radiation workers, with annual doses limited to 15 mSv, to be kept for two years only. My Department still holds many, but not all, of their records.

Classified Radiation Workers' records are maintained by Approved Dosimetry Services at the Atomic Weapons Establishment (Aldermaston) and at DERA Radiation Protection Services (Alverstoke). Most are held in computer formats which can normally be searched rapidly: some are held on microfiche or microfilm which take a little longer to search.

These Approved Dosimetry Services also hold the records of some non-classified radiation workers. But, many of their records are held locally in paper form. Searching for the local records has been a difficult process up to now. To reduce delays, I have instigated a programme to store digital images of these records and to index them on a computer database. The pilot for this project, involving all the local records for former Chatham Radiation Workers, has been completed. By the end of this financial year, I expect the project to incorporate local records from the other Naval nuclear establishments will be covered as soon as possible thereafter.

If an investigation into an incident finds that an employee has been significantly exposed to radiation, the law requires it to be entered into his record. Investigation reports relating to the overexposure of individuals are required to be kept for 50 years (formerly 30 years). This has always been MOD's practice. However, it is impossible to be certain that every minor incident was recorded.

Research Programme

Mr. Key: To ask the Secretary of State for Defence what is the current value of the defence corporate research programme; and if he will list its technology groups and their research objectives and related technical areas, defined in terms of equipment and technology capabilities. [29522]

Mr. Spellar *[holding answer 18 February 1998]:* Expenditure on the MOD's Corporate Research Programme for the current financial year (1997–98) will be about £150 million. The programme is divided into 12 Technology Groups and beneath that into a number of Research Objectives, the majority of which are as listed:

(0) Overarching Strategy Studies
- Management
- Strategic Studies

(1) Acoustics, Magnetics and Hydrodynamics
- Technology Group Management
- Technology Group Plans
- Acoustics
- Magnetics
- Hydrodynamics

(2) Chemical and Biological Defence and Medical
- Technology Group Management
- Technology Group Strategy
- Hazard Assessment
- Detection
- Tri-service Medical

(3) Propulsion, Aerodynamics and Guidance
- Technology Group Management
- Technology Group Strategy
- Propulsion
- Aerodynamics
- Control of Fixed and Rotary Wing Aircraft
- Precision Guidance
- Seekers
- System Aspects

(4) Materials and Structures
- Technology Group Management
- Technology Group Strategy
- Non Metallics
- Metallics and Ceramics
- Functional Materials
- Batteries and Fuel Cells
- Structural and Hazard Assessments

(5) Human Sciences and Effectiveness
- Technology Group Management
- Technology Group Strategy
- Integration
- Individual Performance and Survivability
- Military Human Resources and Training Effectiveness
- Leadership, Decision Making and Collective Performance
- Systems and Synthetic Environments

(6) Energetic Materials and Terminal Effects
- Technology Group Management
- Technology Group Strategy
- Synthesis
- Formulation Studies
- Characterisation
- Fundamental Science of Energetic Materials
- Explosives Detection
- Terminal Effects Modelling
- Weapon/Target Applications

(7) Electronic Device Technology
- Technology Group Management
- Technology Group Strategy
- Electronics Technology for Sensors and Devices
- Electronics Devices for Systems
- Electronics Reliability, Maintainability and Survivability

(8) Infra-red and Visible Technology
- Technology Group Management
- Technology Group Strategy
- Sensor Technology
- Systems Applications

(9) Radio Frequency Technology
- Technology Group Management
- Technology Group Strategy and Special Topics
- Surveillance and Target Acquisition Techniques
- Electronic Warfare Techniques
- Radio Frequency Military Communications Technology
- Radio Frequency Component Technology

(10) Computing and Information Technology
- Technology Group Management
- Technology Group Strategy
- Signal Processing Technology
- Image Processing and Interpretation Technology
- Information Processing and Fusion Technologies
- Synthetic Environment Technology
- Human-Machine Interaction, Speech and Visual Technologies
- CIS and Decision Support Technology

(11) Operational Analysis
- Technology Group Management
- Technology Group Strategy
- Methodology/Technique Development.

There are a large number of detailed technical areas which support these Research Objectives. I am withholding details of these, and of several Research Objectives which do not appear in the above list, under exemption 1 of the Code of Practice on Access to Government Information relating to defence, security and international relations.

Mr. Key: To ask the Secretary of State for Defence if he will list the companies which through *(a)* the DERA Pathfinder process and *(b)* other briefings, have shared in his Department's evaluation of defence technological and research priorities; and if he will list those priorities. [29515]

Mr. Spellar *[holding answer 18 February 1998]:* The companies who attended the Pathfinder 1997 conference are as follows:

- Advanced Composites Group Ltd
- AEA Technology plc
- Allied Signal Ltd
- Alvis Logistics Ltd
- Alvis Unipower
- Anite Systems Ltd
- Applied Visuals Ltd
- Avimo Ltd
- Avon Technical Products Ltd
- AVPRO
- Babcock Defence Systems
- BAe
- BASYS Marine Ltd
- CAE Invertron
- Cambridge Algorithmica
- Century Dynamics Ltd
- Chelsea Instruments Ltd
- Chemring Group plc
- Cogent Defence Systems
- Corda Ltd
- Crew Services Ltd
- CRL
- Data Sciences (UK) Ltd
- Delta Communications Ltd
- Det Norske Veritas
- Devonport Management Ltd
- Dowty Aerospace
- DSAC
- Earth Observation Science Ltd
- EDS Defence Ltd
- EEV Ltd
- EG&G AEP Division
- Electronics Ind Ltd
- Elettronica (UK) Ltd
- EM Technology
- EPSRC
- ERA Technology Ltd
- ESYS Ltd
- Fairey Hydraulics Ltd
- FEI
- Ferranti Technologies Ltd
- Filtronic Components Ltd
- GEC
- GKN
- GM
- GMCIS
- Graseby Dynamics Ltd
- Hi-Q Systems Ltd
- Human Engineering Ltd
- Hunting Engineering Ltd
- HVR Consulting Services Ltd
- Hymatic Engineering Co Ltd
- Impact Sciences Ltd
- InterAction of Bath Ltd
- Interglossa Ltd
- ITT Defence
- JJB Consultancy Ltd
- John Crane Signature Management
- Kidde-Graviner Ltd
- Laboratory Impex Systems
- Laser-Scan Ltd
- Litton Data Systems
- Lockheed Martin
- Logica UK Ltd
- Lucas Aerospace Ltd

Mackenzie Tribbeck Associates
Magnetic Systems Technology Ltd
Marconi Radar and Control Systems
Matra BAe Dynamics (UK) Ltd
Matra Marconi Space UK
Nangia Aero Research
NPL
NNC
Normalair Garret Ltd
Nortel plc
PC201
Pilkington Optronics
Power Magnetics and Electrical Systems
PS Industry Group Ltd
Quintec Associates Ltd
Racal
Raytheon Cossor Electronics
Redifon Mel Ltd
Resource Calculations (UK)
Roke Manor Research Ltd
Rolls-Royce and Associates
Rolls-Royce plc
SEA Ltd
Safe Training Systems
Science Systems (Industrial) Ltd
SERCO Ltd
Shorts Missile Systems Ltd
Siemens Plessey Systems
Signal Computing Ltd
Silicon Graphics Ltd
SIRA Ltd
Slingsby Aviation Ltd
Slingsby Engineering Ltd
Smith System Engineering
Smiths Industrial Aerospace
Soft System Developments
Sonardyne International Ltd
St. Bernard Composites Ltd
Stirling Dynamics Ltd
Strachan and Henshaw Ltd
Systems Consultants Services
Systems Engineering and Assessment
Systems Studies Ltd
TA Consultancy Services Ltd
TA Group Ltd
Telcon Ltd
Tenet Systems Ltd
The Advance Composites Group
The Hymatic Engineering Co Ltd
The Welding Institute
Thomson
Thorn Microwave Devices Ltd
Transtech Parallel Systems
Trident Data Systems
TRL Technology Ltd
Ultra Electronics
Vickers Defence Systems
Vosper Thornycroft (UK) Ltd
W and J Tod
W. L. Gore and Associates (UK) Ltd
Wallop Defence Systems
Westland System Assessment Ltd
W.S. Atkins
WSAL.

As a normal part of Departmental business, there is a wide range of interactions between officials and companies which contribute to the evaluation of defence technological and research priorities. These working level contacts are not recorded centrally.

Mr. Key: To ask the Secretary of State for Defence if he will list by (i) subject and (ii) current value the projects supported by his Department's applied research programme in 1997 indicating work *(a)* let with the Defence Evaluation and Research Agency and *(b)* work carried out by industry through extramural contracts let by DERA. [29518]

Mr. Spellar *[holding answer 18 February 1998]:* During 1997, applied research to the gross value of about £420 million, of which over 99.5 per cent. by value was placed with DERA, was authorised to support the following Technology areas:

Structural Materials and Structural Effects Analysis
Signature Related Materials and Materials for Smart Structures
Electronic Materials
Photonic/Optical Materials and Devices
Energetic Materials
Chemical and Biological Materials
Computing Technologies
Computer Applications & Information Processing
Human Sciences
Operating Environmental Issues
Lethality & Platform Protection
Propulsion & Powerplants
Design Aspects—Platforms and Weapons
Electronic Warfare
Signature Control and Signature Reduction
Sensor Systems
Guidance and Control Systems
Simulators, Trainers and Synthetic Environments
Integration and Other System Issues
Communications and CIS related Technologies
Personnel Protection Measures
Manufacturing Processes/Design Tools/Techniques.

I am withholding the more detailed information requested under exemption 1 of the Code of Practice on Access to Government Information relating to defence, security and international relations.

Mr. Key: To ask the Secretary of State for Defence (1) when the balance and scope of his Department's applied research programme was last received by the Defence Research Council; [29520]

(2) if he will list the members of the Defence Research Council. [29519]

Mr. Spellar *[holding answer 18 February 1998]:* The membership of the Defence Research Committee (DRC) is made up of individuals holding the following posts:

Chief Scientific Adviser: Chairman

Vice Chief Defence Staff

Deputy Chief of Defence Staff (Systems)

Deputy Under Secretary of State (Science and Technology)

Deputy Chief of Defence Staff (Programmes and Personnel)

Deputy Under Secretary of State (Resources Programmes and Finance)

Deputy Chief of Defence Procurement (Operations)

Deputy Chief of Defence Procurement (Support)

Director Intelligence Scientific and Technical.

Representatives from Her Majesty's Treasury, the Chief Executive of the Defence Evaluation and Research Agency and the Chairman of the Defence Scientific Advisory Council are normally also invited to attend each meeting.

The DRC meets twice a year to review the totality of the non-nuclear defence research programme, including the applied research programme. The Committee last met on 5 November 1997.

Mr. Key: To ask the Secretary of State for Defence if he has established a national programme to bring together industry, both civil and defence, the academic community and the DERA on collaborative research projects of common interest; what percentage of project costs are made from Government sources; and what the programme's current budget is. [29513]

Mr. Spellar *[holding answer 18 February 1998]:* MOD plays a leading part in the Government's Foresight initiative which seeks, inter alia, to bring industry, academia and Government together for their mutual benefit. Specifically, MOD is heavily involved in the Foresight Defence and Aerospace Panel, DASP.

DASP Technology Working Parties were set up in eight technology areas which MOD, industry and academia jointly regard as high priority. Their task was to consider the best way forward on a national basis in those technologies. Six have reported already and a further two are expected by mid-1998. A common theme to be found in each of the working party reports is the need for some better means of harmonising technology priorities between Government, industry and academia. A proposal has been made that National Advisory Committees be set up to achieve this aim, under DASP oversight. The MOD fully supports this initiative and is working within the DASP to devise a 5 year plan for the appropriate development of these Committees.

MOD sees considerable value in fostering dialogue and networking, where there are areas of common interest, among those communities within Government, industry and academia that formulate the requirements for, and deliver, research programmes. MOD also makes a small, but significant, contribution to Foresight panels other than the DASP and is supporting the Society of British Aerospace Companies' Foresight Action initiative through programme alignment.

These activities will also be appropriately aligned with National Defence Industry Council initiatives.

Mr. Key: To ask the Secretary of State for Defence if he will list the individuals, with their qualifications, who currently review the defence corporate research programme to identify areas of potential pullthrough into the applied research programme. [29516]

Mr. Spellar *[holding answer 18 February 1998]:* Pullthrough from the Corporate Research Programme, CRP, to the Applied Research Programme, ARP, and other programmes is actively encouraged at all levels. Pullthrough takes different forms depending on circumstances. For example, where a CRP project becomes sufficiently applied that it is deemed to be suitable for Applied Research funding, an agreed pullthrough plan will be drawn up between the respective CRP and ARP customers. Continuous dialogue between CRP customers, their stakeholders and Operational Requirements military customers and their supporting scientific staffs identify and agree technology areas and timescales for such pullthrough.

Secondary pullthrough also occurs within the Defence Evaluation and Research Agency, where a common research team might typically work on both generic long term CRP projects and shorter term ARP projects. In this instance, technology and knowledge continually feeds directly from the CRP to ARP via the research scientist involved.

Information on the individuals involved in pullthrough activity, both informally and formally, is not held centrally and could be provided only at disproportionate cost.

Mr. Key: To ask the Secretary of State for Defence if he will list for the defence corporate research programme *(a)* scientists from his Department and academic institutions who are currently involved in peer review and *(b)* the functions of the customer advisory groups, together with current membership and qualifications. [29517]

Mr. Spellar *[holding answer 18 February 1998]:* Peer review forms a vital component in the selection of quality and relevant projects forming the Corporate Research Programme. Review occurs at various stages within the Defence Evaluation and Research Agency, DERA, where senior scientists select projects from sectors within DERA to form a portfolio of bids. Final peer review typically involves detailed assessment of proposal quality, military relevance, value for money and collaborative opportunities, including wealth creation.

The peer review teams differ between DERA technology groups but would normally include; two or three eminent academics with a long association with MOD research programmes, often from the Defence Science Advisory Council, MOD representatives from the central scientific, operational requirements and procurement areas; other MOD HQ scientific staff; DERA scientists, and, if applicable, representatives from DTI and industry. Individuals are selected on the basis of their track record and particular knowledge and expertise in the specific subject areas. Information on the very large number of individuals involved is not held centrally and could be provided only at disproportionate cost.

Customer Advisory Groups exist to provide guidance on the longer-term focus of research, to ensure that the products of the research are in line with the requirements expressed by the stakeholders. As such, their composition

varies as a function of the specific technology group. Composition would typically comprise staff from central scientific and technical intelligence, operational requirements and procurement areas. Operational Requirements representation would include those with Applied Research Programme customer responsibilities to maximise future pullthrough opportunities.

Mr. Key: To ask the Secretary of State for Defence what *(a)* national and *(b)* international collaboration has been achieved under the defence research programme's Beacon fund. [29514]

Mr. Spellar *[holding answer 18 February 1998]:* The Beacon Fund is aimed at encouraging research collaboration between DERA and industry or academia. It was set up in 1996 as a subset of the Corporate Research Programme, with a £2 million annual budget planned for worthwhile proposals. Such has been the demand that this budget was raised to £4 million in 1997.

There are currently 23 active Beacon projects spanning nearly all areas of DERA's work. The total committed cost to MOD of these projects is around £12 million; industry and academia are committed to nearly twice as much. About three-quarters of this is from national initiatives, with the remainder from international initiatives.

Departmental Child Care

Mr. Barnes: To ask the Secretary of State for Defence what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30014]

Mr. Spellar: My Department and its agencies currently provide 13 workplace nurseries offering some 500 fulltime places, as well as a number of holiday play schemes. This is in line with Civil Service policy to establish child care support arrangements for staff where there is a business case and value for money justification. This enables us to help many of our staff to combine their working lives with family responsibilities. Child care vouchers are not issued to MOD staff. Parents are required to make a contribution to the running costs of child care facilities. Details of the Department's expenditure on child care support are not held centrally and could be provided only at disproportionate cost. Organisations currently providing child care services to the MOD are:

Busy Bees Nurseries Ltd.
Childcare Enterprises Ltd.
Going Solo Ltd.
Kinderquest Ltd.
Little Darling Childcare
Mini Mariner Nursery
Pixieland Daycare Nurseries
Yeovilteenies Nursery.

Defence Technology Strategy

Mr. Key: To ask the Secretary of State for Defence if he will list the activities and costs of his Department's defence technology strategy; and if he will make a statement. [29523]

Mr. Spellar *[holding answer 18 February 1998]:* The Department's technology strategy is carried forward by a programme of research and technology demonstration incorporating, wherever possible, collaborative work with industry, academia or allies.

The programme consists of three principle elements:

1. An Applied Research Programme, ARP, valued at about £420 million. This programme aims to provide technical options at quantified cost and risk for the formulation of operational requirements that best meet the needs of UK armed forces. It applies to equipment planned to enter service over the next 20 years.

2. A Corporate Research Programme, CRP, valued at about £150 million, whose primary purpose is to sustain and develop the defence technology base by building on world-wide science and technology. The research includes technologies needed to underpin the systems-oriented work of the ARP; generic technologies which have wide applications across many environments or users; and innovative research which is speculative in nature aimed at MOD's future capabilities. It also provides the means by which the potential military utility of emerging technologies can be investigated and demonstrated at an early stage.

3. A Technology Demonstration Programme valued at about £50 million which is primarily intended to reduce areas of high technical risk associated with the known requirements for future equipment, through establishing design options. It is largely driven by procurement pull rather than technology push, and is generally in support of identified equipment or systems applications. It is for the most part let competitively with industry.

There are, in addition, some small elements valued at about £17 million in total directed towards collaborative work with academia (joint grants scheme) and Europe (European transonic wind tunnel).

Contracts

Mr. Swinney: To ask the Secretary of State for Defence how many contracts of a value greater than £10,000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30073]

Mr. Spellar *[holding answer 18 February 1998]:* The information requested is not available in precisely the format requested. The number and value of current prime contracts valued in excess of £10,000 in Financial Year 1996–97 in the following locations is listed below:

	Number of contracts	*Value of contracts (£)*
(a) London	4,122	3,010,656,875
(b) the South East of England	13,337	24,966,057,325
(c) England	44,340	62,777,373,141
(d) Scotland	3,036	3,191,535,617
(e) Wales	1,142	511,535,442
(f) Northern Ireland	342	564,437,755

This information should be regarded as indicative as it relates only to current defence prime contracts valued in excess of £10,000 in Financial Year 1996–97. It does not include defence sub-contracts or contracts placed by Trading Fund Defence Agencies as this information could be provided only at disproportionate cost.

Mr. Swinney: To ask the Secretary of State for Defence if he will list the number of current research contracts of a value greater than £10,000 sourced at sites in *(a)* London, *(b)* the South East of England, *(c)* England,

(d) Scotland, *(e)* Wales, and *(f)* Northern Ireland; and what is the forecast expenditure on such projects in each area. [30129]

Mr. Spellar *[holding answer 18 February 1998]:* The information requested is not available in precisely the format requested. The number of current research contracts valued in excess of £10,000 in Financial Year 1996–97 in the following locations are listed:

	Number of contracts
London	105
The South East of England	330
England	844
Scotland	36
Wales	5
Northern Ireland	2

This information should be regarded as indicative as it relates only to extant defence research prime contracts valued in excess of £10,000 in Financial Year 1996–97. It does not include defence sub-contracts or contracts placed by Trading Fund Defence Agencies, except for the Defence Evaluation and Research Agency, as this information could be provided only at disproportionate cost.

Information regarding the forecast expenditure on such research projects in each area is not held centrally. However, the latest figures available from the Defence Analytical Services Agency for the breakdown of defence research and development expenditure by region are contained in Section 1.6 of the UK Defence Statistics 1997, a copy of which is in the Library of the House.

Mr. Swinney: To ask the Secretary of State for Defence how many companies based in *(a)* London, *(b)* the South East of England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland currently supply his Department with armaments; and what was the value of such supplies in each area in the last year for which figures are available. [30130]

Mr. Spellar *[holding answer 18 February 1998]:* The information requested is not available precisely in the form requested. The number of defence contractors with current prime contracts in the following locations in Financial Year 1996–97 is as in the table:

	No of contractors
(a) London	1,526
(b) The South East of England	3,492
(c) England	10,518
(d) Scotland	1,022
(e) Wales	427
(f) Northern Ireland	105

This information should, however, be regarded as indicative as it relates only to extant prime contracts with defence contractors in Financial Year 1996–97. It does not include defence sub-contracts or contracts placed by Trading Fund Defence Agencies as this information could be provided only at disproportionate cost.

The latest figures available for the value of suppliers in each area are for the Financial Year 1995–96 and are contained in Section 1.9 of the UK Defence Statistics 1997, a copy of which is in the Library of the House.

Departmental Employees

Mr. Swinney: To ask the Secretary of State for Defence if he will list the number of his Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30070]

Mr. Spellar *[holding answer 18 February 1998]:* The following is a breakdown of Ministry of Defence Civilian Personnel by region as at 1 January 1998:

Region	*Number of staff*
London	10,189
South East	24,760
Eastern	6,736
South West	24,098
West Midlands	8,471
East Midlands	2,819
Yorkshire and Humberside	3,265
Merseyside	969
North West	1,653
North East	600
Wales	5,165
Scotland	10,203
Northern Ireland	3,264
Other locations[1]	7,752
Total	109,944

[1] Including UK-based staff overseas and at sea.

Note:

The figures include full-time, part-time and casual staff.

The Department does not hold the information requested on the wage bill by Regions and this could be provided only at disproportionate cost. Figures for civilian staff are available for London and National areas, for the financial year 1996–97 and are as follows:

£

	Gross salaries	*London element*
London	371,586,880	17,735,370
National	1,628,929,789	Nil

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for Defence what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26636]

Mr. Spellar *[holding answer 5 February 1998]:* There is no central record of expenditure on newspapers and magazines, or of individual titles of commercial publications purchased by the Department and this information could be provided only at disproportionate cost.

EDUCATION AND EMPLOYMENT

Departmental Child Care

Mr. Barnes: To ask the Secretary of State for Education and Employment what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30009]

Dr. Howells: DfEE is committed to promoting equality of opportunity for its staff and supports child care facilities which help staff to balance family and working life.

The Department currently supports holiday play scheme facilities on all of the Department's four HQ sites. It also provides nursery facilities on its Runcorn and Sheffield sites. Facilities are often shared with other government organisations, in particular with the Employment Service HQ in Sheffield and with the Office of National Statistics in Runcorn.

The Department meets approximately half of the full cost of nursery provision through making premises available and by a contribution to the provider's management fees. The exact level of subsidy varies according to occupancy and has fluctuated between 45–60 per cent. during the current contract. For play scheme provision, the Department normally meets approximately half the cost.

The organisations the Department uses for child care are Early Years plc and Kinderquest Ltd.

The Department does not issue child care vouchers to staff.

Tuition Fees

Mr. Paice: To ask the Secretary of State for Education and Employment what administrative arrangements he plans to implement for the introduction of contributions towards tuition fees for higher education. [30431]

Dr. Howells: From 1998–99, most new entrants to full-time higher education will be eligible for assistance with their contribution to tuition fees if they are from a lower income family. The amount of assistance from public funds will be assessed by the student's local education authority in accordance with regulations which will be laid before Parliament in due course. The assessed amount will be paid direct to the student's institution in due course. Where the applicant is an EU national seeking assistance with fees only, the Department will assist his authority in making the assessment in 1998–99 and from 1999/2000 will be directly responsible for providing assistance in accordance with regulations to be laid in due course.

The student will pay the balance of the contribution to fees, if any, personally to the institution. It will be for institutions themselves to decide on the arrangements for collecting private contributions from students. I have no doubt that universities and colleges will want to ensure that students are not prevented from taking up a place because they are unable to pay the full fee in a single lump sum; for example, by taking account of individual students' circumstances in allowing the fee to be paid in more than one instalment.

Student Grants

Mr. Paice: To ask the Secretary of State for Education and Employment if he proposes to alter the existing arrangements for the assessment and administration concerned with student grants currently operated by local education authorities. [30430]

Dr. Howells: The reform of student support arrangements will require some changes to the existing arrangements for assessment and administration carried out by local education authorities in respect of new entrants to higher education.

For the academic year 1998–99, new entrants will be liable to contribute to tuition fees. Local education authorities will assess the support from public funds for fees and how much maintenance grant is payable, taking account of the students' own income and that of their parents or spouse. The Mandatory Award Regulations to be laid in due course will set out the relevant conditions. Local education authorities will pay the fee support direct to the higher education institution and will pay any maintenance grant direct to the student in the same way as now. Where the applicant is an EU national seeking assistance with fees only, the Department will assist his authority in making the assessment in 1998–99 and from 1999–2000 will be directly responsible for providing assistance in accordance with regulations to be laid in due course.

For the academic year 1999–2000, new students and those who started in 1998–99 will receive support for living costs solely through loans which will be partly income-assessed. These arrangements will be administered by a scheme involving local education authorities, the Student Loans company and a central unit within the Department. Local education authorities will have an important role in determining the eligibility of 'home' applicants for fees, loans and grants and for carrying out the means test. I am planning to review the current means testing arrangements to allow the system to be simplified wherever possible.

A detailed review will look at the best way of administering higher education student support in the long term. This review is due to be completed in 2000 once the new system of HE student support has bedded down.

New Deal (Environmental Placements)

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment, pursuant to his answer of 26 January 1998, *Official Report*, column *89*, on environmental placements under the New Deal, if he will publish the guidance relating to those New Deal tenders including an element to cover the cost of materials. [27280]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Matthew Taylor, dated February 1998:

The Secretary of State for Education and Employment has asked me to reply to your question about the guidance relating to New Deal tenders under the Voluntary and Environment Task Force Option.

Guidance relating to New Deal tenders, which includes guidance on the cost of materials, has been distributed widely to organisation who have expressed interest in tendering for the Environment Task Force and Voluntary Sector options and a copy has been placed in the Library.

I hope this is helpful.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Jacqui Smith: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals the Government has to *(a)* review the administration of legal aid in Northern Ireland, with particular reference to the difference between the administration arrangements for legal aid in Great Britain and in Northern Ireland and *(b)* extend to Northern Ireland reforms of legal aid which are proposed for England and Wales. [30797]

Mr. Hoon: The Lord Chancellor and I have instructed my officials in the Northern Ireland Court Service to:

(a) undertake a review into arrangements for the administration and provision of legal aid in Northern Ireland, bringing forward recommendations for change where necessary; and

(b) consider in the Northern Ireland context the proposed reforms to legal aid in England and Wales.

My Officials will be available to hear views from interested parties on these important matters.

A Green Paper will be published for full consultation purposes in due course. In the meantime, I would encourage all those with an interest in these matters to meet with my officials and contribute their views at an early stage.

Periodicals

Mr. Malcolm Bruce: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his estimate of the expenditure of his Department on newspapers and magazines *(a)* in 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26671]

Mr. Hoon: The Lord Chancellor's Department purchases a range of publications. The estimated expenditure on newspapers and magazines by the Department, including the Court Service, is as follows:

(a) 1995–96: £57,500

(b) 1996–97: £59,500

(c) 1997–98 to date: £58,800

(d) 1997–98 full year: £60,200.

Statutory Declaration Fee

Mr. Boswell: To ask the Parliamentary Secretary, Lord Chancellor's Department when the £5 fee for making a statutory declaration was last amended; and if he will make a statement. [30308]

Mr. Hoon: The fee for making a statutory declaration in the Magistrates' Court was increased to eight pounds on 1 April 1992, by the Magistrates' Courts Fees (Amendment) Order, SI 842/1992. I am considering whether to conduct a major review of all civil fees in the Magistrates' Courts.

Gibraltar (Records)

Dr. Marek: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list those Government records of the 1960s relating to Gibraltar that have not been released after 30 years; and if he will indicate the reasons for not releasing them. [30399]

Mr. Hoon: Public records of the 1960s relating to Gibraltar are likely to appear, among the records of a number of Departments, including those of the Foreign and Commonwealth Office and its predecessor Departments, of the Ministry of Defence and its predecessors, of the Cabinet Office and of the Prime Minister's Office. There is no pre-existent list of records of this period relating to Gibraltar, and currently no automated means of generating one.

As well, the documentation of withheld records that is maintained by the Public Record Office, and in particular the documentation of withheld extracts from records, is by document reference alone, and not by subject description, so that it is not in a form which would enable a listing of unavailable records of the 1960s relating to Gibraltar to be produced, without disproportionate cost. The catalogues available to the public in the Public Record Office note whole items which are closed or retained, but not the fact of a withheld extract, but because there is no pre-existent list of Gibraltar records, the catalogues could not be used to list closed records on this subject, except at similarly high cost.

Departmental Child Care

Mr. Barnes: To ask the Parliamentary Secretary, Lord Chancellor's Department what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30020]

Mr. Hoon: At present, the Department provides subsidised child care places at 13 nurseries and 15 play schemes. The subsidy varies, depending on individual business cases and value for money justification. The child care organisations used by the Department are listed. Child care vouchers are not generally made available to staff, although they have been made available on a temporary basis in exceptional circumstances.

Nurseries

Westminster Children's Society (2 nurseries)

Nurseryworks Ltd.

Buffer Bear Nurseries Ltd. (6 nurseries)

Kinderquest Ltd.

Aston Students' Guild

Acorns Nurseries

Crown House Childcare Scheme (Benefits Agency)

Play schemes

Kinderquest (Westminster Holiday Playscheme)

Jancett Group of Day Nurseries (Croydon Playscheme)

DNS Durham Kids Club

MOD Holiday Playscheme, Liverpool

DFEE Holiday Playscheme, Leeds

DFEE Coventry Holiday Activity Scheme

DSS Bristol Holiday Playscheme

Birmingham Holiday Club
Court Service Peterborough Holiday Playscheme
Busy Bees (Manchester)
DFEE Holiday Playscheme, Darlington
DSS Rascals Holiday Playscheme, Northampton
DSS Exeter Holiday Playscheme
Land Registry Plymouth Holiday Playscheme
Prescription Pricing Agency Holiday Playscheme, Gateshead.

Market Research

Mr. Malcolm Bruce: To ask the Parliamentary Secretary, Lord Chancellor's Department what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and (iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26667]

Mr. Hoon: The figures are as follows:

Lord Chancellor's Department and associated offices

	Project	Cost £
1996/97		
(i) Opinion polling	MORI survey of court users to assess extent to which non-professional users would prefer to appear in court either on Saturday morning or on a weekday evening	19,975
(ii) Focus groups	None	—
(iii) Other forms of market research	(1) Research by Professor John Baldwin into the effect of the rise in the Small Claims Limit	24,788
	(2) Research by De Montfort University into take-up of Magistrates Courts Inspectorate information leaflets	70
Since 1 May 1997		
(i) Opinion polling	None	—
(ii) Focus groups	None	—
(iii) Other forms of market research	(1) Research by Professor John Baldwin into the effect of the rise in the Small Claims Limit	11,205
	(2) Research by Central Office of Information on ways to create a broader base of applicants to the magistracy	38,000

Court Service

	Project	Cost £
1996/97		
(i) Opinion polling	None	—
(ii) Focus groups	None	—
(iii) Other forms of market research	(1) ONS Omnibus Survey into public awareness of the Small Claims procedure	2,645
	(2) Public attitude Survey for Sheffield Combined Court's pilot user survey	5,052
Since 1 May 1997		
(i) Opinion polling	None	—
(ii) Focus groups	None	—
(iii) Other forms of market research	(1) ONS Omnibus Survey into public awareness of the Court Service	3,600
	(2) British Market Research Bureau: staff opinion survey into Investors in People	25,591

Land Registry

	Project	Cost £
1996/97		
(i) Opinion polling	Customer Service Survey to identify areas for improvement in the delivery of the Registry's services	3,541
(ii) Focus groups	None	—
(iii) Other forms of market research	None	—
Since 1 May 1997		
(i) Opinion polling	(1) Independent Customer Service Survey to provide independent verification of customers' satisfaction with the delivery of services and identify areas for improvement	13,285
	(2) Consultation Paper on a proposal to restore "Price Paid" to the Land Register	3,191
(ii) Focus groups	Customer Service. Discussions with key customers on areas for improvement in delivery of services	790
(iii) Other forms of market research	Interviews with key customers on specific areas of service improvement	500

Northern Ireland Court Service

	Project	Cost £
1996/97		
(i) Opinion polling	Community Attitudes Survey—the public's attitudes to law, order, and security issues	5,920
(ii) Focus groups	None	—
(iii) Other forms of market research	None	—
Since 1 May 1997		
(i) Opinion polling	None	—
(ii) Focus groups	None	—
(iii) Other forms of market research	Contribution towards a survey on Divorce commissioned by the Office of Law Reform	10,000

Public Record Office

	Project	Cost £
1996/97		
(i) Opinion polling	None	—
(ii) Focus groups	None	—
(iii) Other forms of market research		—
Since 1 May 1997		
(i) Opinion polling	None	—
(ii) Focus groups	None	—
(iii) Other forms of market research	None	—

Public Trust Office

	Project	Cost £
1996/97		
(i) Opinion polling	None	—
(ii) Focus groups	None	—
(iii) Other forms of market research	None	—
Since 1 May 1997		
(i) Opinion polling	None	—
(ii) Focus groups	None	—
(iii) Other forms of market research	None	—

Legal Aid Board

	Project	*Cost £*
1996/97		
(i) Opinion polling	MORI poll into public awareness of legal aid in general, and franchising in particular	7,050
(ii) Focus groups	None	—
(iii) Other forms of market research	None	—
Since 1 May 1997		
(i) Opinion polling	MORI poll into public awareness of legal aid in general, and franchising in particular	7,050
(ii) Focus groups	MORI focus groups to review promotional material in support of public awareness of franchising	2,115
(iii) Other forms of market research	None	—

Ministerial Travel

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28937]

Mr. Hoon *[holding answer 10 February 1998]:* The official engagements I undertook in January 1998, other than routine meetings within Whitehall, together with the mode of transport used to access each, are as follows:

Wednesday 7 January

Visit: Relate National, Rugby (Own car)

Thursday 8 January

Speaking engagement: Judicial Studies Board Seminar, Cheltenham (Car)

Wednesday 14 January

Visit: African Caribbean Family Mediation Service, Brixton (Car)

Thursday 15 January

Visit: Leigh Day & Co. Solicitors, London (Car)

Monday 19 January

Visit: National Childcare Strategy Conference, London (On foot)

Thursday 22 January

Speaking engagement: Conference on the structure and governance of magistrates' courts, Birmingham (Car)

Visit: 7 Fountain Court chambers, Birmingham (Car)

Visit: McGrath & Co. solicitors, Birmingham (On foot)

Monday 26 January

Reception: Official opening of the Legal Resource Training Centre, London (Car)

Speaking engagement: Uxbridge Magistrates' Courts, Uxbridge (Car)

Wednesday 28 January

Visit: Registry Trust Ltd. London (Car)

Speaking Engagement: Central and South Middlesex Law Society, Ealing (Car)

Thursday 29 January

Visit: Official Opening of Walsall CAB (Car).

Violent Parents

Mr. Öpik: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to amend the law relating to the rights of access to their children of violent and abusive parents; and if he will make a statement. [29700]

Mr. Hoon: When the courts determine an application for contact, under section 8 of the Children Act 1989, they must treat the child's welfare as their paramount consideration. Among the specific factors they have to consider is

"any harm which" the child "has suffered or is at risk of suffering".

There are no plans to amend the legislation.

Official Accommodation

Mrs. Virginia Bottomley: To ask the Parliamentary Secretary, Lord Chancellor's Department what options were considered in selecting the furniture for the official accommodation. [30232]

Mr. Redwood: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will provide a breakdown of the costs of the refurbishment of the Lord Chancellor's rooms in the Palace of Westminster. [30460]

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) what is his policy in respect of the use of the Official Secrets Act 1911 to cover contracts for refurbishment work; [30296]

(2) how many contractors undertaking work on the Lord Chancellor's accommodation have been required to sign a contract which refers to the Official Secrets Act and for what purpose; and when this policy was begun; [30297]

(3) what were the specifications for *(a)* the bed, *(b)* the dining table, *(c)* the curtains and *(d)* the carpets ordered for the Lord Chancellor's accommodation in the Palace of Westminster. [30301]

Mr. Hoon: All questions affecting the building and internal decoration of the House of Lords are matters for the authorities of the House of Lords, in particular the House of Lords' Offices Committee and its sub-committees on Administration and Works and on Finance and Staff. I refer the right hon. and hon. Members to the answer given in the Other Place by The Noble Lord, Lord Boston of Faversham on 17 February 1998, *Official Report, House of Lords*, column *23*.

SCOTLAND

Police

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what is the cost to public funds of each special constable; what is the average length of service of a special constable; what percentage of special constables are subsequently employed by the police; and if he will make a statement. [29241]

Mr. McLeish: This information is not held centrally.

Queen's Counsel

Mr. Gordon Prentice: To ask the Secretary of State for Scotland, pursuant to his answer of 9 February 1998, *Official Report*, column 22, what assessment he has made of the factors underlying the disparity in the proportion of the Scottish Bar who are QCs as against those in *(a)* the Northern Ireland Bar and *(b)* the Bar in England and Wales. [29428]

Mr. McLeish: No assessment has been made.

Prisoners

Mr. Wallace: To ask the Secretary of State for Scotland how many prisoners in Scottish prisons are currently studying for *(a)* a higher education qualification, *(b)* a further education qualification and *(c)* higher grade or standard grade examination qualifications. [29027]

Mr. McLeish *[holding answer 12 February 1998]:* The information requested is:

a. A higher education qualification: 35

b. A further education qualification: 1,470

c. A higher or standard grade qualification: 89.

There is some double counting as a small number of prisoners are studying for a higher or standard grade qualification as well as a further education qualification.

Dounreay

Mr. Llew Smith: To ask the Secretary of State for Scotland if he will ask the Chairman of COMARE to re-open his inquiry into the causes of leukaemia near Dounreay following the disclosure of a second subterranean shaft containing nuclear waste at Dounreay. [29282]

Mr. Galbraith: COMARE is continuing to keep the incidence of leukaemia near Dounreay under review as part of its work programme, including the need for further advice to the Government as additional information becomes available.

Epilepsy

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how many registered epileptics there are in Scotland in each health board area. [29944]

Mr. Galbraith: Information on the number of registered epileptics in Scotland is not available centrally.

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what resources his Department makes available for the treatment of epilepsy, broken down by health board area; and if he will express the figures as a percentage of each health board's expenditure. [29948]

Mr. Galbraith: Resources are not made available to the NHS in Scotland for specific treatments. It is for individual Health Boards to determine their priorities, in the light of local circumstances, from the resources made available.

Legal Aid

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what percentage of cases granted legal advice and assistance in 1996–97 proceeded to court. [30148]

Mr. McLeish: The information is not available.

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what were the categories of case in which civil legal aid was *(a)* refused and *(b)* refused after offers in 1996–97. [30150]

Mr. McLeish: An analysis of full applications where no legal aid was granted at the first instance is published by court on page 22 of the Board's Annual Report for 1996–97. However this information cannot be broken down into case type.

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland in how many cases in 1996–97 in *(a)* the Sheriff Court and *(b)* the Court of Session, were all parties in the action funded by the Scottish Legal Aid Board; and if he will break down these cases by type. [30152]

Mr. McLeish: This information is not available.

Prison Officers

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland if he will list the hours of time off in lieu owed to prison officers for each month of 1997, indicating what percentage of those hours are owed for more than *(a)* one month, *(b)* three months and *(c)* six months; and if he will make a statement. [29940]

Mr. McLeish: Information on the hours of time off in lieu (TOIL) owed only to prison officers is not available since the data held by the Scottish Prison Service cover both prison officer and supervisor groups. The table sets out the TOIL owed jointly to these staff groups during 1997, but information on the periods of time for which TOIL hours are owed to members of staff is not held centrally.

Hours of Time Off In Lieu (TOIL) owed to prison officers and supervisors in 1997

	Hours
January	87,031
February	89,308
March	99,068
April	98,406
May	102,194
June	101,066
July	102,753
August	108,088
September	108,135

Hours of Time Off In Lieu (TOIL) owed to prison officers and supervisors in 1997

	Hours
October	109,143
November	115,802
December	115,188

Breast Cancer

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how many people have suffered radiotherapy injuries after breast cancer in Scotland, by health board area. [29939]

Mr. Galbraith: There are no statistics available on the number of people who have suffered radiotherapy injuries after treatment for breast cancer in Scotland.

Legal Aid Board

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland if he will list the activities which relate to the term professional fees as it appears in Notes to the Accounts, No. 11 of the Scottish Legal Aid Board Annual Report, 1996–97. [30151]

Mr. McLeish: The activities are as noted:

Legal Fees: £30,127

judicial review

instructing counsel, and obtaining opinions from counsel

fees for hearings and motions

Non-legal fees: £148,134

consultancy fees

translation fees

EEC-related fees: £700

VDU eyetests

Fees relating to quality issues: £19,844

consultancy fees

membership and subscription fees

launching "vision and values" initiative

Grand Total: £198,805

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what proportion of the Scottish Legal Aid Board's expenditure in the year 1996–97 was attributable to judicial reviews of its decisions; and how many such judicial reviews took place. [30149]

Mr. McLeish: 0.31 per cent. of the Scottish Legal Aid Board's administrative expenditure in year 1996–97 was attributable to judicial review of its decision. Six petitions for judicial review were served on the Board although no judicial reviews by the court actually took place.

Prison Population

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what projections he has made of the prison population of Scotland in each year to 2003; and if he will indicate the basis on which the projections are made. [29942]

Mr. McLeish: The latest projections of the prison population which are being used by the Scottish Prison Service for planning purposes are (April to March years):

1997–1998: 6,200

1998–1999: 6,350

1999–2000: 6,500

2000–2001: 6,600.

The methodology for projecting future prison population is based on an analysis of historical trends (calculated by linear regression) of receptions into custody from courts. The trends are projected forward for future years. The specific variables considered in the analysis are age of offender, main offence type, sentence length and time served in custody. In addition, any policy or legislative changes which may impact on future prisoner numbers are factored in as necessary. The figures are slightly lower than those contained in the Scottish Prison Service's Corporate Plan, published in July 1997.

Orthoptics

Mr. Hayes: To ask the Secretary of State for Scotland what representations he has received from *(a)* Glasgow Caledonian University and *(b)* others regarding the continuation of the orthoptic degree course at Glasgow Caledonian University. [29971]

Mr. Galbraith: The Scottish Office has received a number of letters from staff at Glasgow Caledonian University and from hospital consultants and orthoptic students regarding the continuation of the orthoptic degree course at Glasgow Caledonian University.

The Scottish Office is currently engaged in an exercise to determine the need for a Scottish University to provide a degree in orthoptics.

Mental Health Services

Mr. Gerald Howarth: To ask the Secretary of State for Scotland if he will publish his spending plans for mental health services in Scotland in the next three years; and if he will make a statement. [29928]

Mr. Galbraith: Mental Health is a national priority for the NHS in Scotland. I expect Health Boards to develop their spending plans for mental health services to reflect that priority and to take into account the principles set out in the framework for Mental Health Services in Scotland, published in September 1997, a copy of which is in the Library.

Mr. Swayne: To ask the Secretary of State for Scotland if he will make a statement on the budget available to mental health services in Scotland in the *(a)* current and *(b)* previous financial year. [29866]

Mr. Galbraith: £421 million is available for mental health services in Scotland for 1997–98, with a further £15.3 million provided for the State Hospital service.

The position for 1996–97 was that £405 million was spent on mental health services and an additional £18.4 million on the State Hospital service (including the last tranche of substantial capital expenditure).

These resources do not include the additional costs of primary care services provided for this client group, which are not separately identifiable.

Drug Courts

Mr. David Marshall: To ask the Secretary of State for Scotland what plans he has to introduce US-style drug courts; and if he will make a statement. [30048]

Mr. McLeish: No. Courts can already take account of drug misuse by offenders by, for example, attaching a condition to a Probation Order requiring the offender to address his drug habit. It is also intended that Scottish courts will be able to impose drug treatment and testing orders, provision for which is contained in the Crime and Disorder Bill presently before Parliament. Under these orders serious offenders with drug dependency problems will be placed on specialist treatment programmes aimed at reducing or eliminating their dependency.

Health (Glasgow)

Mr. David Marshall: To ask the Secretary of State for Scotland what plans he has to improve health in the City of Glasgow; and if he will make a statement. [29791]

Mr. Galbraith: In August 1997 I asked all Health Boards to begin preparing Health Improvement Programmes (HIPs) in collaboration with Trusts and General Practitioners. Greater Glasgow Health Board is close to finalising its HIP. This will set out specific measures to deliver care over the next 5 years effectively and efficiently in a way which puts the interests of patients first. Additionally, the HIP will set out a programme to tackle health inequalities in Glasgow and the causes of poor health in the people of Glasgow.

The Green Paper "Working Together for a Healthier Scotland" on tackling inequalities in health was published on 5 February with a consultation period that runs until 30 April. Strategies for action will be formulated after the outcome of the consultation is known.

The Glasgow Regeneration Alliance has been given direct financial support of £500,000 for 1998–99 to help to provide a staff support team to develop and implement a long-term strategy for the regeneration of the city. This strategy will be a comprehensive city-wide plan for the renewal of Glasgow and will involve all the partners in the Alliance.

School Closures (Glasgow)

Mr. David Marshall: To ask the Secretary of State for Scotland what representations he has received about school closures in the City of Glasgow; and if he will make a statement. [29794]

Mr. Wilson: My right hon. Friend has received a number of letters, principally from School Boards and parents. The provision of schools in Glasgow is a matter for the Council.

M74 (Glasgow)

Mr. David Marshall: To ask the Secretary of State for Scotland what representations he has received about the completion of the M74 in the City of Glasgow; and if he will make a statement. [29795]

Mr. McLeish: Since taking office, we have received 13 written representations on this subject, including correspondence from my hon. Friend. In addition, I am aware that, subsequent to the publication of The Strathclyde Regional Council (M74 West Fullarton, Kingston Bridge to Fullarton Road) Compulsory Purchase Order 1995, 37 Statutory and 4 non-statutory objections were received within the statutory period.

Although it is not a trunk road scheme, the size and importance of the M74 northern extension is such that it is appropriate to consider the scheme within the current strategic trunk roads review and the joint promoters of the scheme, the City of Glasgow and South Lanarkshire Councils, have agreed to this. Studies of aspects of the scheme, including its design and economic development function, are nearing completion and will inform the trunk roads review. If the scheme were to be taken forward as a trunk road, rather than by the present promoters, a decision on whether or not to go ahead would be informed by the findings of the roads review and would depend on a variety of factors, including the resources available and competing priorities.

Health Service

Mr. Syms: To ask the Secretary of State for Scotland if he will make a statement on the number of NHS trusts in existence *(a)* on 1 May 1997 and *(b)* at present. [29855]

Mr. Galbraith: On 1 May 1997 there were 47 NHS Trusts in Scotland. This remains the current position. The recently published White Paper "Designed to Care" sets out our proposals for a reduction in the number of Trusts operating within the NHS in Scotland.

Mr. Welsh: To ask the Secretary of State for Scotland when he plans to announce proposals for restructuring health boards and trusts in Scotland. [29951]

Mr. Galbraith: The recently published White Paper "Designed to Care" sets out the Government's proposals for restructuring the NHS in Scotland. Detailed proposals for the configuration of NHS Trusts will be the subject of public consultation starting soon in the light of the principles set out in the White Paper.

Stracathro Hospital

Mr. Welsh: To ask the Secretary of State for Scotland if he will make a statement on the future status of Stracathro Hospital with particular reference to future service and staff levels. [29952]

Mr. Galbraith: There are no current plans to reduce services at Stracathro Hospital. I understand however that Tayside Health Board will be reviewing acute service provision throughout the Health Board area. The outcome of the review may affect the services provided at Stracathro.

Departmental Child Care

Mr. Barnes: To ask the Secretary of State for Scotland what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30019]

Mr. Dewar: The Scottish Office have two work-place nurseries in Edinburgh. The service is provided by Marilyn Morris Nurseries under contract to The Scottish Office. Nursery places are not subsidised although accommodation is provided free by the Office.

Subsidised places at holiday play schemes are offered to staff in Edinburgh and Glasgow (at a total cost of £968 in 1997–98). These operate during the Easter and summer school holiday periods. The play schemes are run by Customs and Excise in Edinburgh and by Kidcare Ltd. in Glasgow.

The Scottish Office does not participate in a child care voucher scheme.

Dental Services

Mrs. Ballard: To ask the Secretary of State for Scotland how many people in each Scottish health board area were removed from NHS dentists' registers as a result of missing a registration period in each year since 1992. [29369]

Mr. Galbraith: The information requested is listed in the table for financial years 1994–95 to 1996–97:

Number of adult and child patients lapsed by health board

	Financial Year 1994–95			*Financial Year 1995–96*		
Health board	*Adult*	*Child*	*Total*	*Adult*	*Child*	*Total*
Ayrshire & Arran	34,393	12,226	47,159	30,260	10,591	40,851
Borders	7,253	1,955	9,208	6,572	1,771	8,343
Argyll & Clyde	39,244	14,865	54,109	36,311	13,754	50,065
Fife	28,406	9,410	37,816	28,678	9,500	38,178
Greater Glasgow	93,523	32,641	126,164	89,567	31,260	120,827
Highland	16,195	7,239	23,434	16,196	7,240	23,436
Lanarkshire	46,429	16,158	62,587	45,503	15,836	61,339
Grampian	42,495	13,560	56,055	40,575	12,947	53,522
Orkney	1,556	175	1,731	818	92	910
Lothian	65,202	20,442	85,644	64,968	20,369	85,337
Tayside	33,498	9,825	43,323	33,580	9,849	43,429
Forth Valley	22,788	7,678	30,466	21,973	7,404	29,377
Western Is'es	2,801	438	3,239	2,359	369	2,728
Dumfries & Galloway	11,367	4,819	16,186	10,456	4,434	14,890
Shetland	1,830	102	1,932	1,997	111	2,108
Scotland	447,520	151,533	599,053	429,814	145,526	575,340

Notes:
1. Child data are estimated for all financial years.
2. The information which forms the reply shows the number of patients whose registration has lapsed under the old registration system and is not directly relevant to what will happen when the new shorter registration period of 15 months begins to affect registration levels.

Data for the financial years 1992–93 and 1993–94 are not available within the timescales requested.

SOCIAL SECURITY

Households Below Average Income

Mr. Webb: To ask the Secretary of State for Social Security if she will obtain a copy of the Households Below Average Income data of 1961–91, from the Data Archive at Essex. [30304]

Mr. Field: A copy of the Households Below Average Income 1961–91 data is currently held by this Department.

Benefit Integrity Programme

Mr. Webb: To ask the Secretary of State for Social Security what plans she has to allow individuals whose benefits are suspended under the Benefit Integrity Programme to continue to receive payments until an appeal is satisfactorily determined. [30445]

Mr. Denham: As my right hon. Friend the Secretary of State announced last week, it is important that decisions on entitlement should be fair and be seen to be fair. From 9 February, no decision to reduce or remove someone's benefit under the Benefit Integrity Project will be taken solely on the basis of the information provided by the claimant—there will always be additional evidence to support the decision.

Payments of Disability Living Allowance are made where an adjudication officer has determined that entitlement exists and has awarded benefit at the rate and for the period appropriate to the claimant's circumstances. If an adjudication officer subsequently decides, whether as a result of the Benefit Integrity Project or not, that the person is no longer entitled to the amount of benefit in payment, there is no legal basis for leaving benefit payments unchanged.

Universal Benefits

Mr. Gibb: To ask the Secretary of State for Social Security if she will define a universal benefit; and if her definition covers a benefit which is taxed or means-tested. [30446]

Mr. Keith Bradley: A "universal benefit" is generally understood to be one payable to all who satisfy specified entitlement conditions, regardless of their level of income or National Insurance Contribution record. Whether such a benefit is taxable or not is irrelevant.

Benefits Agency Medical Service

Mr. Bill Michie: To ask the Secretary of State for Social Security if she will make a statement on the outsourcing of the Benefits Agency Medical Service. [31017]

Mr. Keith Bradley: My right hon. Friend the Secretary of State for Social Security announced on 31 July how we would proceed with a number of projects for the use of the private sector which were in the pipeline and which we had inherited from the previous administration.

As we have previously said:

"this would be a government of ideas and ideals but not of outdated ideology, what counts is what works;

it would reject the dogmatic view that services must be privatised to be of high quality, but equally, we see no reason why a service should be delivered directly if more efficient means are available."

We reviewed the projects against

our objectives for modernising the Social Security system;

our commitment to work within the announced spending totals for the first two years of Government;

our aim of getting best value for public money and of reducing the burden on taxpayers;

the scope to apply private sector expertise, discipline and economies of scale in procuring public services and the ability to secure increased investment from the private sector;

the need for continuing flexibility for Government to make future changes to services;

the opportunities for improving the quality of service for customers; and

the implications for staff.

In support of our clear commitment to a quality Social Security service, we have established a minimum quality of service threshold against which we have assessed all bids from the private sector. If a supplier failed to reach this threshold, we would not expect to award them a contract no matter how low their prices.

We also required greater evaluation and feedback on performance against the new quality standards. We have made clear our commitment to take account of the needs of staff in considering the involvement of the private sector. We have therefore placed greater emphasis on management of people when evaluating the contracts; we have carefully evaluated suppliers' management of past staff transfers.

I can today announce that all three contracts for BAMS will be awarded to the Sema Group for five years with an option to extend the contracts for two years.

Their proposals have been carefully considered in the light of our criteria.

The contracts have been awarded on the basis that Sema will:

bring enhanced management expertise to BAMS, with investment in new technology,

will deliver service improvements to customers, ensuring speedier appointments and reducing waiting time,

will maintain and improve quality of service,

will provide good value for money for the taxpayer.

Sema will provide medical advice to support the delivery of incapacity and disability benefits. Payments made to Sema for the service they will provide will not be related in any way to the outcome of individual medical examinations.

The contract award is not part of the welfare reform programme. The responsibility for the overall service and for the determination of entitlement to benefits remains with the Department. This announcement makes no change to the rules for entitlement to benefits and the rights to customers will not be changed in any way. Rigorous procedures will be put in place to ensure that we continue to receive independent, objective medical advice.

The value of the contracts over five years will be £305 million.

Child Support Agency

Mr. Kirkwood: To ask the Secretary of State for Social Security how many Child Support Agency clients have applied to the Independent Case Examiner since she began work in April 1997; how many of these cases were accepted as under her jurisdiction; how many cases have been determined; and how many complaints have been upheld. [30123]

Mr. Keith Bradley: The Agency is committed to reducing the number of complaints about its handling of cases and improvements in customer service are a high priority.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Archy Kirkwood, dated 18 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Independent Case Examiner for the Child Support Agency.

The Office of the Independent Case Examiner commenced work in April 1997.

Between 1 April 1997 and 31 January 1998, 853 customers of the Child Support Agency made applications to the Independent Case Examiner. Of these, 686 have been accepted with-in the Independent Case Examiners jurisdiction (from a live and assessed caseload of 724,540 at 31 January 1998).

In the same period the Independent Case Examiner has completed her investigation in 132 cases. Of these, the complaint has been fully upheld in 42 cases, partially upheld in 60 cases and not upheld in 7 cases. A further 23 complaints have been settled by mediation (with the complainant's agreement) and have not therefore been the subjects of full investigations by the Independent Case Examiner.

The Agency's Business Units adopt a case study approach with cases referred to the Independent Case Examiner whereby the Business Unit Manager and staff involved with the case identify lessons learnt, introduce improvements and good working practices and regularly liaise with the office of the Independent Case Examiner.

I am very conscious that there are still far too many justified complaints about the standards of basic customer contact and the service we provide, and we recognise that doing things right first time is the key to preventing complaints. It is an Agency priority to improve the way in which complaints are handled; we have revised our training for all staff who deal with complaints and have introduced a new Complaints Guide, which sets out our policy and procedures for swift, effective complaints handling. We are aware that as we further tackle our backlog of cases from the Agency's first two years, there is potential for the volume of complaints to rise in the short term.

I hope this is helpful.

Mr. Kirkwood: To ask the Secretary of State for Social Security what proportion of CSA assessments are due to be paid via the CSA; and how many of these accounts relate to parents with care on income support and family credit. [30163]

Mr. Keith Bradley: One of our key aims for the Child Support Agency is to ensure that more absent parents pay the maintenance they owe. The regular payment of

maintenance is central to our strategy as recognition of fathers' continuing responsibilities to their children; to help lone mothers move off Income Support into work; and to get more money to children in low income working families.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Archy Kirkwood, dated 18 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency maintenance assessments.

Details on payment methods are available through a 5% scan of the Child Support Computer System undertaken by the DSS Analytical Services Division. At 30 November 1997, of the 616,300 full maintenance assessments recorded as the Agency's live and assessed caseload, the appropriate method of payment for the absent parent in 504,600 cases (82%) was payment via the Agency's collection service. These cases include absent parents who are in receipt of Income Support.

Of the 504,600 cases where the appropriate method of payment was via the Agency collection service 433,340 (86%) were in respect of parents with care in receipt of Income Support, Family Credit or Disability Working Allowance.

I hope this is helpful.

Mr. Kirkwood: To ask the Secretary of State for Social Security what was the outcome of the research commissioned by her Department on customer satisfaction with the CSA; and when the customer satisfaction target will be re-introduced. [30166]

Mr. Keith Bradley: One of our key aims for the Child Support Agency is to ensure that more absent parents pay the maintenance they owe. The regular payment of maintenance is central to our strategy as recognition of fathers' continuing responsibilities to their children; to help lone mothers move off income support into work; and to get more money to children in low income working families.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Archy Kirkwood, dated 18 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about research on customer satisfaction with the Child Support Agency.

On Departmental advice and in line with other DSS Agencies, the Child Support Agency re-focused its customer research away from large-scale, national surveys of overall satisfaction to more in-depth customer research.

In-depth research identifies specific, priority improvements required by the customer, enables the Agency to target its efforts and resources to greater effect and therefore provides greater value for money. As the Agency's objective is to provide the service customers need, it will continue with in-depth customer research. It has no plans to re-introduce the national, general survey that is needed to support an overall customer satisfaction target.

The full report of the independent in-depth customer research commissioned by the Agency in December 1996, will be published in early spring as part of the DSS Research Series.

The research shows that customers have five priority improvements:

quicker completion of assessments

absent parents targeted equally to ensure more regular and reliable payments

better, more customer-friendly information on the child support process and assessment

correspondence and complaints dealt with quicker

easier and more convenient telephone access with a more 'one-stop' service.

The Agency is already working towards these by dealing with more child support applications, collecting more money and by putting more resources into the telephone service and reviewing key Agency literature. Further improvements are included in the Agency's plans for the next four years to achieve a step change in the customer service we provide. These include the setting up of local stakeholder groups in each of the Agency's 6 Business Units (a process which we have started) and continuing to work closely with our established National Stakeholder Group which has representatives from key customer groups.

I hope this is helpful.

Mr. Kirkwood: To ask the Secretary of State for Social Security in how many Child Support Agency cases each quarter (i) since April 1993 an alleged absent parent has disputed paternity of a qualifying child, (ii) the absent parent subsequently admitted to paternity without resorting to court action or DNA testing, (iii) since May 1995 paternity has been established or disproved by a discounted DNA test, (iv) since September 1995 paternity has been established or disproved by a CSA-funded DNA test and (v) paternity remains unresolved. [30164]

Mr. Keith Bradley: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Mrs. Faith Boardman to Mr. Archy Kirkwood, dated 18 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security concerning Child Support Agency paternity cases.

Details of the cases where an alleged absent parent has disputed the paternity of a qualifying child are shown in table 1 below.

Separate information on the number of cases where the absent parent admits paternity prior to any court action or DNA testing has only been collected in the current financial year, and this is shown in table 2 below.

The result of DNA paternity testing is virtually conclusive as the chance that two people have the same pattern is extremely low. A detailed breakdown of DNA tests in 1995/96 is not available, but a total of 1,377 cases were referred for discounted DNA testing between July 1995 and March 1996. Figures for 1996/97 and 1997/98 are shown in table 3 below. In 1996/97, paternity was established in 89% of cases referred for DNA testing. In the current year, to the end of January, the figure is 87%. This represents the overall percentage in establishing paternity; a breakdown into each type is not available. Once paternity has been established the Agency will pursue any arrears of maintenance that have accrued.

At the end of January 1998, the Agency had 9,141 paternity cases referred for DNA testing awaiting processing, and a further 626 where action had been suspended. Thus, there were 9,767 cases where the question of paternity remained unresolved.

I hope this is helpful.

Table 1: Cases of disputed paternity received by the Agency since inception

	Quarter 1	*Quarter 2*	*Quarter 3*	*Quarter 4*	*Total*
1993–94	160	756	995	995	2,906
1994–95	2,434	2,589	2,276	2,798	10,097
1995–96	6,883	5,910	4,734	5,122	22,649
1996–97	4,251	4,490	4,382	4,884	18,007
1997–98	5,451	5,082	5,589	n/a	16,122

Table 2: Cases where the absent parent admitted paternity prior to any court action or DNA testing

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
1997–98	399	426	444	n/a	1,269

Table 3: Cases referred for discounted DNA testing

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
1996–97					
CSA paid court referral	541	412	373	318	1,644
CSA paid	645	694	796	1,098	3,233
Alleged absent parent paid	191	141	120	91	543
1997–98					
CSA paid court referral	343	442	488	n/a	1,273
CSA paid	1,098	1,187	1,364	n/a	3,649
Alleged absent parent paid	84	90	96	n/a	270

Mr. Kirkwood: To ask the Secretary of State for Social Security what have been the total arrears attributable to child support maintenance assessments, excluding category A interim maintenance assessments, at each quarter since November 1995. [30121]

Mr. Keith Bradley: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Archy Kirkwood, dated 18 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about uncollected maintenance assessed by the Child Support Agency.

The Agency's Financial Management System was enhanced from April 1997 to provide more detailed information on category A interim maintenance assessments and other assessments—prior to April 1997 this information is not available. The cumulative amount of arrears outstanding, excluding category A interim maintenance assessments, as at each quarter end to date during 1997/8 and the position at 31 January 1998 are shown in the table attached.

Of the £652,870,713 which is attributable to maintenance assessments excluding Category A interim maintenance assessments, approximately £309 million is the subject of agreements for repayment by instalments, which are closely monitored by the Agency. this leaves approximately £344 million of full maintenance assessment debt to be pursued.

I hope this is helpful.

£

Month	Uncollected maintenance attributable to maintenance assessments excluding Category A interim maintenance assessments
June 1997	560,507,426
September 1997	596,516,697
December 1997	635,522,889
January 1998	652,870,713

Mr. Kirkwood: To ask the Secretary of State for Social Security for each year since the CSA began operation, how much of the total child support maintenance paid by absent parents has been *(a)* retained by the Secretary of State in lieu of benefits and *(b)* if paid to the person with care, has reduced her state benefit. [30168]

Mr. Keith Bradley: Regular payments of maintenance can transform the lives of lone mothers and their children, providing a stable income that can help them off Income Support and into work.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Archy Kirkwood, dated 18 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security concerning the effect of child support maintenance on benefits.

Where maintenance is paid through the Agency collection service and the full Income Support payment continues, money is retained by the Secretary of State to offset the benefit payment. The figures since Agency inception are shown at table 1.

Where maintenance is paid direct by the absent parent to the parent with care, income support payments are reduced where appropriate, and count towards the benefit savings recorded by the Agency. These savings are known as Net IS Reducers, and include those savings identified from arrangements made before the Agency was launched, as well as from maintenance arranged by the Agency. Details are given in table 2, together with the amounts of maintenance arranged for direct payment by the Agency. (A direct pay figure for the first year of operation is not available.)

It is also likely that in some direct pay cases there will be reductions in Family Credit/Disability Working Allowance; these benefit savings are calculated from a computer scan which does not differentiate between direct pay and collection service cases. It is not therefore possible to attribute a figure for reduced FamC/DWA to direct pay. The overall FamC/DWA benefit savings are given in table 3.

I hope this is helpful.

Table 1—money retained by the Secretary of State to offset the benefit payment

£ million

	Total collected	Amount retained by SoS
1993–94	12.57	6.08
1994–95	76.40	50.32
1995–96	164.59	72.44
1996–97	246.59	100.02
1997–98 (to 31.12.97)	249.71	94.66

Table 2—benefit savings recorded by the Agency—known as Net IS Reducers

£ million

	Total arranged for direct pay	Net IS Reducers
1993–94	n/a	177.00
1994–95	111.00	133.28
1995–96	136.91	126.78
1996–97	153.29	112.56
1997–98 (to 31.12.97)	149.11	75.12

Table 3—benefit savings recorded by the Agency—Family Credit/ Disability Working Allowance

	£ million
1993–94	28.00
1994–95	12.84
1995–96	39.96
1996–97	48.07
1997–98 (to 31.1.98)	39.68

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 306**

SESSION 1997–98

9th February—19th February 1998

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

Rulings and Statements by Speaker and deputies are brought together under the heading 'Speaker's rulings and statements'.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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